

DOMINION OF CANADA  
OFFICIAL REPORT  
OF  
DEBATES  
HOUSE OF COMMONS

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FIFTH SESSION—THIRTEENTH PARLIAMENT

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11-12 GEORGE V, 1921

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IN FIVE VOLUMES

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COMPRISING THE PERIOD FROM THE TWENTY-EIGHTH DAY OF MAY TO THE  
FOURTH DAY OF JUNE, 1921, INCLUSIVE.



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PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1921

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## CANADA

# House of Commons Debates

### OFFICIAL REPORT.

Saturday, May 28, 1921

The House met at Two o'clock.

#### REPORTS AND PAPERS

Draft conventions and recommendations of the International Labour Conference at Washington, 1919, and the International Labour Conference at Geneva, 1920, with memorandum from the Labour Department.—Right Hon. Mr. Doherty.

Papers, correspondence and copy of Order in Council in connection with the sale of His Majesty's Canadian ship Niobe and submarines.—Hon. Mr. Ballantyne.

#### JOINT COMMITTEE ON PRINTING

On motion of Mr. J. A. Currie (North Simcoe), the second report of the Joint Committee of both Houses on the Printing of Parliament was concurred in.

#### PRIVATE BILL

##### FIRST AND SECOND READINGS

Bill No. 218 (from the Senate) for the relief of Susan Lee Johnson Bell,—Mr. McMaster.

#### SOLDIERS' RE-ESTABLISHMENT AND PENSIONS

Mr. HUME CRONYN (London) moved:

That the third and final report of the Special Committee on Pensions, Insurance, and Re-establishment be considered and that the recommendations contained therein be commended to the consideration of the Government.

He said: In rising to make this motion I must reaffirm the difficulty expressed on a similar occasion last session. After being immersed for ten weeks in practically one subject, although with an infinite variety of detail; after listening to evidence which will fill a large volume; after wrestling with problems which although world-wide nevertheless affect, and in some respects vitally, the position of the returned soldier in Can-

ada, and after finding oneself baffled despite the fullest discussion and consideration in reaching a full solution of these, it is hard to know how to present the case to the House.

Believing as I do that the report will receive the approval of the great majority of the members, it seems almost futile to weary them with explanations, but perhaps it is due to the country, to the returned man and to the committee itself that some expansion of the report should be made.

After the usual opening which recites the facts of the committee's deliberations, and the many suggestions submitted to it, the report gives an epitome of what this country has done for the returned man since he bade good-bye to his fighting unit. This summary mentions first the amount expended on war gratuities, including those paid to Canadians who fought with the Imperial forces, and indicates that at the end of the last fiscal year there was paid out on this account, without including cost of administration, in the neighborhood of \$164,000,000. This money was expended by the Department of Militia and Defence and apparently no separate account was kept of the cost incurred in disbursing so large a sum among many hundreds of thousands of applicants.

Next on the list are placed the pensions paid since the beginning of the war, which with the cost of administration have amounted to the large total of about \$90,000,000.

The expenditures connected with re-establishment have been even greater than that on pensions, nor will this appear surprising when the list of the activities of the Soldiers' Civil Re-establishment are considered. Starting with medical treatment from the inception of the Hospitals Commission and continued to the present day there come in review: Vocational training, pay and allowances to those

under treatment and training, loans to vocational students, training and care of the blind, post-discharge dental treatment, the provision of artificial limbs and other appliances for the mutilated, the establishment of employment services throughout the country, and the relief measures extended during the two past winters to the disabled and needy. There has been spent on these various forms of assistance no less a sum than \$102,300,000. It would be both interesting and instructive to go further into the various divisions of the work carried out by this department, but to do so would occupy a considerable length of time, and, save for setting down in Hansard what may be already found in the reports of the department, would not justify the attempt. After all, the above figures speak for themselves, and to any one who has seen fit to investigate the efforts made and still being carried on, these will not come as a surprise.

Next in order is the great work done under the Soldier Settlement Act, which has been attended with a larger measure of success than even the most optimistic dared to hope. This very success has tended to swell the amounts the country has had to advance to establish some 20,000 returned men on farms throughout the Dominion. After deducting repayments of principal received from soldier settlers, etc., to an amount approximating \$4,000,000, we find there still remains a liability for loans made and for cost of management of nearly \$83,000,000. It is believed the progress of the whole scheme to date justifies the hope that a considerable portion of the above amount will be returned to the public treasury with interest, and this assurance must reconcile us to the prospect that large sums must as yet be advanced to applicants who are steadily qualifying themselves to take advantage of the provisions made.

The only other actual expenditure noted is one of \$2,800,000, which it cost the country to transport from overseas the dependents of soldiers. This added to the other four and much larger items, gives us a total of \$442,700,000, which Canada, quite apart from her war effort, has been called upon to raise. Aside from these more definite and striking items of expense, there must not be forgotten the Returned Soldiers' Insurance Act, under which there is a present liability of over \$7,000,000, a liability, however, which will be largely reduced by the premiums to be received from those insured under its pro-

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visions. Then, too, we have the effort made by the Civil Service Commission to find employment for the returned man in the public service. This has resulted in something like 29,000 temporary appointments and about 8,000 ex-service men being installed in permanent public positions. Nor should we lose sight of the effort of the Government to redeem at par any sterling funds which might be brought by the soldiers to Canada. As evidence of how this effort was appreciated may be mentioned the fact that up to date pounds sterling to the value of about \$14,500,000 of our currency have been redeemed without loss to those who took advantage of the offer. The cost of this transaction has not yet been ascertained, but recalling the heavy discount at which sterling stood until a few months ago, it will be seen that the country bore a very substantial loss which otherwise would have fallen upon the ex-service man.

In summarizing the above activities no credit has been taken for the moneys voted and expended in aid of the Federal Housing Project. Although this measure in the province of British Columbia was utilized for the sole advantage of the returned soldier, while in other provinces the same class largely benefited from its operations, yet its aim was a general one and the amount advanced on loan to the provinces and by the provinces to the municipalities should not be included.

Nor has any account been taken of the large sums distributed by the provinces and municipalities without aid from the Dominion, the efforts of the Patriotic Fund, Red Cross and various soldier organizations and philanthropic societies which to a greater or less extent were financed by voluntary contribution. Even without regarding the above named extra federal agencies, Canada as a whole, through the Dominion authorities has raised between \$450,000,000 and \$500,000,000 in redemption of her promise to care for the returned man. Even in these days of big figures and huge deficits the above are not small sums and may at least be taken as an earnest that the country is not unmindful of her obligation.

It was perhaps not within the competence of the committee to estimate what in future will be spent to further implement that obligation, but after some inquiry along these lines the conclusion was reached, having regard to pension payments, to the activities under the other branches of the Department of Soldiers'

Civil Re-establishment, and to the further amounts needed by the Soldier Settlement Board, that a conservative estimate of the federal liability for the current fiscal year would not be less than \$75,000,000.

We now come to the immediate objects for which the committee was convened, and as the report states, it was faced with much the same difficulty as I am in on the present occasion, viz.: how much should be included and how much omitted? There were placed before the committee several hundred resolutions and suggestions emanating from departments, soldier organizations and individuals throughout the country. These were tabulated for the committee, credit in each case being given to the source from which it came. As was inevitable, a proportion were more or less in repetition of suggestions submitted to former committees and discussed at length both by those bodies and, to a certain extent, in the House. It is not to be expected that following years of public consideration and discussion, any wholly new suggestions could be made. There are however, as will appear by the report, logical developments along certain lines which it has taken time and much experimental work to bring to a point where practical plans could be evolved.

In view of the above situation, the committee decided that the wiser and more effective method was to mention only those subjects wherein definite action could be recommended or suggested. In a few instances, however, certain proposals which did not receive the committee's support are set forth in its report. This was done to give an opportunity of briefly explaining the committee's view thereon, or for the purpose of directing the attention of the Government and the country to matters which might later call for action.

Let it be understood then, that the committee received and considered scores of suggestions which find no mention in the report. Permit me to repeat on this point the following clause taken from the report itself:

It is well to emphasize the fact that the mere absence of an expression of an opinion does not indicate a failure to consider any one of the many suggestions received. Once more let it be repeated that each and every one of these was submitted to, discussed by, and decided on by your committee. If then those who are interested in a special question submitted to the committee find no reference thereto in this report they may understand the committee found itself unable to make any recommendation on the subject.

If I fail to refer to the work of the subcommittee which considered individual

cases, it is because I hope that this aspect of the question may be taken up by those who can speak more directly on the subject. I have always had some doubt about the advisability of a committee such as ours—overwhelmed as it is by questions involving matters of general interest to the soldier—acting as a court of appeal to review a particular decision covering the case of a single individual. Comparing small things to great, the extension of the committee's powers in this respect may be likened to the growth of the national status of Canada, a condition which admits of large differences of opinion, but which persists, nevertheless, in entailing added duties and responsibilities. However that may be, it is clear the committee is regarded as a court before which individual complaints can be lodged, and I desire to bear testimony to the efficient and thorough manner in which the subcommittee charged with this work, performed its duties.

After this somewhat protracted introduction let me come to the immediate subjects of the committee's inquiry, viz.: Soldiers' Insurance, Pensions and Re-establishment.

Insurance.—The Returned Soldiers' Insurance Act passed at the last session of Parliament, has been functioning since September 1, 1920. During that period up to the end of the fiscal year, nearly 2,400 policies on the lives of returned men had been placed, and this figure is reached after deducting those policies which have been cancelled or have lapsed. As was foreseen, many of these were taken out by men whose condition of health was desperate, and within a few short months (that is, from September to March 14), 28 claims have been received with a liability thereunder of \$121,000. We can set against this immediate liability the sum of \$95,000, which at the end of the fiscal year had been received from the assured. The outstanding liability on policies in force is something over \$7,000,000, but this will undoubtedly be much reduced by the receipt of premiums which each month will be paid into the treasury.

The comment is obvious that but small numbers of the returned men have taken advantage of the Act. Many reasons for this state of affairs will suggest themselves. The plan was not intended to appeal to or cover the man whose health is unimpaired; such a one can secure protection from the many life companies transacting business in Canada at a slightly higher cost, but with privileges purposely omitted from the national plan. We may be sure that these

advantages are not minimized by insurance agents throughout the country, and as is only natural, the healthy soldier turns elsewhere when he can secure his insurance on precisely the same terms as does the civilian. Apart from these very obvious reasons, the information before the committee showed that notwithstanding a persistent and widespread effort to lay before the ex-service man the benefits of the Act, there yet exists a vast amount of ignorance and a good deal of misapprehension on the subject. If the Dominion of Canada were entering upon this plan with the same aim as dominates most life companies, viz.: to underwrite as large an amount of insurance as could safely be assumed, one would have no hesitation in adopting the plan of these companies, and employing agents on commission through the length and breadth of the land to advocate this particular form of insurance. But this aim is far removed from the idea which animated Parliament in placing the Act in question on the statute book. It was at that time carefully explained that the underlying object of the plan was to permit the man whose health was impaired by service to obtain some measure of protection for his dependents at a minimum of cost and without regard for what might be his expectation of life. It will be remembered that the man himself can gain no benefit under this policy, save in the case of his becoming permanently disabled. He cannot use the policy as a commercial asset, or pledge it for his debts. The beneficiaries thereunder are strictly limited to those who are, or may be, dependent upon him, and payments under the policy, instead of being paid in a lump sum, are spread over a term of years—in the hope of thus protecting the beneficiaries against loss owing to unwise investments, or fraud.

If then the majority of ex-service men can have brought to their attention the objects of the Act and can be made to understand with fairness its exact provisions, the country, under the plan as devised, is not called upon by means of a sales force, or other high pressure methods, to enter at large into the insurance field. There remains some doubt as to whether we have adequately fulfilled the primary duty of publicity and explanation, and the report, therefore, recommends that a limited number of returned soldiers after proper instructions, between now and September 1, 1922, when the Act goes out of operation, should lay before their comrades a full explanation of its terms.

[Mr. Cronyn.]

So far as can be judged by representations made to the committee, the main causes for criticism of the present Act may be placed under three heads:

1st. That the initial payment to beneficiaries is limited to one-fifth of the face of the policy. It is clear that where a policy is for the minimum amount, viz: \$500, or indeed until it exceeds \$1,000, the payment of one-fifth would produce so small a sum as to be of little real assistance to, say, a widow who is faced with the debts consequent on her husband's illness and death. Again in the case of these small policies, the balance due to beneficiaries must, under the terms of the Act, be spread over a series of years, not less than five. This means that, under the minimum policy, the widow or other beneficiary would receive about \$100 per annum, manifestly too small a sum to be of real benefit. The committee therefore suggests that the initial payment shall be \$1,000, or the full amount of the policy if the latter be not in excess of that sum. This means that on policies for \$1,000 or less, the whole amount will be paid on death, and that for policies over that amount, \$1,000 shall be paid on death, and the balance over a term of years. About forty per cent of the policies written are for the maximum amount of \$5,000 each, so that the suggestion above noted makes no alteration to this class. It will, however, come as a distinct relief to the beneficiaries under those policies for an amount less than the maximum.

2nd. That the benefits of the Act are restricted to those residing in Canada. It has been pointed out that applications for insurance have been made by some 400 or 500 former members of the Canadian Expeditionary Force, now resident in the United States. Many of these men have, because of their disabilities, removed to warmer climate, and it appears unfair to them that they are unable to protect their dependents. Your committee has recommended that the provisions of the Act be extended to all members of the Canadian forces, no matter where resident.

3rd. That the provision in the Act which deducts from the policy the present value of pensions payable to the beneficiaries, is illiberal and unfair. The provision was inserted in the Act by last year's committee after very full consideration and discussion. It must not be forgotten that the primary object of the whole plan is to enable the soldier to protect his dependents. If these dependents then are receiving a measure of protection by way

of a pension, it was thought to be contrary to the object of the Act, and, as well, unfair to the State, to allow the beneficiaries to receive, as it were, a double benefit. It will be remembered that where such a reduction is made, the premiums paid are returned to the beneficiaries with accumulated interest at four per cent. It may be asked: Why, under such circumstances, should a totally disabled man bother about insurance when he knows that upon his death from the effect of service his dependents will be pensioned? The answer is that if he should die from some cause other than service, his dependents will not be pensioned, but if he be insured they will receive the benefit of his forethought and prudence. In a sense, therefore, to a man in this class a policy under the Act is a more extended type of accident insurance.

This point was again considered by your committee, and although no mention is made of it in the report, the decision was against any change.

Before leaving this particular matter reference should be made to the doubt expressed as to the method of calculating the present value of pensions when deducted from a policy. It is clear that this calculation is upon a strictly actuarial basis. The governing factors are the amount of the pension and the term during which it will be paid, involving, as the latter does, the age of the pensioner.

One or two amendments to the Insurance Act are as well suggested, and a Bill to cover the same is attached to the report. When the Bill comes before the House in committee, explanations on these points will be forthcoming.

May I say here that owing to an oversight of mine this report, which was tabled two days ago, was not put in the hands of the Prime Minister early enough to enable him to read it until this morning, and he was not until then aware that this committee had recommended amendments to three Acts, the Insurance Act, the Pensions Act, and the Civil Service Act. Yesterday, I understand a statement was made, in reply to a question, that the Government had no further legislation in view. We certainly trust that the House will put the amendments approved by the committee into force this session; otherwise, our recommendations on many points would fall to the ground.

In addition to these amendments the committee recommends that regulations be framed to provide that as soon as an ap-

plication has been approved by the proper officers, and the premium paid, such approval shall be held to have the same legal effect as if the policy had been delivered to the assured. Under the existing law an insurance contract is not, as a rule, enforceable unless and until the policy has been delivered to the insured. The proposal of the committee is a modification of that law in favour of the soldier. Cases have arisen where a disabled man has done all he should by putting in his application and paying his premium. Before, however, his policy could issue, he has died, and in consequence his beneficiaries derive no benefit. If this plan were one of ordinary insurance, or even of the latest type which does not require medical examination, it would be unwise to make any change of the kind proposed, but coming back once more to the fundamental object of the whole scheme, it is felt that where the soldier in good faith has taken the necessary steps, it would be unfair to penalize his dependents if death supervene before the actual delivery of the policy.

Another suggested change in the regulations will permit a pensioner to assign a portion of his pension to meet the premium due on his policy. This is open to the objection that pensions are at times altered, or suspended as in the event of medical treatment under the Department of Soldiers' Civil Re-establishment. Under such conditions, the insured's pension having ceased or being diminished, his premiums may remain unpaid and his policy may lapse. The committee, however, thought that the preponderance of convenience to the average pensioner would be such as to warrant an attempt along the lines indicated.

Under the Act, the maximum policy which can be written is for \$5,000, and applications cannot be considered after September 1, 1922. Representations were made that the limits in both of these restrictions should be enlarged, but the opinion of the committee was against such extensions.

Pensions.—As before mentioned, the pension bill has reached a total of \$91,000,000, and it is estimated that for the current year, including administration, not less than \$33,000,000 will be required. The number of pensions in force exceeds 70,000, while if we include the wives of disability pensioners, their children, the children of widows, and orphan children, we find there are over 150,000 individuals benefiting from this source.

As will be recalled, the House last session increased pensions to the disabled, to widows and dependent parents resident in Canada, by a bonus of 50 per cent over the basic rates which were reached in 1917, and further increases, not by way of a bonus, were at the same time granted in respect of wives and children. This increase came into effect as and from September last, since when the totally disabled unmarried man, whose rank is below that of captain, has been in receipt of \$75 a month or \$900 a year, and such a man if married and with three children of pensionable age (thus making up an average family of five), has been paid \$137 a month, or \$1,644 a year. If in addition to his disability he is in a helpless condition, a further allowance up to \$750 a year can be granted him to meet the cost of attendance, nursing, etc.

It has been pointed out on former occasions that the above figures represent a striking increase from the pensions awarded in the earlier years of the war. For instance, in 1914 the pension for total disability was the utterly ridiculous sum of \$150 per annum. That rose early in 1915 to \$264; was again increased the following year to \$480, and reached in the autumn of 1917 what is now denominated the basic rate of \$600 per annum. In 1919 a 20 per cent bonus on that basic rate was granted, which bonus was, as just said, increased to 50 per cent last year. I do not delay to compare in like fashion the increases in pensions to the disabled man who is married, but without family, or to widows, widowed mothers or other dependents. While the latter have not been put upon the same basis as a totally disabled man, their pensions have, nevertheless, been frequently and sensibly increased. The basic rate for the widow fixed in 1917 was \$40 a month, or \$480 a year. By the addition of a bonus of 50 per cent she has since September been paid \$60 a month, and if she has children of pensionable age she receives as well, \$180 per annum for the first child, \$144 for the second child, and \$120 for the third and each subsequent child.

The object to be attained in awarding pensions is not to compensate the recipient for the loss which he or she may have suffered. To attempt this on even a moderate scale would bankrupt the wealthiest nation. What is aimed at is to give an amount sufficient to maintain the pensioner in decent comfort.

It goes without saying, that as commodity prices rise, or the value of the dollar

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shrinks, it is imperative that pensions must at least keep pace with the rise, or otherwise the standard of decent comfort must be abandoned. A like reasoning leads to the conclusion that when prices fall and the dollar returns to its old purchasing power, pensions may be lowered without departure from the standard fixed. It is exceedingly difficult in a country so widespread as Canada, with its varying conditions of livelihood, to generalize on what is or what is not a sufficient income for any man or woman. The best one can hope to do is to compare pensions with incomes earned in various walks of life, and to secure the opinion of those who are brought into intimate touch with the pensioner and his dependents.

Without attempting to make an exhaustive analysis of the situation, I think it may be fairly said that outside of a few exceptional expensive localities, pensions to the totally disabled, widows and widowed mothers do very fairly fulfil to-day their proper functions and object.

The question then arises, has the time come when some modification can justly be made? It is apparent to all that for some months the cost of living has had a downward tendency. This is confirmed by the figures collected under the Department of Labour, which show the average prices in 60 cities of Canada, of those necessities required to maintain a family of five. The chart prepared by that department for the use of the committee gives in graphic form the trend of the prices in this family budget from 1913 down to March of this year. So far as my knowledge goes, this is the first chart to show, not only rentals, fuel and food, but as well the items of clothing and sundries. From it at a glance, it can be seen that during the months of June and July of 1920 the budget had reached its highest point since the war, when it was just twice what it had been in 1913. Since then there has been some decline, notably in foods and clothing, a decline which, however, has been offset to some extent by a stiffening in rentals, and high prices for fuel. In March of this year the budget stood at the same level as that prevailing during the latter months of 1919, but it has still a long way to fall before it reaches the level of 1917, when were fixed the basic rates for pensions.

The committee had no hesitation in deciding that the bonus of 50 per cent should be maintained for another twelve months, that is, until September 1, 1922. It is to be feared that few pensioners have been in a

position to make any saving, indeed, it is more than probable that during the high period of last year, many went into debt, and, as the inclination of the committee throughout their inquiries was to err on the side of generosity, it was agreed that until we had a more definite and permanent return to pre-war prices, no reduction should be made.

Intensely bitter complaints were voiced to the committee against the decision of last year that the bonus of 50 per cent should apply only to those who are resident in Canada, while the former pension of 20 per cent was continued to those living outside of the country. This discrimination was felt more keenly by Canadian pensioners residing in the United States, both because of the discount which they had to pay on their pension cheques, and as well for the reason that in the American republic the totally disabled unmarried pensioner receives \$100 a month, or \$1,200 a year. This is, I believe, the single instance in which the pensions paid by Canada to the rank and file fall below those of any other country. Even in the United States, the pension to the totally disabled married man is exactly the same as that now paid to the Canadian, while the disabled Canadian pensioner with a family receives sensibly more than does the American.

It may be argued that these men reside south of the Canadian border of their own volition, and that if they desire to take advantage of the more attractive rates in this country, they should move to Canada. In fairness to them it should be said that for the most part they are either Canadians, or men of British origin, who before the war were living in the United States. Fired by sentiment they enlisted with our forces before their then adopted country entered the struggle. Further, it is alleged that Canadian recruiting agencies at that time promised those volunteers they would be treated on exactly the same basis as those who were enlisting in Canada. It is but natural that men who enlisted in the United States should return to their homes and friends, nor am I able to seriously criticise the Canadian who after the war, finding it difficult to obtain employment in Canada, discovered for himself a job in the land to the south. The committee recommends that the distinction raised, I believe for the first time last year, between pensioners within and outside of Canada, should now be withdrawn, as from September 1, next, and that all be placed on an equal footing. We believe, however, the former sound rule of

paying funds in Canadian currency should be continued, although this may result in a loss to those who reside in the United States and a gain to those living in Great Britain.

To this point we have been considering only the cases of those who are wholly disabled, or the dependents of those who have fallen. It must not be forgotten that there exists a much larger class numerically, of men who have suffered some partial disability, and are awarded a proportionate amount of pension. The problem of the partially disabled man has been rendered distinctly more acute by the depression in trade and industry, with its consequent unemployment. No amount of theorizing can alter the fact, hard and even cruel though it may be, that in competition with the fit man, whose efficiency should be 100 per cent, the disabled will too often fail of employment. It is easy to justify the logical ruling that a man 50 per cent disabled should not get more than one-half of the amount paid to his wholly disabled brother. Indeed should you pay more than 50 per cent pension to a man 50 per cent disabled, how much more are you going to pay the man whose disability is fixed at 60—70—80 or 90 per cent? And yet the stubborn condition remains, that the man who has had half of his capacity for work destroyed, and who is in theory, and frequently in appearance, only 50 per cent efficient, gets but a limited chance to earn even half the wage of the fit workman. This is not to be wondered at, because most of the jobs in the industrial world call for fully efficient labour, and the posts that can be properly filled by disabled men are not only few but are usually reserved for the old employee, or for the man who has been injured in the industry which still employs him.

Under the heading of "Re-establishment" will be found certain suggestions which it is hoped may aid in overcoming this difficult situation; a discussion of these will be postponed until that point is reached.

Perhaps I have continued at too great length on this one line, but I shall hope to pass more rapidly over the other section of the report dealing with pensions.

The House will recall the position of the widowed mother and the pleas made in her favour, both during this and former sessions. The report of the committee deals fully with this subject, and I do not think I can do better than to read the paragraphs which relate thereto:—

4. (a) The position of widowed mothers in relation to pension has received the attention of every previous committee and has, as well, been discussed by the House during this and former sessions. The widow of a soldier receives her pension as of right, wholly without reference to her financial position. A widowed mother, on the contrary, has heretofore by our Pension Law been called upon to prove as a condition precedent to award of pension, substantial dependency—either actual or prospective—upon her deceased soldier son.

(b) It is suggested that this distinct variation in treatment arises from that provision of the law which binds every husband to support his wife, while save in the Province of Quebec, no such legal obligation towards a mother is laid upon her son. Even in that Province your Committee is advised a mother must be in need, or in the words of the Pension Act must be in a "dependent condition" before she can substantiate her claim for support.

(c) Parliament has during the past two years ameliorated the position of widowed mothers by providing that no reduction be made in the pension of a widowed mother because of her personal earnings or because she has the advantages of free lodgings, by reason of the ownership of her home or otherwise, nor if she be resident in Canada because she is in receipt of income from outside sources of not more than \$20.00 a month. In so far as that income exceeds the sum of \$20.00 a month the pension is reduced. A reduction is at present also made on account of actual contributions made by other members of the family and not less than \$10.00 a month is deducted on account of each unmarried son residing with her whom the Pension Commissioners consider should be able to contribute to her support.

(d) To the above extent it will be noted there has been a departure from the original and perhaps unreasonable rule, that even the smallest income or emolument accruing to a widowed mother must be deducted from her pension. What is now urged is that a widowed mother shall be paid a pension as of right, without reference to her dependence upon her son or to her own financial resources; or to put it in another way, that widowed mothers shall be placed upon the same basis as widows.

(e) Your committee has given this subject very earnest consideration. To abolish the existing restrictions and award pension as of right to every mother of a deceased soldier, as and when she becomes a widow, would add many millions to the pension bill. It would moreover result in the anomaly that mothers with ample income would receive an added supply from the country's treasury, while she who is less fortunate in worldly wealth, although her sacrifice was as great, would have nothing save her pension upon which to live. That a similar anomaly exists in the case of widows does not justify the proposal and your committee therefore is unable to recommend same.

I doubt if I need delay the House to enlarge on what I have just read. If we are prepared to admit that the pension awarded to the widowed mother is sufficient to maintain her in decent comfort, there can be little ground for changing the present regulations. If that pension be not sufficient, then we should increase not only it, but the pension awarded to widows, because

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it must not be forgotten that both these classes of pensioners receive the same amount. I am prepared to agree there are the strongest sentimental considerations for treating widowed mothers with the greatest generosity, but do not let us forget that to pension a widowed mother who has financial resources of her own, would in reality be class legislation of an unfair kind, even though it may be justified under a well-known Biblical quotation.

The remaining suggestions and recommendations with regard to pensions are passed over without comment; they are set out somewhat fully in the report and upon perusal will readily be understood.

Re-establishment.—We now come to the third subject submitted to the committee, which is comprised under the general term of "Re-establishment." When we recall the list of activities mentioned earlier in my remarks under the charge of the Department of Soldiers' Civil Re-establishment, we can understand that re-establishment covers a wide field, and we must add to these the large undertaking of the Soldiers' Settlement Board and a variety of more or less disconnected suggestions which came before the committee, shortly set forth in the last page of the report. The chief task of the committee on this branch of its inquiry was a consideration of the problem of unemployment as it directly affects the ex-service man, together with those other aspects of the same problem in its bearing on the disabled; the after-care of the tuberculous, and what are known as "Problem and Handicap Cases." Hon. members may question the association of care of the tuberculous with unemployment, but there has emerged from the close study given to this grave disease a definite body of opinion that the State, for its own well-being, should provide, not only the suffering soldier, but as well the stricken civilian, some form of sheltered employment which at one and the same time will aid in his recovery, guard against infection, utilize what modicum of effort the patient can expend and thus render the whole body of unfortunates happier and more contented.

Let us return for a moment to the returned man fit for work, who is unable to obtain it. We have declined—and, in my opinion, for fundamentally sound reasons—to grant further general cash bonuses or gratuities. I cannot add anything of value to what has time and again been repeated in the House on this point. We have also failed to discover any practical

plan whereby the country can loan money to returned men to enable them to re-establish themselves in business, trade or occupation. Here too the ground has been most fully covered, and I need perhaps but quote from the report of the committee of last year, when, in dealing with this subject, it makes the following statement:

The difficulty which faced your committee was the conviction that a grant to any particular class or classes, no matter how worthy or pressing their needs might be, must inevitably result in the widest extension of a system of loans for all and every purpose of re-establishment.

No concrete, workable plan whereby such a general system of advances could be safely adopted has been suggested, and your committee feels unable to recommend any scheme which could equitably supply the demands of the many whose suggestions have been sought to its attention.

This year the committee had brought before it in striking manner the pressing need for some measure of relief from the prevailing unemployment, particular stress being laid upon what was termed a "Dominion Housing Scheme," as the best available agency for this purpose. The Great War Veterans' Association were notable advocates of such a nature. The committee was addressed on more than one occasion by Mr. MacNeil, its Dominion Secretary, who, in the most forcible terms he could command, besought the committee to adopt some proposal of the kind. He perhaps purposely refrained from laying down any definite programme; but, as the report states, the plan mentioned by him contemplates an expenditure of \$50,000,000. From a memorandum filed with the committee by Mr. Thomas Adams, whose report and evidence on this and kindred subjects were of the utmost value, it appears that the Great War Veterans' Association plan proposed that the administration of the fund noted above should be entrusted to the Soldiers' Settlement Board, whose organization and experience peculiarly fit them for undertaking such a task.

Doubtless, due to the inspiration of the Dominion Executive, the committee received a score or more of telegraphic appeals from the various commands of the association throughout the West. In British Columbia these were indorsed by independent business bodies who are evidently of the opinion that the Federal Housing Project, a project in that province utilized for the sole benefit of the returned man, had proved a success.

Many of the later meetings of the committee were occupied in discussing this

question, which had as full consideration as time would allow. After frequent conferences the committee decided the wisest method to recommend would be an extension of the original Federal Housing Project, provided that any new Dominion grant should be utilized by the provinces and municipalities for the benefit of ex-service men.

So far as the disabled are concerned, one or two specific suggestions are put forward in the report, which it is hoped will distinctly improve their position. The more general one suggests that the Dominion should assume the responsibility for damages which are incurred when a disabled soldier is injured by an industrial accident. Hon. members will understand that in most of the provinces, under the provision of Workmen's Compensation Acts, the employer is called upon to pay an assessment or premium by virtue of which his injured workmen are compensated for injuries received in his employ. These assessments form part of the operating cost of the industry, and if accidents increase unduly, a demand is made upon the employer for heavier payments.

Experience has shown that a man who enters an industry already disabled, is more liable to suffer from accident than is he who is physically sound, and there appears to be no doubt that some employers hesitate to take on disabled veterans if they can fill their factory or workshop with fit men. The report sets out in detail the conditions upon which the country should assume this liability, but I need not delay the House in going into these particulars.

Another suggestion made, which it is believed will materially aid the disabled man, is that he is given a distinct preference for entry into public service, a preference not only over the civilian, but, as well, over his comrades who do not suffer from his handicap. An amendment to the Civil Service Act to carry this suggestion into effect is attached to the report and can be more fully discussed when a Bill embodying it is introduced to the House.

Other suggestions have been made, which it is hoped will tend to aid the situation. For instance, it is thought that the Government expenditure on public works, and the purchases of supplies placed every year on behalf of departments, etc., might be so distributed as to prevent an undue pressure of work during certain months of the year and subsequent cessation at other times. In the opinion of the

committee, and those who appeared before it, it is desirable rather that our industries should keep so far as possible on something like a normal working basis throughout the whole year, rather than that they should be forced to speed up at some particular season in order that they may fill Government deliveries, when these deliveries might by some forethought, be spread over a longer term. Again, it was thought that when economy or other changes necessitated large reductions in the staffs of the Canadian National Railways, or the Canadian Government Merchant Marine, the returned man should, so far as would be compatible with good management and fair play, be the last one to be let out. The action of the Federal authorities in regulating immigration so as to prevent unemployment was noted, although the committee felt its jurisdiction hardly extended to so wide a question as this.

The larger portion of this section of the report is occupied by a discussion of the problem and handicap cases and of the after-care of the tuberculous. The paragraphs dealing with these matters are more or less technical, and require careful perusal, to fully appreciate what has been done. The committee was largely guided on this question by a voluminous report to the Department of Soldiers Civil Re-establishment issuing from a board of five expert consultants on tuberculosis. This Board, under the direction of the Department visited twenty-six Sanatoria for tuberculous patients throughout Canada, and, after a complete and painstaking survey of these institutions, they issued what to my mind will be accepted throughout the whole world as an advanced and sane report. In the opinion of these experts which was, I believe, fully concurred in by the committee, the logical and proper development of the great work of the care of the tuberculous and the handicapped man, starting as it does in sanatoria and other institutions, will be found in the establishment of some form of sheltered employment whether this be known under the name of "Vet-Craft Shop"—"Sub-Standard Factory" or otherwise.

Attention is called to the view that these newer and to a certain extent experimental institutions can be more happily administered by other than purely governmental organizations, and the idea is thrown out that the Canadian Red Cross may continue and perpetuate its remarkable war work by taking charge of at least some of these enterprises. Other organizations like the

[Mr. Cronyn.]

Daughters of the Empire, or associations formed among the tuberculous should, as well, work to help in a solution of the problem. Back of them all must stand the Federal Government ready to supply the needed funds and keep due control of the expenditure of the same through the Department of Soldiers Civil Re-establishment. The care of the tuberculous both in a sanatorium and after they have left its walls, has been distinctly handicapped by the lack of properly trained medical men and nursing staff. Outside of the province of Manitoba, I am given to understand, there exists no institution where students, doctors or nurses can receive special training to fit them in this particular line of medical work. While our sanatoria are modern, well equipped and excellently run, it is difficult, under the pressure of a mass of patients needing daily care, to secure a proper diagnosis of those obscure cases which are on the border line of this malady. The treatment of these cases, too, must be outside of the ordinary routine, and to get the best results, which may mean the salvation of the patient, calls for special equipment, observation and treatment.

The committee recommends by its report that the department enter into negotiations with an institution agreed on by all to be ideal for the above purposes, in order that the same may be enlarged, in part at least at public expense, and the added space thus gained devoted to the welfare of soldier patients. My remarks have already run to so great a length that I feel unable to review even briefly the operations under the Soldiers' Settlement Act, and the several unconnected general suggestions and recommendations with which the report deals. As to the Soldiers' Settlement Board, perhaps the best testimony of the opinion in which it is held by ex-service men is to be found in the proposal noted above, that it should take charge of a widespread and complicated housing scheme.

The committee was asked to suggest some fair method of disposal of what are known as canteen funds, which, to an amount of some \$2,000,000, are in the hands of the Receiver General for Canada. This money is the property of the soldier as his share of the profits arising from the operation of the military canteens in France and elsewhere. Several suggestions regarding these funds were received by the committee, but in its view the matter is one solely for the decision of the ex-service man, and the committee felt that decision

should not be prejudiced by any expression of opinion in its report. Had time allowed the committee might have attempted to secure through the larger soldier organizations a considered decision on this question, but as this was impossible the suggestion is made that the Government should confer with these organizations and adopt some method of obtaining the view of the men.

In closing may I be allowed to thank my fellow-members of the committee for their attendance at its many meetings and for the assistance and encouragement given to its chairman. I am well aware our protracted sessions frequently interfered with other parliamentary duties, but it is fortunate for the cause in which we are all interested that other matters were put to one side, and as a result we had a wonderfully high average of sustained attendance; a condition which the members of the House will recognize contributes much to informed discussion and proper judgment.

Were I personally disposed to begrudge the time spent on the work of the committee it would be upon the sole ground that its call for continued attention has been so absorbing as to debar me from keeping abreast of the general programme before the House. To such an extent has that condition persisted that for two months or more it might fairly be said that the city of London was not represented in the House of Commons.

It has been the custom and practice of the committees on soldiers' affairs with which I have had the privilege to be associated to refrain from expression of sentiment, and on the surface at least to deal with all questions before them in that more equable atmosphere which leads to juster conclusions. After all "deeds not words" is a fitting motto for those who deal in matters of war.

I hesitate to break this tradition although my Celtic ancestry makes me perhaps less sensitive than those of sterner mould in publicly voicing one's inmost thoughts.

Lest, however, those whose requests we have been compelled to deny—and I am aware we have perforce had to refuse many such—should be inclined to call in question our attitude, let me assure them that I speak but the bare truth when I say that the committee's watchwords were "generosity and justice," and that the greater of these was generosity.

A few months ago it was my great fortune to travel a portion of the battlefields of Belgium and Northern France. This visit enabled me to comprehend more clearly

something of what our men did and suffered. It will cause the trench-hardened warrior to laugh, to think that even the most vivid imagination could reconstruct anything to approach actuality. That is doubtless so, but as the child is impressed by a wreck-strewn shore and can vaguely visualize the storm which produced it, so may we, the inexperienced, gain a glimpse of the terrible reality by viewing the aftermath of war's cyclonic rage. After passing through countless ruined towns, deserts of brick and stone so slowly being restored, we stood in that horrid plain which lies beyond the town of Ypres. At the sight of that desolate morass, churned and pock-marked by shell-holes, whereon naught grew but dun rushes and tangled masses of creepers whose thorns rivalled the barbs of the rusting wire through which they struggled, without note of bird or other sound of animal life—naught, indeed, but "the little children of the wind crying solitary in lonely places"—with the horizon outlined by the ghastly and ghostly fingers of dead and riven trees; I was able to gain some faint idea of the stuff our men were made of when for months under far more appalling conditions than I could outline they not only fought and defeated the enemy but withstood the terror that flew by night and the pestilence that walked at noonday.

Then, Sir, I recalled the lines, penned half a century since but still apposite to our times:

I with uplifted head salute the sacred dead  
Who went—and who return not? Say not so,  
Virtue hath paths that lead not to the grave,  
No ban of endless night exiles the brave,  
And, to the saner mind, we rather seem the  
    dead who stayed behind.

And on that spot with these words in my mind, I strongly resolved that we who, through age or other giant circumstance were debarred from taking part in the actual struggle, should by such puny sacrifice of effort or funds as we can offer prove at least that we are alive to the debt we owe to those who fought and died.

Mr. I. E. PEDLOW (South Renfrew):  
Mr. Speaker, I rise in the first place to offer my hearty congratulations to the chairman (Mr. Cronyn) and his committee on the report which has just been presented to the House. It is undoubtedly the result of an immense amount of careful, painstaking work on their part, and I extend to them sincere thanks not only on behalf of the members of this House but also on behalf of the men whom they have been so greatly interested in.

At the time the committee was in session I had occasion to bring before them a matter so involved that it was impossible for them to deal with it to a finish within the time at their disposal. I therefore crave the indulgence of the House for a few moments while I bring the matter to the attention of hon. members. During the summer months of 1918 permission was granted—by whom or by what authority I have not up to the present time been able to ascertain—for the officer of a foreign country to come into Canada and recruit Canadian citizens for service with the French army in France. He succeeded in recruiting Canadian-born citizens to the number of 221, who were assembled at Niagara Falls and afterwards transferred to France, where they served in the French army from June, 1918, until January, 1921.

So far as I can learn, the Department of Militia and Defence has absolutely no record of these men. I have been endeavouring to have these men given the same consideration as members of the Canadian Expeditionary Force received at the hands of the Government, but without success. I am informed that these men were paid the magnificent sum of five cents per day while overseas. They returned only last January, almost penniless, almost in rags, and in very poor condition; in fact, some of them are broken down in health. I placed before the committee such evidence as I could obtain, but I feel sure that there is still further evidence to be obtained, and if the Militia Department and this committee will continue investigations on behalf of these men I am confident that they will be able to establish what I am desirous of establishing here to-day,—that these men are deserving of the same consideration as the men who went overseas in the Canadian Expeditionary Force, because many of them have informed me that they were given to understand at the time they enlisted in this Polish battalion that their service would be considered as of the same value and effect as though they had served in the Canadian Expeditionary Force. The reasons for their joining that particular battalion I need not discuss now. I am merely desirous of placing this matter before the House and the country to show that a foreign government was allowed during the war to enlist 221 Canadian-born citizens and take them overseas at a time when we were moving heaven and earth to secure recruits for our own service.

[Mr. Pedlow.]

In view of these facts, Mr. Speaker, I would move, if I am in order, that the following paragraph be added to the resolution that has been presented by the Pensions Committee:

That the Canadian-born citizens to the number of 221 who enlisted in the Polish battalion for service with the French army in France, and who did serve overseas from June 1918 to January 1921, shall be rated as enlisted men in the Canadian Expeditionary Force in regard to (a) pay and allowances, (b) war service gratuity and (c) pensions.

I might add one word further, that I have a complete list of names of the men from my own riding, with their military service record cards.

Mr. SPEAKER: This motion is not in order. The report of the Pensions Committee is before the House for concurrence or rejection. If the hon. member moves to refer the report back to the committee, with instructions, he will be quite in order.

Mr. PEDLOW: I am in the hands of the Chair in regard to a matter of that kind, as I am not conversant with what is the proper procedure.

Mr. BELAND: Is it not competent, Mr. Speaker, for any member to move that certain paragraphs be added to the report submitted?

Mr. SPEAKER: If it were a consequential amendment or a motion of that character it would be quite in order. The report of the committee, however, is before the House for consideration on a specific motion. I have no objection to altering the phraseology of this motion so as to put it in proper form and that is what I purpose doing.

It is moved in amendment by Mr. Pedlow, seconded by Mr. Truax:

That the said report be not now commended to the consideration of the Government but that it be referred back to the Special Committee on Pensions, Insurance and Re-establishment with instructions that it have power to amend the said report by adding thereto, the following words:—

“Canadian born citizens to the number of 221 who enlisted in the Polish Battalion for service with the French Army in France, and who did serve overseas from June 1918 to January 1921, shall be rated as enlisted men in the Canadian Expeditionary Force in regard to (a) pay and allowances, (b) war service gratuity and (c) pensions.

Hon. HUGH GUTHRIE (Minister of Militia): Mr. Speaker, may I be permitted just a word in reply to the remarks of my hon. friend from South Renfrew (Mr. Pedlow) in regard to the Polish regiment

recruited in Canada during the summer of 1918? My information is that after the Military Service Act came into force in this country a number of men who were fit subjects for conscription and who had not up to that time volunteered their services objected to serving with the Canadian Expeditionary Force and themselves suggested that they be permitted to form something in the nature of a foreign regiment, for service, I think, in the first instance in Poland or under the authority of the government of Poland. The regiment was to be a distinctly foreign regiment for service abroad, not under the authority of the Government of Canada. Upon examination of the question it was found that a good many of the men who desired to enlist in such a regiment were familiar with the Polish tongue and not very familiar with the English tongue, and it was thought that they might perform better service in a foreign battalion than they could in a Canadian battalion. At all events the matter was left to the decision of the men themselves. They were liable to conscription; their services could be required under the law of Canada for the Canadian Expeditionary Force. But they decided, with full knowledge of the circumstances, that they would prefer to serve as a Polish regiment apart altogether from the Canadian Expeditionary Force. In the summer or autumn of 1918, between 200 and 250 men were established as a Polish regiment, went away for foreign service, and, I believe, did not return to Canada until January of the present year. I do not know why they were so long delayed. I must say that my hon. friend from South Renfrew was indefatigable in his efforts to have these men returned to Canada at a much earlier date, and perhaps his efforts very much hastened their return. The hon. gentleman has also been most insistent in his demand that these men be treated as members of the Canadian Expeditionary Force for all purposes. I have had occasion to point out to him that under the present law this cannot be done—whether or not it should be done is a matter for the House. Our law applies only to members of the Canadian Expeditionary Force so far as pay, discharge gratuities and the like are concerned. These men have not been badly treated so far as we are concerned; if they have any reason to complain it is against their own government or against foreign governments. They deliberately made the choice, with a full knowledge of the facts. The authorities in this country endeavoured in every way to persuade them to enlist with the Canadian Expeditionary

Force, because at that time we were very hard pressed for men. It was only at their express desire that they were permitted to form something like a foreign legion.

Now, when the armistice was signed the Government passed an Order in Council to provide for the payment of war service gratuity, but that order was expressly limited to the naval and land forces of Canada on active service. The first order was passed on December 21, 1918. A subsequent order was passed on December 1, 1919, making the provisions of the first order apply to those who had been demobilized or discharged prior to the armistice; but that second order likewise was expressly limited to pay and gratuity to members of His Majesty's forces. The men for whom my hon. friend from South Renfrew pleads were at no time members of His Majesty's forces, at no time part of the Canadian Expeditionary Force. It was only to such forces that gratuity could be paid under the provisions of the Orders in Council to which I have referred. I do not agree that there has been any wrongful treatment, any harsh or ill-treatment of these men. However, the matter is a fair one for discussion in the House and I shall have no objection at all to whatever view the House may take in regard to it.

Hon. RODOLPHE LEMIEUX (Maison-neuve—Gaspé): Mr. Speaker, it seems to me that the enthusiasm which prevailed when the soldiers left Canada to fight for a common cause should not diminish as we get far away from the events of those days. The Poles in Canada fought the same enemy as our own soldiers fought; they enlisted bravely and did their duty heroically. It matters not whether they served under the British flag, the French flag or the Polish flag; they left Canada to fight for the common cause, and with the sanction of the Department of Militia; for no soldier could leave Canada to fight in a foreign legion, if liable for military service, without the express authorization of the department. As has been stated by my good friend the Minister of Militia (Mr. Guthrie) many of the Poles in the county of Renfrew could not speak or understand the English language; they preferred to serve under a general who is now famous throughout the world, General Haller, who organized the Polish legions serving jointly with the French troops.

Now, the question for us is whether these men are entitled to the same treatment as our own troops. Mr. Speaker, I do not

see why any distinction should be made in this regard. All the forces of democracy and liberty were fighting on the one side against a common enemy and I do not see why different treatment should be accorded to different groups of men serving in the same cause. The Poles who are Canadian subjects but of Polish origin should not be treated differently from the French or the Belgians who are not Canadian subjects but who enlisted from Canada in their respective armies at the beginning of the war and who in respect of the Canadian Patriotic Fund were accorded the same treatment as that given our own Canadian soldiers. I was a member of that committee, and I remember that Mr. Nickle, ex-member of Parliament for Kingston, and Sir Herbert Ames were members of that committee. This was at the beginning of the war. There was enthusiasm and a desire to help all those who fought for the same cause and the same ideals.

Mr. EDWARDS: Did those French reservists who, on the outbreak of war, went overseas and joined French regiments, come under our payments of gratuities, the same as members of the Canadian Expeditionary Force?

Mr. LEMIEUX: What I mean is that their families came under the Patriotic Fund.

Mr. EDWARDS: But not under gratuities in the way of pensions and so forth.

Mr. LEMIEUX: I do not think so. At the beginning of the war it was unanimously resolved by the committee appointed by the House, that families of French and Belgian reservists should be treated as the families of our Canadian soldiers. They were thus treated throughout the whole war; but I believe the case brought up by the hon. member for Renfrew South (Mr. Pedlow) this afternoon is stronger. These are Canadian subjects of Polish origin, who, at a given moment, asked the Government for permission to serve under their national colours. They served for the same cause, the same ideals; they fought the same enemy, and many of them found a heroic death on the battlefields. Why should the Canadian Government treat them differently? We are a country of different races, different creeds. We invite the various populations of the earth to settle our country. Once the settlers have come to Canada, once they have been naturalized, once they have become of our stock, there should be no differ-

[Mr. Lemieux.]

ence in the treatment meted out to those new fellow-subjects of ours. I would strongly urge the Government and the committee to take the view so forcibly presented by my good friend from Renfrew South. The amount is not large. There were, I understand, only 200 of these soldiers who served under the Polish colours. It is only fair to give those people the same treatment as they would have received if they had served in the ranks under General Curriel. I will strongly support the position taken by my hon. friend from Renfrew South.

Hon. S. C. MEWBURN (Hamilton East): Mr. Speaker, I have listened to the remarks particularly of the Minister of Militia (Mr. Guthrie) and I entirely concur in what he said regarding these Canadian citizens of Polish origin. This matter should go back a little further. In 1918, a very large number of Poles were residing in the United States of America. A request came to the Canadian Government, through the War Office of the Imperial Government, that we should arrange some camping ground in Canada and arrange to feed and train some of these Polish citizens of the United States, under an arrangement whereby it would be necessary for them to enlist in the American Expeditionary Force, but permission was given to them to proceed to Canada. A camp was established at Niagara-on-the-Lake with Polish instructors who came from the United States, who understood and spoke the Polish language. The Canadian Government acted purely and simply as agent of the British Government which had been requested by the French Government to carry this into effect. The Canadian Army Service Corps ran the camp. Col. Le Pau was in charge of the camp. I am speaking from memory, but I think that more than 20,000 Poles came from the United States and were trained at Niagara-on-the-Lake. These particular men that were referred to desired and requested that they be permitted to be trained with the Poles who were training at Niagara-on-the-Lake. I do not think any particular Polish battalion was sent overseas. These men were sent over in drafts to France and they received pay and allowances the same as the French soldiers. I do not think my hon. friend will find some 20,000 American citizens of Polish origin, who were permitted to come over here and who did not serve in the American Expeditionary Force, are drawing pay and allowances from the American

Government. I would be the last one to deprive any Canadian citizen of whatever nationality he may be, of any gratuity and so forth that he should receive, but these men are in the same category as some 20,000 who came from the United States and went over to France.

Mr. LEMIEUX: Except that they are Canadians.

Mr. LAPOINTE: Does my hon. friend know that they are not being paid by the American Government?

Mr. MEWBURN: I do not know definitely, but I doubt very much if they are.

Mr. CRONYN: Mr. Speaker, as this is only a proposed amendment, may I say: this matter received the very fullest and most careful consideration by the committee. The committee was addressed by the hon. member for South Renfrew, and one of the members of the committee interested himself in the question. I do not think more could have been done to bring before us the main facts of the case. One other point is this. While these men are Canadian-born citizens, many thousands of other citizens of Canada—true it is that they may not all have been native-born citizens; some were; perhaps a majority were not—left to join the armies of France, Belgium, Italy—

Mr. NESBITT: Russia.

Mr. CRONYN: Russia, too. I remember that, two or three years ago when the Pension Committee was sitting in the museum building, the same question came before us, and the decision was that we could not extend to these men pension provisions or gratuities. It is true that we provided for pensions for certain of their dependents.

Mr. NESBITT: Widows.

Mr. CRONYN: Widows. I understand from the hon. member for Renfrew South (Mr. Pedlow)—I may be wrong—that these 200-odd Poles were unmarried; they did not leave widows. We have also provided for a certain amount of medical treatment for men from the armies named, but on the distinct understanding, an understanding which has, I believe, been carried out, that our expenditure in that respect will be repaid by the French and other Governments concerned. Once again, I say that the committee considered this matter and it would be quite useless to send it back for reconsideration.

Hon. H. S. BELAND (Beauce): Mr. Speaker, I want to add just a few words to what has already been said on this subject, which is of some importance. As the worthy chairman (Mr. Cronyn) has stated, the matter has been brought to the attention of the committee. I was unable to see eye to eye with the majority of the committee on this subject. I would like to impress upon the House a couple of propositions which should appeal, I think, to the majority of hon. members. First, the Poles referred to were, and are still, Canadian citizens. Second, they have served the common cause of the Allies during this war. And third, as to their quality, their bravery, and their devotion to the Allies' cause, we have the tribute which was paid to them by Professor Le Pan of the University of Toronto, if I mistake not. I say that these men are Canadian citizens. What did we do as a Government in the case of the French reservists, the Belgian reservists, and the Italian reservists, who lived in Canada and joined the armies of their respective countries and returned to Canada after their discharge? As far as pensions are concerned, we treated them on the same footing as the members of the Canadian Expeditionary Force.

Mr. CRONYN: I am quite sure that my hon. friend is mistaken in making that statement. I have under my hand a statement from the Pensions Board, on my inquiry, showing that Canada pays no pension to the disabled Belgian, French or Italian reservist who returned to Canada from overseas.

Mr. BELAND: I may be mistaken as to a disability pension to the soldier himself, but there is a clause in the Act providing that the dependents of the French, the Belgian and the Italian reservists, and I think the reservist of any of the Allied armies, should receive a pension, if the soldier fell, on the same footing as the members of the Canadian Expeditionary Force.

Mr. COOPER: No.

Mr. BELAND: May I ask the hon. member who says "no," what our Pension Act provides for the dependents of the Belgian, the French, and the Italian reservist? If it is not a pension for the dependents, is it a pension for the disabled soldier? Is it a war service gratuity that is provided? Or a bonus? Are they paid the same rate as the members of the Canadian Expeditionary Force? Possibly

not all of them, but as far as pensions are concerned their dependents are on the same footing as the members of the Canadian Expeditionary Force. In all common sense, how could the Act not apply to men who were regarded as Canadian citizens with the authority of the Militia Department? My hon. friend the present Minister of Militia (Mr. Guthrie), and my hon. friend the ex-Minister of Militia (Mr. Mewburn), have stated that they were so regarded with the authority of the Minister of Militia. It was on September 27, 1917, that an Order in Council was passed authorizing Americans to come in here and recruit for the Polish battalion, at the request of the American Ambassador in Washington, and, in turn, I believe at the request of the Imperial Government. There is not the slightest doubt in my mind that representations which we could not control have been made to these men, to the effect that if they enrolled and served with the Polish battalion they would be treated on the same footing as members of the Canadian Expeditionary Force.

Mr. EDWARDS: Did they get the same pay?

Mr. BELAND: No.

Mr. EDWARDS: Then they could not have thought that they were to be treated the same as members of the Canadian Expeditionary Force.

Mr. ARTHURS: There were certain members of the Canadian Expeditionary Force, as stated by the hon. member for Renfrew (Mr. Pedlow), who left the Canadian Expeditionary Force to join the Polish battalion at Niagara. They stayed with that battalion for some days or weeks, and then raised the objection that their treatment was not what they expected, that their pay was not as high as that of the Canadian Expeditionary Force, and they were allowed to rejoin the Canadian Expeditionary Force. Consequently, the argument made that these men were to get the same treatment as the men of the Canadian Expeditionary Force has no foundation in fact.

Mr. BELAND: They may not have been guaranteed the same rates officially. If that had been the case we would not have been pleading for them here to-day, because it would have been a matter of law. But to my mind it appears clear, at all events it is most probable that these men were left under the impression that they were to receive the same treatment as the men

[Mr. Beland.]

of the Canadian Expeditionary Force, if not in all respects, certainly as regards the pension to their dependents if they should fall.

Mr. MORPHY: Why did they not join the Canadian Expeditionary Force?

Mr. BELAND: That is a very proper question, and I shall answer it. If my hon. friend, who is an extremely reasonable man, had been placed in the position of the Poles, understanding the English language very imperfectly—

Mr. MORPHY: I am informed that that is not so, and I would like my hon. friend to take the responsibility for making that statement.

Mr. DEPUTY SPEAKER: I must remind the hon. member that that is not a question.

Mr. BELAND: I will answer the hon. member's question as to why they did not enlist in the Canadian Expeditionary Force, if you have no objection, Mr. Speaker. I might say that my authority for the statement that the Poles were only imperfectly acquainted with the English language is the Minister of Militia, who so stated in this House only five minutes ago. It was because of that that they were allowed to join the Polish battalion. I would not claim for the Pole exactly the same treatment as was accorded to members of the Canadian Expeditionary Force, I might not go as far as my hon. friend from Renfrew (Mr. Pedlow); but I do think that this country owes it to itself to care for the widows and dependent children of these men who fell in the war. Is it generally known that these men were paid at the rate of 5 cents a day while they served in the Polish Army? I think in all fairness we should give these men the benefit of the doubt. I am animated by a desire only to do justice to these men, not to give them favoured treatment at all. Let me read the clause in the Bill. By section 26 of chapter 62, an Act to amend the Pension Act, a new section—section 47 of that law is enacted. This new section reads:

When a person of the rank of Warrant Officer or of a higher rank in any of His Majesty's naval, military or air forces other than the naval, military, or air forces of Canada or when a person in the naval, military or air forces of one of His Majesty's Allies who was domiciled and resident in Canada at the beginning of the war has died during the war or thereafter as the result of a disability incurred during the war or demobilization and his widowed mother, widow or children have been awarded a smaller pension than they would have been entitled to under this Act in respect of his death, such

widowed mother, widow or children shall be entitled, during the continuance of their residence in Canada, to such additional pension as will make the total of the two pensions received by them equal to the pension that would have been awarded if the person aforesaid had died in the military service of Canada.

That is absolutely plain; it applies to everyone. But I believe that the Poles are treated differently from the other members of the Allied armies, and I have in mind particularly the French, the Belgian and the Italian. All I ask is that the Poles be treated the same as the others, always taking into consideration that they are Canadian citizens.

Mr. JAMES ARTHURS (Parry Sound): The last speaker seems to be under a misapprehension as to what the hon. member for South Renfrew (Mr. Pedlow), has stated. In the case of those men to whom he refers, who died overseas on active service, the widows, children, and other dependents, are treated in the same way as the men who had gone as reservists to France or even in the British army. This is the law at the present time. What the hon. member for Renfrew asks is that we make up their pay, allowances and gratuity to the standard of the Canadian Expeditionary Force. We have not done that with the French reservists or thousands of Italians who joined the Canadian Expeditionary Force and who were afterwards called by their own governments. Many hundreds of them volunteered in the Canadian Expeditionary Force and were later called by their countries. We do not make up their pay; they get the Italian pay. If any of them were killed in action, however, we take care of their widows and children living in Canada, and we would do exactly the same in the case of Poles. As a matter of fact, I do not think that the American Government has done anything for the Polish Legion which enlisted there, and of which these men to whom the hon. member for Renfrew refers were a small part.

Mr. LAPOINTE: Would their Government do anything if they were disabled?

Mr. ARTHURS: I presume the Polish Government pays them. This Polish Legion comprised 22,000 men enlisted entirely in the United States, with the exception of the 200-odd mentioned by the hon. member for Renfrew. They went under the auspices of the French government, and get a bonus of \$150 per year from that government. So far as the committee is concerned, I think its position is eminently justifiable; it has treated all alike.

Mr. E. W. NESBITT (North Oxford): In the session of 1918, I think, a strong attack was made upon the Pensions Committee of that year, and it was urged that we should recognize the Russian, the Italian, the French, the Belgian, and the other reservists who were called to the colours; and we did go so far in 1919 as to supplement the pension to the widows and orphans of such of these reservists as were killed overseas. That is to say the pensions they were drawing were not equal to the pensions of the widows and orphans of the men of the Canadian Expeditionary Force, and we made recommendation that they should be supplemented to equalize them with the Canadian pension because these people were residents of Canada. It was distinctly stated that the reservists who were killed and for whom we were doing this must have been residents of Canada before the war and must be resident and domiciled in Canada at the time the recommendations were made. My hon. friend from Beauce (Mr. Beland), emphasized the fact that these men mentioned by the hon. member for Renfrew were Canadians. These reservists were also Canadian, and were forced to go whether they wanted to or not. They went from Canada and came back to Canada, and were equally Canadians as the men born in Canada, so far as citizenship is concerned. They were forced to go, and therefore I think we were in duty bound to consider them even to a greater extent than the men who, my hon. friend from Beauce says, were Canadians. You cannot tell me that if they were born in Canada they did not understand the English language. Of those who went to Niagara, and whose cause the hon. member for South Renfrew is advocating, the younger men at least must have understood English if they were born in Canada and were educated in our public schools. These men knew what they were doing. They made their choice, and I have not the same sympathy with them that I have with the reservists who were forced to go to the colours. The reservists were Canadian citizens. If we did as the hon. member for Renfrew suggests, the Russian, Italian, and French reservists who went to the front, and who did not get the same pay as our men, would have an equal claim on us and would soon be after us, and we could not deny them. I think, therefore, that we are wasting our sympathy this afternoon. Furthermore, the matter was thoroughly considered in the committee. We gave the member for Renfrew every

opportunity to bring the matter properly before us, and my hon. friend from Beauce, who was a most popular member of the committee, certainly did his best for them. If he could not do anything for them, I do not believe any one else could.

Mr. THOMAS VIEN (Lotbinière): I am sorry I cannot see eye to eye with the hon. member (Mr. Nesbitt), who has just spoken. He says that these soldiers, for whom we are asking the sympathy of the House, do not appeal to him as much as the reservists of other countries who were forced to go to the front. I do not see how the hon. gentleman discriminates in his sympathy between those who were forced to go, and those who voluntarily enlisted. I always thought he was more sympathetic to those who voluntarily enlisted than to those who were compelled to join the forces. Leaving that aside, however, there is another consideration I wish to bring before the House, and which I think should receive some consideration in regard to those men on behalf of whom the hon. member for Renfrew has just made a motion. In the case of reservists of European countries, the soldiers who went back to their countries and enlisted in their national armies are provided for by the various governments for whom they served. These Polish soldiers who enlisted in this special voluntary Polish regiment are not looked after by the Polish Republic. If they are disabled, they do not receive any compensation or pension from the country of which they are nationals. There is a great distinction between a reservist who goes back to serve in his country, who cannot enlist in the Canadian Expeditionary Force because he is under orders from his own country to report there, and a Canadian-born citizen who is not forced to enlist and yet voluntarily enlists in a regiment which is specially organized for those of his own nationality. The Government of Canada allowed the French Government to come here and to organize a Polish regiment. If they had been recruited from among the Polish reservists I would grant immediately the argument I heard this afternoon from hon. gentlemen opposite, that they are on the same footing as reservists from all other countries. But this is not the case. They are not Polish reservists; they are Canadian-born citizens who were induced to enlist by the fact that the French Government organized a Polish regiment in Canada. It seems to me, therefore, that

[Mr. Nesbitt.]

there should be no difference between these men and those who enlisted voluntarily in the Canadian Expeditionary Force. The hon. member for North Perth (Mr. Morphy) put a very reasonable question when he asked, "Why did they not enlist in the Canadian Expeditionary Force?" The answer to this question, I think, will throw some light on the subject. In the first place, if they had enlisted in the Canadian Expeditionary Force, the hon. gentleman who asked that question would concede, they would be entitled to a pension and, of course, they should be so entitled. But why did they not enlist in that force? It was because a Polish regiment was being organized in Canada, and they enlisted in it notwithstanding the fact that they were Canadian-born citizens who understood the English language. A question of sentiment is involved there which is only human and which everybody will understand. For example, when a French Canadian regiment was organized in the province of Quebec, French Canadians were induced to enlist in that regiment much more readily than they would have enlisted in any other organization. Therefore when a Polish regiment was raised in Canada it was only natural that the Canadian-born citizen of Polish descent should enlist in that regiment rather than in the Canadian Expeditionary Force. They were commanded by a Polish officer, and in France they were brigaded under a Polish general; and I believe that being Canadian-born citizens they should not be deprived, merely because they enlisted in the Polish regiment organized in this country, of the other advantages which the law provided for the Canadian-born citizen.

Mr. McGIBBON (Muskoka): Why did they wait from 1914 until 1918 to join that Polish regiment?

Mr. VIEN: Well, the hon. gentleman cannot blame any Canadian citizen for taking advantage of the law and exercising his judgment as to the proper time to enlist. This question has been already threshed out in this House and in the country. As long as the law of the land gave a Canadian citizen the right to enlist or not it was a matter subject to his own judgment or discretion.

Mr. LEMIEUX: And besides, they were not of age.

Mr. VIEN: As to that I do not know. We have the cards of some of them which

show that before 1918 they were not of age and consequently they had to wait until that time arrived before enlisting.

Mr. CURRIE: Just one of them.

Mr. VIEN: But in any case they objected to being commanded by any other officer than their own national.

Mr. CURRIE: What country did they swear allegiance to when they joined?

Mr. VIEN: That question is irrelevant and I do not think I should be called upon to answer it; it would raise very intricate and very far-reaching issues. The point I wish to bring to the attention of the House is this: They are Canadian citizens, they are Canadian born, they did not enlist until 1918—some of them because they were not of age, and others because they objected to being commanded by anybody but their own commander. But as soon as a Polish regiment was organized they enlisted in it, and if the Canadian Government had taken the initiative of organizing a Polish regiment in this country they would just as readily have enlisted in that regiment within the Canadian Expeditionary Force, as they did in a regiment under the French Government. I do not believe that Canadian-born citizens of Polish origin who voluntarily enlisted in that Polish regiment should be treated differently from Canadian citizens who enlisted in the Canadian Expeditionary Force. Considering the reservists of other nationalities who went back because they were subject to the laws of their own countries I say there is a clean distinction to be made between their case and that of these men. In the former case the country to which those reservists returned and in whose regiments they enlisted, provided for them if they were disabled. In the case of these Canadian-born citizens of Polish origin, however, no country but Canada can provide for them if they were disabled in the war. It is therefore only just and fair that we should extend to these men the same benefits as are enjoyed by Canadian citizens who enlisted in the Canadian Expeditionary Force.

Mr. CLARK (Red Deer): I must confess this is a question which is a little delicate. It has presented some difficulties to my own mind, but after giving careful ear to the discussion and thinking as well as I am able, my disposition is to support the recommendations of the committee. In doing that, perhaps I may be permitted, in a sentence, to repeat the admiration

which I have expressed for the splendid work which has been done by this committee from time to time, and especially by its most worthy chairman. Our duty in this House is to Canadians and, especially in connection with the subject that we are dealing with, to the Canadian soldiers. That is true, and that point has been very strongly urged by my hon. friend who has just sat down and the preceding speakers. But there were Canadians who, in the first place, according to the very clear statement of the Minister of Militia (Mr. Guthrie) were a little tardy in their action in regard to the fighting—they were in no hurry to enlist. Of course, my hon. friend has said, until there was a Compulsory Service Act they had that freedom. But that does not prevent our backing our judgment by the fact in their case.

Then the second fact in regard to these particular Canadians which has far more weight with me than their tardiness in seeing the need of fighting, was that when they did fight they voluntarily took themselves out of the position of being Canadian soldiers. They had the option to fight with their comrades in the Canadian ranks, and they voluntarily used that option to remove themselves from the Canadian banners, and whether they did it for sentiment or any other cause, my mind is influenced by the consideration that they took that course of action.

Now, it has been said that they are few in number. Well, I do not see that that affects the principle of the case. But there is this to bear in mind in that connection, as my hon. friend from North Oxford (Mr. Nesbitt) has pointed out, that if we differ from the committee's recommendation in this particular case it appears fairly certain that the door would be open to other applications which could appeal to us with equal strength on the grounds of sentiment. I have the utmost respect for those who are ruled by sentiment, but it frequently happens in this life that we have to bring reinforcements from the head to hold our hearts in check, so to speak.

I ask myself, of course, the question here which I do in regard to every proposed public expenditure: Where is the money coming from? It must be a question which the House is tired of my putting, but I am going to put it in regard to as many subjects as it needs to be put. Now, the obvious answer in this case is that the money would be provided to some extent by thousands of returned men who are

now working, and who heard the first blast of the trumpet that called them to the fields of France. I must say that I have a little sentiment along that line as well. On general principles we need to be most careful of our means at the present time, and I think as few citizens as reasonably possible should be encouraged to do that which in the old British proverb is called, Begging from those who are ready to steal. If I were a Pole, and at the present moment in Poland, and the 4 p.m. choice were offered me to stay there with a fair livelihood or go to Canada with an old shirt, I should immediately ask for the shirt. I do not think these men are to be commiserated too much if they got back to Canada at all, —I think any man who gets back from almost any portion of Europe at the present moment is very well off to find himself in Canada. Of course, that is no argument why we should not discharge all just claims, but I cannot see why in this particular case the claim stands any fair interpretation of the word "justice." As I said, it is a difficult question, Mr. Speaker, but I for one feel inclined to support the committee, and I shall do so.

Mr. VIEN: Does my hon. friend remember that we are talking of Canadian-born citizens when he says that it would not be too much of a misfortune if they had been left overseas?

Mr. CLARK (Red Deer): My hon. friend is utterly wrong. I never said anything about the misfortune of being left overseas. I said I should consider myself more fortunate to be in Canada, and that it would be a misfortune to me to be left overseas, especially if in the neighbourhood of Poland. My hon. friend did not understand what I said.

Mr. E. LAPOINTE (Quebec East): Mr. Speaker, I desire to give an intelligent vote—if I can do so—and therefore I want the explanation necessary to that end. We have been told that as far as pensions are concerned these men are treated exactly like Canadian soldiers.

Some hon. MEMBERS: No.

Mr. LAPOINTE: I want to know if that is so.

Some hon. MEMBERS: No.

Mr. LAPOINTE: Then I say they should be treated like Canadian soldiers.

Some hon. MEMBERS: Oh, oh.

[Mr. M. Clark.]

Mr. LAPOINTE: I do not see why this matter is so laughable when we are talking of men who went to serve their country and the Allied cause and did their duty.

Mr. CURRIE: Does not my hon. friend—

Mr. LAPOINTE: The smiles and laughter of my hon. friend from North Simcoe (Mr. Currie) are absolutely out of place. If we cannot give these men anything else, at least let us give them respect.

Mr. CURRIE: Does not the hon. gentleman know that it is not pensions that are asked for on behalf of these men, but the same pay and allowances as our Canadian soldiers received?

Mr. LAPOINTE: I asked my hon. friend from South Renfrew (Mr. Pedlow) and he says that these men should be given the same pensions as those granted to Canadian soldiers.

Mr. CURRIE: No, pay and allowances.

Mr. LAPOINTE: He must know what he is after in moving this amendment.

Mr. COOPER: The recommendation is right there.

Mr. LAPOINTE: Will you permit me to state my own case? My hon. friend from North Simcoe is the man who knows it all in this House, we are aware of that, but I will ask his indulgence and that of the House for a short time while I state my views. These men were Canadian citizens; nobody denies that; they were not reservists of any other country. The fact that they were subject to the Military Service Act, as was stated by the Minister of Militia (Mr. Guthrie), is no argument against their claim, for they would have been compelled to serve in the Canadian army if they had not been allowed by this country to volunteer for service in the Polish army. Authority was given to raise that regiment, the men who enlisted did so with the full consent of the Canadian authorities, and, as I have stated, the fact that they were subject to the Military Service Act has no bearing on their case at all. Indeed, if they had been conscripts they would be entitled to full pension, for there is not one law for volunteers and another law for conscripts.

Another argument is that they were not paid the same rate, as soldiers in the Polish army, that they would have been paid as Canadian soldiers. But they deserve all the more credit. If they were taking the same chances, enduring the same sufferings, and were paid less money, is that a reason

why they should not be entitled to pensions when they come under the provisions of our Act? Surely this is no argument against their claim.

My hon. friend from Red Deer (Mr. Clark) asks: Where will the money come from? It will come from the same source as the money that will be paid to the other soldiers, it will come from special taxes paid by the relatives of these men, Canadian citizens, just the same as by the relatives of all the other Canadian soldiers. There is no good reason why these men should be accorded different treatment from that accorded to our other soldiers. And surely, if we do not give them anything in the way of pensions, at least let us give them some respect and not laugh at them in their misfortune.

Hon. W. S. FIELDING (Shelburne and Queen's): Mr. Speaker, I think it is a misfortune that the House is called upon this afternoon to decide in a very hurried manner a question which seems to be regarded, and justly so, as one of considerable importance. It appears that a number of hon. members are already familiar with this question, having had it before them in one form or another, but to the majority of the House, as to myself, the matter comes up in a hurried way and entirely new. Probably if I had had as much opportunity to study it as has my hon. friend from South Renfrew, I would reach the same conclusion as he has reached. Unfortunately there is a conflict of fact to-day in the House as to what we are doing for the various classes of reservists of foreign nations. I would not wish the Polish soldiers to be treated in any different way from the French, Belgian or any other body of reservists, who returned from Canada at the outbreak of the war.

Mr. PEDLOW: Will my hon. friend allow me? These men on whose behalf I am appealing are not reservists, they are Canadian-born citizens.

Mr. FIELDING: Still it is explained that although they were Canadian-born citizens, they, for their own good and patriotic reasons no doubt, preferred not to enlist in the Canadian army. I do not dwell on that point. But there is this conflict not only of opinion but of fact. Now, if we had abundance of time to take this matter up again I do not know what conclusion I might reach. But the chairman of the committee has informed us that they had the matter before them. I have such profound respect for the work of that com-

mittee, and especially for the great work that has been done by my hon. friend from London (Mr. Cronyn), that when he tells me that the committee have given this matter all due consideration, knowing as I do that they could have no desire but to do what was right, I see no reason why I should not support the chairman's report.

Mr. J. W. EDWARDS (Frontenac): Apparently the discussion has departed from the request made by the member for South Renfrew (Mr. Pedlow) which was that members of a Polish regiment, Canadian-born citizens, be granted the difference between Canadian rates of pay and allowances and the rates which they received on service overseas in the armies of Allied countries. The discussion has wandered far afield; matters affecting pensions, gratuities and so on have been taken up which have nothing to do with what the hon. member is asking. I submit that if this report is sent back to the committee with instructions to make the amendment suggested, it will carry with it the obligation on the part of the committee to give the same consideration to Frenchmen, Belgians and Italians who went overseas and served at a lower rate of pay than that given to members of the Canadian Expeditionary Force.

Amendment (Mr. Pedlow) negatived, and main motion (Mr. Cronyn) agreed to.

#### JUDGES ACT AMENDMENT

Right Hon. C. J. DOHERTY (Minister of Justice) moved:

That Messrs. Guthrie, McKenzie, Redman, Lapointe and Doherty be appointed managers on behalf of this House of the free conference with the Senate with respect to the amendments made to Bill No. 60, intitled "An Act to amend the Judges Act," and that a message be sent to the Senate to acquaint their Honours therewith.

Motion agreed to.

#### CANADA TEMPERANCE ACT

Right Hon. C. J. DOHERTY (Minister of Justice) moved for leave to introduce Bill No. 219, with regard to certain proceedings under Part IV of the Canada Temperance Act.

He said: Mr. Speaker, this Bill was explained the other day when I asked for the consent of the House to introduce it without notice, and it is perhaps unnecessary for me to go over what was then said. I would add, however, that the purpose of the Bill is not in any way to invade the proper field of the courts, which is the in-

terpretation of the existing law and the determination of its effect, the purpose of the Bill is to modify the existing law so as to obviate the possible unfortunate consequences involved in a repetition or renewal of the plebiscites that have been held. On inquiry from the Auditor General I find that about half a million dollars has been paid in connection with those plebiscites, and at that, all the bills have not yet been paid. I mention this to show the gravity of the consequences that are sought to be avoided. I think it should be made clear also that in proposing this legislation it is not to be understood that we are acting because of any change of view on the part of the law officers who advised the drawing of the proclamation as it was drawn. They then were of opinion that it was sufficient, and they are still of that opinion. In that connection I propose to lay on the table of the House for the information of members a copy of the considered opinion of the Deputy Minister of Justice on the subject.

Motion agreed to, and Bill read the first time.

#### JUDGE SNIDER'S REPORT

On the Orders of the Day:

Hon. RODOLPHE LEMIEUX (Maison-neuve—Gaspé): May I inquire again whether we may expect the Snider report to be brought down before the close of the session?

Sir GEORGE FOSTER: My hon. friend knows the answer that was given yesterday by the Prime Minister, that he would ascertain whether it could be brought down, if possible, immediately. That is all I know.

#### OPIUM AND NARCOTIC DRUG ACT AMENDMENT

On motion of Hon. J. A. Calder (Minister of Health), the amendments made by the Senate to Bill No. 81, to amend the Opium and Narcotic Drug Act, were concurred in.

#### DOMINION LANDS ACT AMENDMENT

On motion of Hon. J. A. Calder (Minister of Immigration and Colonization), Bill No. 212 (from the Senate) to amend the Dominion Lands Act, was read the second time, and the House went into committee thereon, Mr. Boivin in the Chair.

On section 1—confirmation of appointments before May 24, 1918, by the minister [Mr. Doherty.]

of certain officers to administer the Dominion Lands Act.

Mr. MACKENZIE KING: This section, as it reads, looks as if the minister had been making a number of appointments in violation of the Civil Service Act, and that he is now trying to legalize this.

Mr. CALDER: That is exactly what has happened. This Bill is necessary for that purpose. It would appear that between the years 1908 and 1918, that is the date of the present Civil Service Act, the Minister of the Interior had power, through the Governor in Council, of course, to make all appointments in the Outside Service, for the administration of the Dominion Lands Act. We find that, in the case of a number of the appointments made, the appointees reside at Ottawa, and as a matter of fact, such appointments should have been made through the Civil Service Commission. The practice started, I am told, in 1908; it has continued down to 1918, and I think some 260 officials are involved. In working out the administration of the present Civil Service Act, a condition has arisen which makes it practically impossible for the Civil Service Commission to function as regards these appointments, and I understand the Auditor General as well objects to continue paying salaries unless what was done illegally in those days is legalized. That is the purpose of this legislation. Many of these people who have been thus appointed have been in the service a long time, and unless this measure goes through and these appointments are legalized, I scarcely know what can be done with them.

Mr. MACKENZIE KING: They are all partisan appointments, I suppose.

Mr. CALDER: Under both Governments.

Sir GEORGE FOSTER: They are not new appointments.

Mr. VIEN: Can the minister explain how this could occur, that the minister could override legislation which was enacted for the appointment of these officials by the Civil Service Commission?

Mr. CALDER: It was a practice that grew up, not only in one department, but in several departments. The practice was adopted of making certain appointments to the Outside Service and paying them out of general votes instead of Civil Government votes.

Mr. VIEN: Are they temporary or permanent employees?

Mr. CALDER: Some would be temporary and some permanent.

Mr. VIEN: In the Outside Service.

Mr. CALDER: Yes.

Mr. VIEN: All of them?

Mr. CALDER: They were all supposed to have been appointed in the Outside Service, but they are all here at Ottawa.

Mr. VIEN: How could that be?

Mr. CALDER: I do not know. It simply is so.

Mr. VIEN: The minister says that these were supposed to be in the Outside Service. Could the minister tell us the character of the duties of these officers? Could he give at least some instances how employees of that department in Ottawa could be classed as employees in the Outside Service?

Mr. CALDER: I would imagine you could have a case like this. They would take the general vote, for example, for looking after forestry in the Interior Department, and they would appoint some person and pay his salary out of that general vote, but he would do his work in Ottawa instead of doing it in the field somewhere. The same thing would apply as regard irrigation work. I grant that these appointments should all have been made in the Inside Service, because the work in most cases has been in Ottawa. Under the Civil Service Act of 1908, they should have been appointed through the Civil Service Commission; but as I have intimated, in several departments of Government, many appointments have been made by both Governments contrary to the true intent and spirit of that Act. It is for the purpose of clearing up that situation that this Bill is introduced.

Mr. VIEN: No one has been appointed since May 24, 1918?

Mr. CALDER: None since the Civil Service Act of 1918 was assented to.

Mr. FIELDING: If appointments of that nature were made under the Liberal Government of years ago, has it taken my hon. friend all these years to find this out and to make the correction?

Mr. CALDER: It is only recently that the Civil Service Commission and the Auditor General drew the attention of the department to the fact that these appoint-

ments made prior to 1918 must be legalized and made regular, otherwise they could not deal with them under the provisions of the Civil Service Act.

Mr. FIELDING: But in the meantime, the men have been receiving their pay. That is the most vital point. They have not been all these years without their money.

Mr. CALDER: That is quite true, but it is only recently that the Civil Service Commission and the Auditor General have notified the department that these appointments must be legalized.

Mr. FIELDING: There surely cannot be any trouble about the old appointments. The appointees have been there for years; they have been drawing their salaries; they are growing old and venerable. Their appointments do not need to be legalized.

Mr. CALDER: I am stating simply what has been told to me.

Mr. VIEN: What is the particular provision of section 79 of the Dominion Lands Act, chapter 20 of the statutes of 1908, which is proposed to be repealed?

Mr. CALDER: The old section 79 reads, as it appears in the 1908 statutes:

The minister shall have the administration and management of all lands of the Dominion to which this Act applies, including school lands; and he may appoint such officers as are required for the purposes of such administration and management and whose appointment is not provided for by the Civil Service Act or by paragraph (h) of section 76 of this Act, and may define their duties.

Under the Civil Service Act of 1918, we have taken away from the minister all appointments, so that it is not necessary that that portion of the old section should stand.

Mr. VIEN: But there is something more. I should like the minister to be candid enough to give the information. Under the existing statute, the minister is of opinion, advised as he is by his officials, that appointments were wrongly made—at least there is a serious doubt as to the legality of the appointments of these officers; in the opinion of his officials these appointments should not have been made by the minister himself; they should have been made by the Civil Service Commission. Section 79 of the present statute says that the minister may appoint officers whose appointment is not provided for by the Civil Service Commission. Now we repeal this entirely, and the

effect of this legislation will be to give to the minister exclusive jurisdiction in the appointment of officers.

Mr. CALDER: No.

Mr. VIEN: It is as clear as daylight to any lawyer, and I am sure the Minister of Justice (Mr. Doherty) will bear me out in this respect. Under the old Act you made an exception; you could not appoint such officials as were under the jurisdiction of the Civil Service Commission; you do not repeat the same proviso in this statute, and the effect of the new statute will be, in the first place, to legalize the appointments made by the minister instead of by the Civil Service Commission, and secondly, to remove from the Civil Service Commission all appointments in the department.

Mr. CALDER: It certainly cannot have that effect, because under the Civil Service Act of 1918 the whole Outside Service and all employees of the Government were brought under the jurisdiction of the commission. My hon. friend will find that in many of the statutes relating to departmental work, power was given to the minister of the department to make certain appointments, but all that has since been done away with, and the entire Civil Service, both inside and outside, has been brought under the jurisdiction of the commission. So repealing these words will not restore to the minister the right to make appointments.

Mr. FIELDING: If the members of the Government in this, as in so many other matters, have made a few blunders and have to come to Parliament to correct them, I have every desire to assist my hon. friend in making the correction, but when he undertakes to say that appointments were made irregularly by former governments my curiosity is aroused, and I want to know what has happened in all these years to enable appointments that were made irregularly ten years ago to be covered up. The Auditor General cannot just have awakened to the fact that these men have been getting money illegally during all these years. My hon. friend had better say that the blunders have been made in recent years, and not try to camouflage the situation. He must not imagine things—the Speaker will not allow it. Let him say frankly that the appointments were made irregularly by this Government.

Mr. CALDER: I am quite willing to leave the Bill in committee, but I think I

[Mr. Vien.]

could show my hon. friend that appointments of this class were made in the years 1908, 1909 and 1910, and that the first sinners in this respect were not the Administration that came into power in 1911.

Mr. FIELDING: How is it that the Auditor General is only now objecting to paying these men?

Mr. CALDER: On account of certain provisions in the Civil Service Act, the Auditor General recently, and only recently, has notified the departments concerned, and so has the commission. How it was discovered, or by whom I do not know, but I do know that both the commission and the Auditor General have insisted that these appointments which were irregularly made should be legalized. Otherwise, these civil servants will be left in a very awkward position, as regards promotions, increases of salary, and matters of that kind.

Mr. FIELDING: My hon. friend says that these troubles have arisen on account of something in the recent Civil Service Act, not on account of something that happened years ago. Therefore, he ought not to say that it is because of appointments that were made many years ago when another government was in power. He is simply trying to camouflage the matter by talking of appointments made by governments of former years. These are errors that have been made by him or by his friends, and he need not try to get behind another government. The Auditor General is too faithful an official to go on for years paying men irregularly, and too sensible an official to expect the men to repay the money at this late date.

Mr. LEMIEUX: It would save time if the hon. minister would plead guilty, and we will simply say: Go in peace, and sin no more.

Mr. CALDER: I will not say that. I am not trying to camouflage the situation in any sense at all. It is only recently that the Auditor General and the Civil Service Commission have insisted that this state of affairs shall be put an end to. When the Auditor General in 1908, 1909, 1910, 1911, and 1912 paid the salaries of these men, I do not know; that is for him to say. There is no question at all in my judgment that these appointments were made irregularly, and that the matter has gone on for a period of years. I understand that the Civil Service Commission will not deal with these men as with other

civil servants, under the present Civil Service Act, so far as promotions, increases of salaries, and things of that kind are concerned, and they have asked that a Bill be submitted to Parliament to rectify the irregularities. I may say, further, that many phases of the work in connection with the Civil Service have only recently been got at. We threw a huge volume of work on the Civil Service Commission by the Act of 1918, and there are some phases of their work that have not yet been grappled with. It is only recently that the request has been made that these appointments that were made irregularly should be legalized. I can assure my hon. friend from Shelburne and Queen's (Mr. Fielding) that appointments of this class were made prior to 1911 and after 1911, and it seems to me that the only thing for us to do is to legalize them.

Mr. FIELDING: My hon. friend says that there is no question that some of these appointments were made irregularly in 1908, 1909, and 1910. I am obliged to dissent from that. He has given us no evidence that anything of the kind took place in those years, and I am bound to think that he is mistaken. In all these years we have had a very capable Auditor General. I am not sure of the date of the death of the late John McDougall or the late Mr. Fraser, but both of them were very able, vigorous, and capable officials, and neither of them would have permitted us to make irregular appointments of these officials. The fact that no exception was taken to the appointments that were made in former years is presumptive evidence that they were made regularly, and when my hon. friend says there is no question that they were made improperly, that is not camouflage; it is worse.

Mr. CALDER: I am not going to delay the committee. I move that the committee rise, report progress, and ask leave to sit again.

Mr. BELAND: Do not do that.

Mr. CALDER: I can see no other course open when the hon. member for Shelburne and Queen's says that there is no possibility of any of these appointments having been made prior to 1911, which is in direct contradiction of the statement I have made.

Mr. FIELDING: I did not say the appointments were not made. I said that there was no evidence that the appointments were made irregularly or illegally. I take it for granted that the appoint-

ments were made, but they must have been made regularly and legally, or the Auditor General would not have paid the salaries without question. I have no objection to the Bill.

Motion withdrawn.

Mr. VIEN: Does the minister know of similar cases in other departments, or is the Dominion lands the only branch concerned?

Mr. CALDER: I do not know as to other departments.

Mr. SINCLAIR (Guysborough): How many of these appointments were made prior to 1911? I will not ask the minister to give the names of the men appointed, but he might identify them by giving their class.

Mr. CALDER: I have not that information before me.

Mr. VIEN: How many employees, all told, were so appointed?

Mr. CALDER: All told, 260.

Mr. VIEN: How many prior to 1911?

Mr. CALDER: I have not the figures.

Mr. MACKENZIE KING: How many of these were permanent officers?

Mr. CALDER: I have not the information. I think, after all, we understand the situation. It has been suggested to me by the deputy minister to strike out all the words after "Ottawa" in the 15th line, as he did not know what the results would be if these words were left in. He thinks it far better, and I agree with him, merely to confirm the appointments, and then let the law take its course. The words it is proposed to strike out are:

and the officers so appointed shall be deemed to be permanent or temporary officers of the Civil Service according to the nature and intent of the appointment in each case.

To leave these words in, might lead to further complications. I therefore move to strike them out.

Amendment agreed to.

Mr. VIEN: Have complaints been received by the Government from the Auditor General in regard to appointments of a similar character made in other departments?

Mr. CALDER: I cannot say.

Mr. VIEN: Can any member of the Government now present tell us? There should be some one who is informed on the subject.

Sir GEORGE FOSTER: I have had no complaints.

Mr. VIEN: That is to say, no complaints were received from the Auditor General except in respect of this particular department.

Sir GEORGE FOSTER: I do not say that; I am speaking of my own department.

Mr. CALDER: If appointments of this nature had occurred in other departments, we should have had a Bill to correct them. As no request has been made in that direction, we may assume that no such appointments have been made.

Mr. McKENZIE: It would save time if the minister would state what the law was formerly, and wherein we have committed a breach.

Mr. CALDER: In the 1908 Act, the service was divided into two parts, Inside and Outside. The salaries of the Outside Service all appeared in the Civil Government votes, and all persons appointed to the Inside Service were appointed on the recommendation, or certificate, I am not sure which, of the Civil Service Commission. In the case of the Outside Service in the Interior Department, the minister had power to make appointments. During the years between 1908 and 1918, the minister made certain appointments, some of the appointees being placed at Ottawa, and they draw their salaries out of the Outside votes—the general votes—instead of out of the Civil Government vote. Now, when they were appointed to be at Ottawa and to do the work here, they should have been appointed to the Inside Service upon the recommendation or the certification of the commission. Instead of that they were appointed directly by the minister and their salaries were paid out of the general votes, and not out of the Civil Government vote, although they were located in the Inside Service.

Mr. MACKENZIE KING: How does it come about that this Bill originated in the Senate?

Mr. CALDER: The matter comes under the department of Sir James Loughheed, the leader of the Senate.

Mr. SINCLAIR (Guysborough): Will this Bill make temporary appointments permanent?

Mr. CALDER: No.

[Mr. Vien.]

Mr. SINCLAIR (Guysborough): I would point out to the minister the large number of temporary employees whom we have. In the schedule to the Spinney Bill, I see that in the year 1918-19, 25 temporary employees were appointed; in the year 1919-20, 36; and in the year 1920-21, 171. I am surprised to see so many temporary appointments; they largely exceed the permanent appointments. Why is it necessary to have so many temporary employees?

Mr. CALDER: It depends on the work done in any particular department; in any rush period it is necessary to have temporary employees. The question depends on the strength of the permanent staff, and the volume of work to be attended to.

Mr. SINCLAIR (Guysborough): I have always heard that stated with regard to the Post Office; but the secretary of the Civil Service Commission told us the other day that there was so much overcrowding in the Post Office Department, as well as in the Customs, that when they were through culling out the unnecessary employees, it was hoped to save \$2,000,000 a year in wages. If there is overcrowding in these two departments, why should it be necessary to appoint so many temporary employees?

Mr. SINCLAIR (Queen's): In those cases where appointees were entitled to an increase of salary as from April 1, 1919, have they been receiving such increases, or has the matter been questioned in any instance?

Mr. CALDER: They have all received their salaries.

Mr. SINCLAIR (Queen's): Have civil servants in every instance been given the increase, to which they were entitled under the reclassification to commence at April 1, 1919?

Mr. CALDER: I cannot say whether in every case the increase has been received.

Mr. SINCLAIR (Queen's): If the matter has been questioned in any instance, will this Bill entitle such civil servants to the pay they would have received from April 1, 1919, under the reclassification?

Mr. CALDER: The whole question of classification, salaries, increases, promotions, etc., is involved in the Bill now under consideration. Until these appointments are legalized, the Civil Service Commission refuses to deal with them; and in addition to that, I understand, the Auditor General

takes the ground that he will not continue to pay salaries to these employees. That is the position as reported to me.

Mr. VIEN: When was the question first raised?

Mr. CALDER: I cannot say, but I understand it is only in recent weeks.

Mr. SINCLAIR (Queen's): I have had some representations from officials in the Civil Service whose appointments date back to 1914 and 1915. They believed that their appointments were permanent and so accepted them, but when the reclassification was made the increases it provided were refused them because the appointments were made by the minister, who, it is said, had no power under the statute to make permanent employments. Being simply ministerial appointments, they were considered only temporary. I am referring to persons who work in the Department of Agriculture, Live Stock Branch. The minister will agree with me, I think, that when we blanket in those who are under the Interior Department, we should extend the same privilege to officials in other departments.

Mr. CALDER: Where does the official live, to whom the hon. member refers?

Mr. SINCLAIR (Queen's): I am speaking of different officials. One lives in Winnipeg, working in the markets division, and another in Moncton, in the Live Stock Branch. I am informed that they are creditable officials who do good work, and they did not know that their appointments were only temporary under the law until the point was raised by the Civil Service Commission. I submit to the minister that in all fairness we should give them some consideration when we are considering those in the Interior Department.

Mr. CALDER: The question raised by the hon. member is an entirely different one from that now under consideration, and it might very well be considered when the Civil Service Amendment Bill is before the House. It is not on all-fours with this. These appointments we are now considering are Outside; they belong to the Outside Service, but the officials are at Ottawa.

Mr. SINCLAIR (Queen's): They belong to the Outside Service wholly?

Mr. CALDER: Yes. Those whom we are considering now belong to the Outside Service, but live in Ottawa.

Mr. MACLEAN (Halifax): Has the Civil Service Commission represented to the minister that this legislation is necessary?

Mr. CALDER: Apparently hon. gentlemen are not satisfied, so I will read the memorandum that has been placed in my hands by the Deputy Minister of the Department of the Interior:

This amendment is to clear up the status of a number of employees appointed at Ottawa between September, 1908, and the 24th May, 1918. During this period the minister had the power to make appointments to our Outside Service and there is no doubt as to the status of those who were engaged at points outside of Ottawa. However, some were put on at Ottawa for the performance of work which it was contemplated would be transferred elsewhere and technically, these might be held to have been improperly appointed, although as a matter of fact, they have been paid their salaries for years and are now occupying positions that have been classified after investigation by the Civil Service Commission as part of our permanent organization.

There are about two hundred and sixty-six employees of the category above mentioned appointed to Dominion Lands Service, and to other services of the department directly connected with the same, and the above clause, as amended will legalize their appointments so that they may be deemed to have been appointed permanently to the Civil Service from the date of their assignment to their respective positions in the Department of the Interior.

Now it appears that the question of the position of these employees in the Department of the Interior was referred to the Department of Justice, and Mr. Newcombe, Deputy Minister of the Department of Justice gave this opinion:

If the employees in question were engaged to fill positions on your departmental staff at Ottawa, then I am of the opinion, speaking generally, that these positions were within the "inside service", as defined by Section 3 of the Civil Service Amendment Act, 1908 and the incumbents can be regarded as permanent only if they were appointed in accordance with the provisions of the said amendment Act.

They were not appointed in accordance with the provisions of the Act of 1908, and consequently they cannot be regarded as permanent employees. Now, I have been advised that the auditor—I was speaking to Mr. Cory about it yesterday—has taken the ground that these appointments should be made regular.

Mr. MACLEAN (Halifax): I think the minister is entitled to this legislation and probably has given reasons for it. However, I hope that when the Bill gets through committee the third reading will not be proceeded with until Monday so that one may be enabled in the meantime to make some inquiry about it.

Mr. COPP: I understood the minister to say that the purpose of this Bill is simply to legalize the appointment of about two hundred and sixty men in the Department of the Interior, but that it does not affect appointments which will hereafter be made by the Civil Service Commission. Is that correct?

Mr. CALDER: Yes.

Section agreed to.

Bill reported.

#### BUSINESS OF THE HOUSE—FURTHER LEGISLATION

Right Hon. Sir GEORGE FOSTER (Minister of Trade and Commerce): May I be allowed to state, in further reply to a question put to the Prime Minister as to legislation that may yet be brought down, that his reply as given must be taken to include any legislation that is made necessary by the report that has been laid before the House this afternoon by the member for London, (Mr. Cronyn) and that whatever legislation is required in that respect will be brought in on Monday.

#### BANKRUPTCY BILL—SENATE AMENDMENTS

Mr. SPEAKER: I have the honour to inform the House that I have received a message from the Senate informing this House that by mistake, there is included among the amendments made by the Senate to the Bill 118, intitled: "An Act to Amend the Bankruptcy Act," which amendments were sent to the House of Commons for concurrence, an amendment adding a Clause 5A to the said Bill, being the first of the said amendments, and requesting that the House of Commons will give leave to the proper officer of the Senate to make the necessary correction by striking out the said amendment.

#### SUPPLY—BUSINESS OF THE HOUSE

Right Hon. Sir GEORGE FOSTER (Minister of Trade and Commerce) moved that the House go again into Committee of Supply.

Hon. W. S. FIELDING (Shelburne and Queen's): Before you leave the Chair, Mr. Speaker, I desire to say a very few words concerning the order of business leading up to prorogation. For a week past, or more, we have had in that portion of the press which generally receives its inspiration from the Government, announcements of an

[Mr. Maclean.]

almost immediate prorogation. I think, in fact, the first announcement was that it was fixed for to-day, and it was also announced that an agreement had been come to between the various parties in the House to facilitate such prorogation. I believe I am correct in stating there was no such agreement in particular. Far from desiring to delay the proceedings of the House, I sympathize with the desire of the Prime Minister (Mr. Meighen) to bring the proceedings of Parliament to an early close and I shall willingly aid him in that direction. At the same time, I think it would be a mistake to hasten the prorogation of this House in the manner that has been implied in these various announcements. I would think it is to be regretted if my right hon. friend were to insist upon having prorogation before his departure; but that, of course, is for him to say, not me. I do say, however, that it will not be seemly if the business of this House is rushed to a conclusion in the manner in which it has been in former years and by all governments—for I do not blame one more than another. Consideration of the departmental Estimates is the best opportunity, in fact the only opportunity, for the discussion of some branches of our public business. Now, we have had some discussion of the Estimates, but I think the Estimates of some departments—perhaps not more than one or two—we have not touched at all, and it is not too much to say that at this moment votes for hundreds of millions of money that have yet to be dealt with. Consequently, when we are asked, in the last hours of the session, to rush these things through without consideration, it is an unseemly business and one that is not creditable to Parliament. I do not wish to say any more than to urge my hon. friends not to ask for any such way of doing business. If my right hon. friend finds it necessary to leave that is his own affair, and he will arrange that with his colleagues; but I do say that in the interest of decent parliamentary government we ought not to rush business through in the way that has been done more than once—and I repeat that it is not true of any one government more than another. If we want to have Parliament respected by the country, Parliament must stay here and perform its duties.

Right Hon. ARTHUR MEIGHEN: (Prime Minister): I do not know any ground for the assertion that it is the desire of the Government to rush business through without consideration, or to have hundreds of

millions of dollars voted without adequate review and reflection on the part of the Committee of Supply of the House. I know of no ground for that statement. I know it has been the practice—and in some degree that may have been followed this year—of having business done more expeditiously—and towards the end perhaps too expeditiously—than is done in the earlier part of the session. But if we are ever to have a session end in any reasonable time without recourse to such a practice, then it must inevitably follow that less time must be wasted in the earlier part of the session. The Government is not responsible for the fact that the House wasted many days in the consideration of subjects that really should not have engaged very much of its attention. It is not the Government's fault that that waste of time takes place. However, the fact is that it has taken place, and we have not very much more time this session to give due consideration to all the matters that are before Parliament. I do not think there ever was a session when the legislation and the Estimates were presented to the House at an earlier period than they were this session. That we find ourselves at this stage with a great deal of business still to be done is certainly not the fault of the Government. As to fixing a date to enable Parliament to close before I leave, I do not think it is reasonable to expect that I should—in a session like this particularly, it being my first session as the leader of the Government—leave prior to prorogation. It has never been my intention to do so; it is not my intention now. I do not think the country would expect that I should leave when the conduct of the business of Parliament requires me to stay.

Mr. MACKENZIE KING: I had not intended to say anything in regard to the remarks which have been made, but when my right hon. friend speaks of the time of Parliament being wasted, unless he is referring to what has occurred on his own side of the House, I would take very strong exception to his statement. Any discussion from this side of the House has been entirely to the point in regard to the various measures that have been under consideration. I would point also out to my right hon. friend that such legislation now on the Order Paper as amounts to anything has been introduced in the last couple of days. That is entirely the fault of the Government; we on this side have had nothing what-

ever to do with it. I would strongly urge, in regard to one or two measures—and certainly in regard to one that is liable to raise very far-reaching considerations, that my right hon. friend should consider between now and Monday if he could not let it stand over until next session. I have reference to the Lake of the Woods Bill. I think it would be wise to let it stand over. This would probably enable him to expedite his departure.

Mr. MEIGHEN: There have been some Bills put on lately, there may be one or two more, but their late appearance is not our fault. I could not give a better instance than the Bill the hon. gentleman has referred to. That subject was dealt with by this Parliament early in this session, and fully disposed of on the basis of co-operation with the Government of Ontario, that Government having agreed to put a concurrent Bill through the Ontario Legislature. We performed our part of the agreement; they failed to perform theirs. That put back upon us towards the end of the session the choice of either letting the situation stand—under circumstances that I will be able to show to this House would not be to the advantage of the country, and which I am sure this House would not be willing to agree to—or to bring down further legislation. I am not saying that that is the fault of hon. gentlemen opposite, for there could not be any complaint in regard to the discussion on the measure which this House disposed of; but it is the result of circumstances over which we have no control, and consequently the matter must be dealt with before the close of this session.

Mr. MACKENZIE KING: In regard to the point my right hon. friend mentions, I think I am correct in saying that the Bill which passed this House would never have been allowed to pass in that form except on the understanding that there was to be concurrent legislation by the Ontario House. It was distinctly on that understanding that we on this side concurred in allowing the Bill to pass. But, that concurrent legislation not having been passed by the Ontario Government, we were led to assume that would be the end of the matter, and I think we had the right to so assume.

Mr. MEIGHEN: I do not know who led the hon. gentleman to assume that. We thought we could rely upon the statement that the Ontario House would pass con-

current legislation, but we found that our reliance was misplaced. Therefore, the situation is before Parliament to deal with. We will have to deal with it, and I am sure I will take no exception to the hon. gentleman opposing the legislation. I am strongly in favour of it, and I think when it is put fully before the House the majority of hon. members, if not, indeed many of those on his own side, will be in favour of the legislation.

#### SUPPLY—THE HERO OF CHATEAUGUAY

Hon. RODOLPHE LEMIEUX (Maison-neuve and Gaspé): Mr. Speaker, as this is one of the last occasions of my being able to speak to my right hon. friend, I want him to do a graceful act before he leaves for the Conference of Premiers. I have been asked by several citizens in various parts of the Dominion to lay before the Government for their consideration the case of the granddaughter of the hero of Chateauguay. As this House is aware, more than a hundred years ago Canada was saved at Chrysler's Farm and at Chateauguay Heights. The Canadians were led on the one hand by General MacDonell and on the other by Colonel de Salaberry. The colonel died in rather poor circumstances, and his direct descendant, Miss de Salaberry, also is in reduced circumstances. I have been asked, not at her request, but on behalf of several citizens, to appeal to the right hon. gentleman and the Government, and indeed the Parliament, to see if in this year's Estimates a pension cannot be provided for Miss de Salaberry, the granddaughter of the hero of Chateauguay.

It seems to me that this is eminently a case where the liberality and generosity of Parliament should be shown. The pension need not be a large one, but at the same time it should be adequate to the lady's station in life, and also to the memory of the great de Salaberry, who, according to the testimony of all historians, jointly with General MacDonell at

5 p.m. Chrysler's Farm saved Canada by repelling the attempted invasion of 1812. A monument has been erected to his memory, but it would be sad indeed if on the one hand we had a monument to Colonel de Salaberry and, on the other hand, we allowed his only granddaughter to remain in indigent circumstances. I think Parliament owes it to itself to do something in order to relieve the granddaughter of a great Canadian who not only served his country but indeed saved it.

[Mr. Meighen.]

#### SUPPLY—INQUIRY AS TO ESTIMATES

Mr. J. A. ROBB (Chateauguay-Huntingdon): Before you leave the Chair, Mr. Speaker, may I inquire of the right hon. Prime Minister, in view of his desire for an early prorogation, when any further Supplementaries, if there are any, will be brought down.

Mr. MEIGHEN: I know the Minister of Finance expects them down on Monday.

Motion agreed to, and the House went into Committee of Supply. Mr. Boivin in the Chair.

Public Works—Ottawa Parliament Buildings, \$1,000,000.

The CHAIRMAN: This item 127 was under consideration when the House was last in committee. Shall the item carry?

Mr. COPP: Mr. Chairman, when the committee rose last night I had in mind to say a few words in regard to this item. I have on different occasions, particularly last year, discussed with the then acting Minister of Public Works the unbusiness-like methods followed in connection with this restoration. Much was said yesterday when this item was under consideration as to the magnificent architectural design of this building and its beauty. These features I do not propose to discuss. But my hon. friend the Minister of Public Works appealed to us yesterday and said that he hoped Parliament would deal generously with the architect who has been engaged on this work during the past four or five years. I have no desire to deal ungenerously with any person in the public service. But I wish to point out that when the Estimate for the restoration of this building was under consideration at the last session, the then Acting Minister of Public Works (Mr. J. D. Reid), as reported on page 1423 of Hansard of last year, said that the original estimate of \$5,000,000 was made by Mr. Pearson and Mr. Lyall. But we are now told that the cost of the building will be at least \$10,000,000, and I should not be surprised if when the whole structure is complete the cost should turn out to be \$12,000,000 or more. I have never believed that that is a proper way to conduct public business. I venture to say that no member of the building committee would, if he were building a house for himself, carry on the work as this work has been carried on. We are asked to deal generously with these gentlemen, but I want to point out that every thousand

dollars of generosity which we dole out to them represents a thousand dollars paid by the taxpayers of this country. We who are here to carry on the public business should not look at the question only from the standpoint of being generous to these gentlemen. From the statement made by my hon. friend it is evident that it will be the year after this before the work is completed, and if the architect is allowed 5½ per cent on \$10,000,000 we shall have to pay him for his work \$550,000. To my mind such an expenditure is unreasonable and should not be tolerated by this committee. What is true of the architect is true of the contractor. I am not here to criticise Peter Lyall and Sons, but we were told last year that they entered into a contract under which they were to receive a commission of 8 per cent on the cost of building up to \$4,000,000, 7 per cent on any further amount up to \$5,000,000, and over and above that amount no commission at all. I do not criticise the present minister in this respect, because he is in no way responsible for what was done when the erection of this building was commenced. But he is responsible to-day for what is done in connection with the completion of the structure, and within the next few days he should have a conference with the contractors and the architect with a view to coming to a definite decision as to what is to be done. This matter should not be left in abeyance for another two years and payments made—as I claim, improperly—to the architect and the contractors for work they have not performed. It was stated in the discussion that took place on this matter last year that the architects had been paid \$255,000, in round figures. I did not hear all the discussion yesterday and I do not know whether the architects have been paid anything since last year, but any amount paid to them in excess of \$275,000, the full amount under their contract, would, I submit, be improperly paid. I do not say that these men should not be paid something, but I do submit that the Minister of Public Works, on behalf of the people of Canada should enter into an arrangement with the contractors in regard to future work to be done on this building. We should not wait until the work is completed and then have to make a payment involving a total of \$550,000 or \$600,000 for supervising the construction of the building from start to finish. I feel very strongly about this matter; I think that unbusinesslike methods have

been followed, and that the work has been conducted in a very slipshod and unsatisfactory manner.

Mr. MURPHY: It has not been my privilege to hear all the discussion that has taken place with regard to this item since it first came before the committee this session. In years past I have occasionally listened to discussions with reference to the partial destruction of the old Parliament Building and the arrangements made for its reconstruction, and it has amazed me to hear the statements made and to observe the positions taken by hon. gentlemen on both sides who apparently have had a total misconception of the facts. Now, in view of the amount of money involved and of the character of the building to which this amount relates, it is worth while placing on record the facts relating to the destruction of the old building and to the steps that have been taken from time to time in regard to its reconstruction.

The fire that destroyed the old building occurred on the night of Thursday, February 3, 1916. That is not the date which was inscribed on the mace that was presented to this House to replace the mace that was destroyed in the fire, but notwithstanding the error on the mace, the date which I have given was the date of the fire.

Immediately after the fire the then Minister of Public Works, Hon. Mr. Rogers, appointed two architects to investigate the damaged building as it then stood, to report upon its condition, and to advise what should be done to replace it. The gentlemen who were so appointed to make that inquiry and report were Mr. John A. Pearson, architect, of Toronto, and Mr. J. O. Marchand, architect, of Montreal. Just about that time rumours were persistent that the firm of P. Lyall and Sons, of Montreal, were going to be given whatever contract might be awarded, without tender and without competition. That rumour was not only heard in the corridors of Parliament but was persistently repeated in business circles, both in Ottawa and in Montreal. As a member of Parliament, but more particularly as a citizen of Ottawa and as representing a constituency, a portion of which is within the municipal boundaries of the city of Ottawa, I took, perhaps, more interest in the matter than any other member of the House, with the exception of my hon. friends who represent the city of Ot-

tawa. For that reason I went to some trouble to acquaint myself with the ground for these rumours regarding the engagement of the firm of P. Lyall and Sons. While it would not serve any purpose to retail in this chamber what I then ascertained, I may say that I learned enough to justify me in going to the then Minister of Public Works and urging upon him that he should not give a contract to the Lyall firm, nor to any other firm, without advertising for tenders and without putting the work up to public competition. I observed, on the occasion of the interview, that my representation did not seem to make any very deep impression upon the gentleman, who received me most cordially and who was most affable in the discussion of the matter that I brought to his attention. A day or two later, additional ground for the rumours that were in circulation regarding the favouritism that was likely to be shown to the Lyall firm was afforded by the fact that they placed a force of men at work to remove the debris from the partially destroyed building. As regards that, I made an inquiry in the House, and the question and answer are reported at page 806 of Hansard of 1916, as follows:

Debris of Parliament Buildings.

On the Orders of the Day:

Mr. Murphy: In view of certain items that have appeared in the press, I would like to ask the Minister of Public Works, what arrangement, if any, has been made with Peter Lyall and Sons for the removal of the debris of the destroyed Parliament Buildings, and also what arrangement has been made, if any, for the rebuilding of the destroyed structure.

Mr. Rogers: The matter of removing the debris has been handed over to Messrs. Lyall with instructions to clean out the inner parts as well as they can. Nothing further than that has been done.

Mr. Murphy: On what terms?

Mr. Rogers: On terms of costs plus ten per cent.

I had a further interview with the then Minister of Public Works, and I pointed out to him how undesirable it was to establish this kind of relation with the Lyall firm. I urged upon him the desirability of reconstructing the national building under conditions that would make the contract in any event above suspicion if it would not be entirely free from criticism. The then Minister of Public Works suggested that the proper thing to do would be to appoint a joint committee from both sides of the House of Commons to supervise the work. To that I at once objected and directed the hon. gentleman's attention to the fact that members of the House of Commons were,

[Mr. Murphy.]

with very few exceptions—and I questioned if there was any exception—not familiar with building operations, and they were not the proper body, no matter how capable they might be in other directions, to superintend the reconstruction of the partially destroyed Parliament Buildings. I urged upon the then Minister of Public Works that the work of reconstruction should be left in charge of the Department of Public Works and should be let by public tender after advertisement in the usual way. The matter practically ended at that stage as regards interviews.

Later on the architects, who were appointed to make an investigation of the partially destroyed building and to advise as to what should be done, submitted a written report dated February 17, 1916. That report was presented to the House of Commons on the date that I have just mentioned, and it will be found at page 889 of Hansard of that year. I now propose to read the report:

The Honourable Robert Rogers,  
Minister of Public Works,  
Ottawa.

Re Parliament Buildings.

Dear Sir,—We have made a careful examination of the main building that was recently damaged by fire, and beg to report as follows:

The major portion of the buildings at present left standing, more particularly as regards the internal and external walls, have suffered no material damage.

The west wing, which was recently built on modern fireproof methods, is uninjured by fire and but slightly damaged by water.

From this point—viz., the west wing—travelling south to the southwest tower, thence east along the south front to the southeast tower, thence north to the northeast tower, thence west to the east wall, thence north to the north tower—all these walls which comprise the perimeter of the building are practically intact and uninjured; it will be only necessary to make repairs to a number of windows on the south front, where the flames have injured the Ohio sandstone trimmings.

Starting at the same point before mentioned—viz., the west wing—and travelling in the same direction: all rooms fronting on these elevations have been more or less swept by fire and burned out; the brick masonry in the internal longitudinal and cross walls, also the masonry in the external walls inclosing these rooms has suffered little damage—the stability of these walls has not been impaired.

The character of this masonry, both in material and workmanship, is first class. The external walls are faced with Nepean random rock-faced quarries, with Ohio stone trimmings to window openings; the walls are backed with rubble, and faced on the inside with brick carefully built and properly bonded into the rubble masonry. It is this facing of brick that has preserved the limestone rubble against damage by fire.

The floors throughout the building are constructed with 7-inch iron I-beam joists spaced

eighteen inches on centres, filled in solid with lime mortar concrete, the soffits of the beams exposed.

That the walls have suffered so little damage from the fire, is due to the nature of this construction, which might be termed "semi-fire-proof." The floors have not burned through; they have remained in position, and very materially stiffened the building and retarded the fire. But it will be necessary to take out the floors, remove the iron beams and replace with steel beams and fireproof material.

The walls of the main tower are backed up solid with limestone rubble, exposed on the internal face. The fire has done considerable damage to this limestone backing and to the Ohio sandstone around the window openings. It will be necessary to take down the spandrel walls between the four corner piers to the level of the sill of the large windows and rebuild.

The area in the heart of the building formerly occupied by the Commons Chamber and the Senate Chamber, from the north wall of the main corridor, "with the exception of the basement and foundation walls," is a total loss.

The building as it stands to-day represents an asset in labour and material in position, of fully \$2,000,000, that can be re-used.

I am going to read that again, because it seems to have been completely lost sight of by this Parliament:

"The building as it stands to-day represents an asset in labour and material in position, of fully \$2,000,000 that can be re-used."

The external walls require but few repairs, and when these are made all evidence of fire will be obliterated.

If more accommodation is required in the Commons Chamber and the Senate Chamber, these rooms could be placed on the east and west sides of the main building carried out in the same style of architecture, and the space they formerly occupied could be utilized in providing increased office accommodation and stack room for the library.

The Library building is a most dangerous fire hazard. The floor, shelving, and roof should be replaced with fireproof material.

Respectfully submitted,

(Sgd.) John A. Pearson.  
(Sgd.) J. O. Marchand.

There you have, on the authority of these two gentlemen who state in the opening paragraph of their report—

We have made a careful examination of the Main Building that was recently destroyed by fire.

—a statement further on in these words:

The building as it stands to-day represents an asset in labour and material in position, of fully \$2,000,000, that can be re-used.

Prior to that paragraph they point out those portions of the building which are practically undamaged by fire, and which at that time they proposed to rebuild, and thus restore the old building. As I have

mentioned to the committee, the transaction that had already been entered into at the date of this report, February 17, 1916, with P. Lyall & Sons, namely, an arrangement to remove the debris on a basis of cost plus 10 per cent, gave point to the rumours that were current regarding favouritism that was to be shown this firm, and I made it my duty again to warn the Minister of Public Works of the danger of continuing these relations with this or any other firm. I also took occasion to inform the then leader of the Opposition and some of my political associates of what I believed to be very objectionable features in connection with the proposed procedure. I went further and repeated not only to the then Minister of Public Works, but also to the then leader of the Opposition and to some of my political associates as well, my objections to taking the work out of the hands of the Department of Public Works and to the appointment of a joint committee of Parliament. Shortly afterwards it was my misfortune to be forced to go away on account of illness, and altogether I was absent from Ottawa about two months while Parliament was in session. On my return to the city, I found that a joint committee of Parliament had been appointed, that among others I had been named as a member of that committee, and further, that a contract had been given, without tender, to the firm of P. Lyall & Sons to reconstruct the damaged building on the basis of cost plus 8 per cent for the first \$4,000,000, and 7 per cent on an additional million up to \$5,000,000. In that connection, and at this stage of my remarks, I want to observe that at that very time this same firm of P. Lyall & Sons was carrying out a contract with this Government in Toronto in connection with the new Union terminal station there, and that that contract was also on a cost-plus basis, but they were doing that work for cost plus 3 per cent, while here in Ottawa they were given this contract, without advertisement, without tender, without any competition, on the basis of cost plus 8 per cent for the first \$4,000,000, and cost plus 7 per cent for an additional million up to \$5,000,000. In connection with this method of awarding contracts, may I point out that it is just as possible to secure competition on a cost-plus basis, as it is to put work up to competition on the ordinary basis at unit prices. That has been done, I think, not only by the Department of Public Works, but I am quite

sure by the Department of Railways and Canals. The work is advertised to be let on a cost-plus basis. One contractor will send in a tender offering to do it for cost plus 4 per cent; another contractor will send in a tender offering to do it for cost plus 4½ per cent, another at cost plus 5 per cent, and so on; so it is quite possible to secure competition even on the cost-plus system. May I point out this further, that the rule obtains among commercial and industrial companies that when work is awarded on the cost-plus basis there is usually a penalty set for failure to complete within the stipulated time and a bonus paid for more speedy completion than the date mentioned in the contract. These features were absent from the contract made with P. Lyall & Sons, although they were, as I claim, to be paid an excessive percentage on the work, which they got without tender and without competition.

The members from the Opposition side of the House who were appointed to act on the joint committee were the then member for St. John, N.B., the hon. Dr. Pugsley, my hon. friend, the member for Gaspé (Mr. Lemieux), and myself.

After I returned to the city I made inquiry about the facts relating to the appointment of this committee and for the reasons which I have already made fairly clear this afternoon, I considered it my duty to resign. I did so.

The next incident of interest was that all the lumber in eastern Ontario seemed suddenly to have been collected in front of the ruins of the old building, and an enormous scaffold was constructed, which practically hid the whole of the north face of the building from view. The tremendous quantity of lumber used gave rise to a great deal of discussion. The then Minister of Public Works was interviewed, and he explained, according to the newspapers of the day, that it was necessary to erect a huge and costly scaffold for the reason that the old building, in pursuance of the architects' report, was to be rebuilt, that each stone was to be taken from the old building, marked, and placed carefully on this scaffold, so that later on when the work of reconstruction was proceeding each of these stones could be put back in its original place. Not to make the story too long, Mr. Chairman, the scaffold disappeared one fine night, and on another fine night the whole building disappeared. The whole building was razed to the ground, and there was nothing left here on Par-

[Mr. Murphy.]

liament hill but a cleared space of so many acres. I recall being rather curious as to how this building, which, according to the architects' report over their own signature, after making what they described as a careful examination, represented an asset of \$2,000,000, came to be destroyed overnight, and as to the authority for its destruction. The then member for St. John, who was one of the members of the Joint Committee from the Liberal side of the House, said that he did not know on whose authority the building had been removed. The Minister of Public Works said that he had given no authority for its removal. The thing remained a mystery for a few days, and nobody could ascertain how this national asset of \$2,000,000 had disappeared overnight until Mr. Pearson, the architect, gave a statement to the papers that it was on his authority it had been removed, that defects had been found in the building, and that he considered it the proper thing to have the old building pulled down. Well if Mr. Pearson was right on that occasion, what is to be said about Mr. Pearson and his fellow-architect who signed the report stating that the building as it stood after the fire represented an asset of \$2,000,000, and that it could be re-used? I do not know, Sir, that these facts have previously been drawn to the attention of the committee. Assuming that that has not been done I consider it a duty devolving upon somebody to acquaint the committee with the facts, and that is why I am making these observations, to be followed by a few others, this afternoon.

Shortly after the period to which I have referred, my hon. friend from Gaspé retired from the committee. A little later on, in the fall of 1917, the then hon. member for St. John retired from public life and became Lieutenant Governor of the province of New Brunswick. So that that left the Joint Committee, as it is improperly called, and as it has continued to be improperly called, without any representatives from the Opposition side of the House. Since 1917, there has been no representative from this side of the House on this so-called Joint Committee for the reconstruction of the Parliament building. And yet Sir, notwithstanding that fact, each year a vote is solemnly put through this House which is explained in the Estimates as follows:

Ottawa Parliament Building—Restoration. The plans for the said building and the method to be adopted for securing the reconstruction

thereof to be subject to the approval of the Joint Committee appointed by the Prime Minister and the leader of the Opposition.

As I have said, there has been no member from this side of the House on that Joint Committee since 1917. The present leader of the Opposition (Mr. Mackenzie King), has not made any appointments to that committee, and I submit that it is altogether misleading and improper that this language should be used to explain this vote.

Now, Mr. Chairman, in addition to the objections that have been voiced by the member for Westmoreland (Mr. Copp), I desire to point out that in the interests of historical fact, and also having regard to the orderly conduct of business in this House, the wording of this item should at least be changed, so that on the present occasion, and hereafter, when moneys are to be voted they will be voted with the proper verbal explanation attached to the vote in the Estimates.

I would further urge that the Department of Public Works, if it has not already done so, should utilize the services of some of the numerous capable officers in its employ, to take official charge of the work remaining to be done in and about this building. I appeal to the minister, to stop, through his officers, the placing of what, for want of a better term, I may describe as mushy inscriptions on the walls of the rooms within the building, and on the outer wall of the main tower itself. I understand that some reference was made to this subject yesterday afternoon. I did not happen to be in the chamber at the time, but I desire to add my protest and objection to the continuance of that practice, which I understand was not authorized or approved by the remnant of this alleged Joint Committee, and I know that my hon. friend the minister (Mr. McCurdy), has no responsibility in the matter at all.

Mr. LAPOINTE: Does my hon. friend know who is responsible for the inscriptions?

Mr. MURPHY: I do not know who is responsible for them.

Mr. JACOBS: I may inform the hon. gentleman; it is King David, of the Psalms.

Mr. MURPHY: Yes; but my knowledge of history leads me to the belief that the gentleman referred to by my hon. friend from George Etienne Cartier (Mr. Jacobs), quit house building a great many centuries ago. He has nothing to do with the

placing of these inscriptions on the building at the present time. I rather think it is the architect who is responsible, inasmuch as this building throughout exhales an overseas atmosphere, and in no particular breathes the air of Canada. I assume that it is the architect who is responsible for these mushy inscriptions, and I believe from what I have been told of the discussion yesterday, that such, in fact, was stated to this committee. In all seriousness I urge the Minister of Public Works to take such steps as will result in the removal of such of these inscriptions as can be removed without doing actual damage to the structure, and in any event, to prevent any more of them from being put up without competent authority.

I should also like to say a word with reference to the fulsome eulogies I have heard from time to time about the design of this building. Occasionally, to hear this building referred to, you would think it was a miracle of original architectural genius on the part of the gentlemen, or rather the gentleman, in whose charge the work has been placed. Well, the building, as everyone knows, externally, at any rate, is a copy of the old building. There has been an extra story added, it is true, but the general contour of the outside of the building is in almost exact accord with that of the old structure. Then, in most of the interior details in which this building differs from the old one, it exhales, as I have said, an overseas atmosphere, and in no particular does it breathe the air of Canada. Any person who has travelled will endorse what I say. The courts outside the entrances to the House of Commons and the Senate are modelled on portions of any of the old abbeys that are scattered throughout the British isles. The upper floor surrounding the outer court of the House of Commons entrance is a slavish copy of the cloister in any one of the monasteries, the ruins of which may be viewed in England, Scotland, or Ireland, at the present day. There is nothing original about it except the daring of the architect who would place an imitation cloister in a building the halls of which are traversed by the member for West Toronto (Mr. Hocken)—

Mr. BEST: You want it to look like the Dublin Court House?

Mr. MURPHY: Well, if the present building were built in imitation of the Court House in Dublin, I think it would be more appropriate as a legislative building than the one we now have. But I am dealing

now with some of the interior details, which are supposed to reflect the originality and genius of the architects. They are, as I have said, slavish copies of the old buildings put up by the monks, the despised monks, hundreds and thousands of years ago. Why, Sir, even the dominating feature of the central entrance hall—what is supposed to be the corner stone, which begins in a shaft and then spreads out at its full height like an open umbrella—is a slavish imitation of an original bit of architecture to be found in the Lady Chapel of Lincoln Cathedral in England.

Mr. CURRIE: Also in King's Chapel, in Cambridge.

Mr. MURPHY: It may be in King's Chapel in Cambridge also; I have no doubt it has been repeated in a number of chapels in the Old Country, because the monks were great cathedral builders, sound architects, as well as sound men in other respects, in regard to which my hon. friend from North Simcoe (Mr. Currie) might not agree with them. I want to point out the necessity of exercising a little common sense about this new building, the necessity of displaying some taste and some idea of the fitness of things in the inscriptions that may be used, as well as the necessity of applying some business methods to the remainder of the work that has to be done before the building is completely finished. I could point out other details in connection with the interior of the structure, all of which are copies of some of the details of the old abbeys and monasteries in the British Isles; but that is not necessary to emphasize the point I am making.

Now, in conclusion, I want to say a word to my hon. friend (Mr. McCurdy). He owes it to the committee and to the House to give full details as to the complete cost of this building. He should give complete details as to the arrangement with the contractors, and particularly what they were to be paid when the cost should exceed \$5,000,000. It is idle to pretend that the firm of P. Lyall and Sons, or any other shrewd and capable business men, would continue to work upon a structure when the cost has risen from \$5,000,000 to \$10,000,000, without being paid on some recognized business basis for the additional five millions worth of work which they have done upon it. If anybody advances that proposition seriously, then I would say to him he had better "tell it to the marines" because no sensible man would believe it.

[Mr. Murphy.]

In another particular, Mr. Chairman, I desire to urge upon the minister that the jurisdiction of the architect—or architects, or of whoever is responsible for carrying on here with a free hand,—should be restricted and that matters relating to design and to cost—and I would say additional work as well—should be taken charge of by the Department of Public Works, and the responsible minister should be in a position to give this committee and the House full information with regard to the whole of this work. For, in the last analysis, even though neither he, nor his deputy, nor his officers have very much to do with it, still the public will hold him and them responsible.

I hope, Sir, that I need do no more than refer again to the contradiction between the terms of the architect's report that the damaged building represented an asset of \$2,000,000, and the fact of its removal, according to all the information we have, without authority, and then to the erection of an entirely new building which has already cost double the amount it was originally said it would cost;—I need do no more than call attention to these serious discrepancies to emphasize the necessity of the Minister of Public Works adopting new methods under which the remainder of this work may be carried out.

Mr. VIEN: Before we go much further I would also like to point out to the minister the error which has been committed in translating an inscription on the central pillar in the main entrance from English into French. I placed a question relative to the matter on the Order Paper some time ago and I received this answer:

The inscription on the central column is a translation of the inscription, as finally adopted, which was recommended by the Special Committee appointed conjointly by the Senate and House of Commons to report on the method of celebrating the Fiftieth Anniversary of the Federation of the Dominion. The translation was made by A. D. Decelles, C.M.G., D.Lit., M.S.R.C., former General Librarian of Parliament.

Now, Mr. Decelles has advised me that he was in no way responsible for the translation of that inscription—he denied that he had any responsibility therefor, and stated that he had nothing to do with it. That is as regards the inscription in French. The inscription in English is "baroque" as we say in French. I do not want to be considered an authority on good English but I know enough of the language to know that the English inscription is badly phrased. One needs to know very

little of the English language to find that out. The French inscription reads:

"A l'occasion du cinquantième anniversaire de la Confédération constituant en Dominion du Canada les Colonies Britanniques de l'Amérique du Nord. . ."

Dans ce bout de phrase il y a deux fautes. Continuing in English, let me say that the Confederation never constituted anything, it was being constituted; and it is a piece of foolishness to put such an inscription on a monument which we presume will last for centuries and which will be there as showing our inaccurate knowledge not only of English but of French.

Mr. CURRIE: Read the English inscription.

Mr. VIEN: I have not got it here. However, it states that Confederation constituted the Dominion of Canada into a Confederation. I say that Confederation was being constituted and did not constitute anything. Let me point out to the minister that at the time of Confederation the French translation of the word "Dominion" was "Puissance" and Puissance is a much more appropriate word. I regret that the Minister of Justice (Mr. Doherty) is not here to give us his opinion. He has been declaring that we were now a power, that we were now a nation. Well, the word "Puissance" translates very well the word "Dominion." "Dominion" is not French at all. It is, of course, derived from the Latin word "Domino."

Mr. CURRIE: From the changed version of the Bible.

Mr. VIEN: I am sure the men who translated the inscription on the building must have been great Biblical authorities.

Mr. LEMIEUX: Sir Leonard Tilley.

Mr. VIEN: The word "Dominion" is a very good English word, it belongs to that language; but nowhere in the French language will you find the word "Dominion". No dictionary will give you that word as French. Yet you find on the central pillar of the main entrance to the hall—the Hall of Fame—an inscription which exhibits to all generations to come how little we know of the French language. We on this side will certainly be held responsible for the translation—the responsibility will not fall on the shoulders of hon gentlemen opposite. Thus it will help to spread the legend that the people of Quebec do not speak French but a patois, a half-breed language between

the Huron and the French. I wish to point out in the first place that it is a very wrong thing for a minister of the Crown to give information which is utterly inaccurate, which is an absolute falsehood, to an hon. member of the House who asks a question. I do not hold my hon. friend the Minister of Public Works responsible for that, I know how it is done. But I wish to point out to the Government that greater care should be exercised in the preparation of answers given in the House. The Minister of Railways gave me two or three answers during the present session which are absolutely in contradiction of the facts.

Mr. LEMIEUX: I am surprised.

Mr. VIEN: I was not as surprised to receive inaccurate answers from the Minister of Railways as I was to receive them from the Minister of Public Works. However, I do not hold either minister altogether responsible, but I draw their attention to the fact that the answers they give should be accurate. In the second place I think it is a very wrong thing to endeavour to place responsibility for the phrasing of this inscription upon such a distinguished gentleman as Mr. Decelles, who knows the French language thoroughly, who is one of our most distinguished compatriots in the province of Quebec and who is a great littérateur—I think it is a mistake to associate his name with an inscription which is so badly phrased. In the third place I think that before placing an inscription in French on the centre pillar more care should have been taken. Finally, may I suggest to the minister, that Mr. Pearson himself told me that it would be a very minor matter indeed to remove the three stones on the centre pillar containing the inscription. I strongly urge on my hon. friend that steps should be taken to have the change made without further delay, unless he wishes to pass down to posterity as not knowing the French language, nor even the English language, because the English inscription will have to be changed as well. May I ask the minister if there is any hope that this will be attended to?

Mr. CURRIE: Carried.

Mr. VIEN: My hon. friend from North Simcoe (Mr. Currie) is really in too much of a hurry. If he wishes the item to stand over for further discussion he may be assured that he is following the very course that will bring about such a result—

Mr. CURRIE: Mr. Chairman—

Mr. VIEN: While I am on my feet let the hon. gentleman wait. I am not here to give him a lesson in deportment, but I think I may concur in the remarks which the hon. member for Red Deer addressed to the hon. member for North Simcoe the other day.

The CHAIRMAN: Order.

Mr. CURRIE: The hon. gentleman has been absent from this chamber for several weeks, no doubt down in Yamaska, and now he comes in and tries to delay the proceedings.

The CHAIRMAN: Order. The lecturing of one hon. member by another is not relevant to the item under consideration and the remarks of both hon. gentlemen are absolutely out of order.

Mr. LAPOINTE: That is the only thing that the hon. member for North Simcoe does.

The CHAIRMAN: Order.

At Six o'clock the committee took recess.

#### After Recess

The House resumed at Eight o'clock.

#### PRIVATE BILLS

DIVORCE—ALPHONSE LeMOYNE de MARTIGNY

The House again in committee on Bill No. 120 (from the Senate) for the relief of Alphonse LeMoyné de Martigny—Mr. Ross—Mr. Boivin in the Chair.

The CHAIRMAN: When this Bill was last before the committee the preamble had been read, the consideration thereof had been postponed, and clause 1 had been read and was under discussion. Shall the clause carry?

Mr. VIEN: Many hon. members on this side who wish to express their views on this Bill are unavoidably absent to-night. I would move, therefore, that the committee rise, report progress and ask leave to sit again.

Mr. MEIGHEN: The committee, of course, to sit again this day on the other private Bills.

Mr. VIEN: We want the same order to be kept in the divorce Bills.

Progress reported.

#### CONSIDERED IN COMMITTEE—THIRD READINGS

Bill No. 202, from the Senate, for the relief of Agnes Robertson.—Mr. Frripp.

[Mr. Currie.]

Bill No. 203, from the Senate, for the relief of Hilda May Freeman.—Mr. Mowat.

Bill No. 207, from the Senate, for the relief of Sarah Ann King.—Mr. Smith.

Bill No. 208, from the Senate, for the relief of Richard John Whitley.—Mr. Porter.

Bill No. 209, from the Senate, for the relief of Herbert Morgan Davies.—Mr. Mowat.

Bill No. 210, from the Senate, for the relief of James Charles Allward.—Mr. Currie.

Bill No. 214, from the Senate, for the relief of Ernest Joseph Wismer.—Mr. Mowat.

Bill No. 215, from the Senate, for the relief of Carman Adams.—Mr. Mowat.

#### SECOND READING

Bill No. 217 (from the Senate), respecting the Calgary and Fernie Railway Company.—Mr. Stevens.

#### SUPPLY

The House in Committee of Supply, Mr. Boivin in the Chair:

Public Works, chargeable to capital—Ottawa Parliament building restoration, \$1,000,000.

The CHAIRMAN: When the House rose at six o'clock, this item was under discussion. Shall the item carry?

Item agreed to.

Harbours and rivers—St. John Harbour improvements, \$1,250,000.

Mr. LEGER: This item being very large, I should like to have some information in reference to the St. John harbour improvements.

Mr. McCURDY: The main portion of this appropriation is for improvements in Courtenay bay. As my hon. friend doubtless knows, the improvement of Courtenay bay was undertaken years ago, and a contract was entered into with the St. John Dry Dock and Shipbuilding Company to carry out dredging and improvements in that part of St. John harbour. The amount represented in this appropriation is almost altogether for payments which will fall due for work done by the contractors in connection with Courtenay bay improvements.

Mr. LEGER: Is this for the completion of the work at Courtenay bay?

Mr. McCURDY: No. It is for carrying on work that is under contract and that is proceeding from year to year. This is the amount which will be earned this

year by the contractors in the progress of the construction work at Courtenay bay under the contract.

Mr. LEGER: The minister said that this work commenced year's ago. Has he any advice from the engineer as to when this work will be completed? Millions and millions of dollars have been expended there, and so far I do not know of any work that is nearly completed.

Mr. McCURDY: I will give my hon. friend information as to the amount that has been paid out in connection with Courtenay bay and the present state of the work. The work is, however, still far from completion.

Mr. FIELDING: The work is a very large and important one, and I think the committee would be glad to have some information of a general character regarding the nature of the work that was contemplated, what has been done, what remains to be done, what amount has been expended and what will be the cost when the contract is completed.

On the motion of Mr. McCurdy, consideration of the item was postponed.

Civil Government—Public Works—Salaries, \$598,510; Contingencies, \$85,000.

Mr. LEMIEUX: I understand that my hon. friend, after consultation with his head officer in the department, has reduced the engineers' districts in the various provinces. I do not blame my hon. friend if he has erred on the side of economy, but this reduction has caused many heart-burnings, and I am afraid that some injustice has been done, at least in the district with which I am most familiar. I called the minister's attention at the time, during recess, to what I considered to be an injustice. Of course, the hon. gentleman acted on the advice of his chief officer, and I am not blaming him personally.

The particular case I have in mind is that of the Chief Resident Engineer for the district of Gaspé, which is a large district, comprising the peninsula of Gaspé and the Magdalen islands. The gentleman who had charge of that district was Mr. Joseph Tétu Bertrand, a very worthy official of the department. I happen to have known Mr. Bertrand since, I am sorry to say, nearly thirty-five years ago. He was a class-mate of mine at the University of Ottawa, and as far back as the year 1884 or thereabout, he began his studies as an engineer at McGill. The Department of Public Works, then under the direction of

the late Sir Hector Langevin, availed itself of Mr. Bertrand's services, and during 1884 and for several years afterwards he was sent to various points in the province of Quebec. In 1897, if I mistake not, at the instigation of the then sitting member for the county of Kamouraska, now Mr. Justice Carroll, supported by my humble self, the then Minister of Public Works, the late Mr. Tarte, appointed him District Engineer for the district of Gaspé. Mr. Bertrand has had charge of the various works which have been under way in that district, and during those twenty-four years I believe that he has given the Department most excellent service. During that time he was considered as more than a local resident engineer, because the department sent him on special missions as far as British Columbia. Mr. Bertrand was retained, for instance, as one of the advising engineers for the works on the Fraser river, a highly technical work, and I know as a matter of fact that the engineers with whom he was associated were pleased with his reports and his advice. In the lower St. Lawrence the works which he was more especially connected have stood the tests of time. I think if my hon. friend would consult his deputy and the other officials of the department, he would find that Mr. Bertrand has given, as I stated a moment ago, excellent service in that district. When my hon. friend decided to adopt the policy of reducing the districts, a policy I am not criticizing at all, because I believe he intended to effect some economy, some injustice, inadvertently, I am sure, was done in the province of Quebec to that old and efficient official. If a chief engineer had to be appointed in the reorganization it seems to me that, in justice to Mr. Bertrand, he should have been appointed head of the enlarged district, but another gentleman, against whom I have nothing to say, and who may also be a deserving official, was appointed in his stead. Mr. Bertrand, as a matter of fact, was reduced in his standing, and to-day he is only a senior clerk in the Rimouski office. I do not know, and I should like my hon. friend to inform the committee, whether Mr. Bertrand retains his former salary, or whether his salary, which was none too large, has been increased. I hope however, that in the new organization my hon. friend will make it a point to act fairly towards that deserving official. There are always to be found in the different departments overzealous officials; I do not mean in the sense

of improving the service, for an over-zeal in that direction is never to be despised, but there are sometimes officials who have a grudge against a confrère, and it so happens that, having the ear of the minister and of the higher officers in the department, they sometimes succeed in doing an injustice, but an injustice will not last. Has my hon. friend received any complaints against Mr. Bertrand? Is it not a fact that he has been all these years a deserving and honest official who has given the department most efficient service? If he was a good official, could the minister not give him the standing which he had previously? I am informed that by seniority Mr. Bertrand should have been the chief resident engineer of the new district of Rimouski, which comprises Rimouski proper, Bonaventure, Gaspé, and perhaps Chicoutimi, although I am not sure. It would be very unfortunate if, at his age, after so many years of faithful and devoted service to the Crown, this official should be handicapped at the present time. I hope the minister will give me a satisfactory answer on the points I have raised.

Mr. McCURDY: As probably all hon. members are aware, certainly all who have been in close touch with government operations for the past ten years, the expenditures by the Department of Public Works on new undertakings have been substantially curtailed during the past six or seven years, and the amount of money available for improvements of a public character is much smaller than formerly. The largest expenditures by the department were made, I think, in the year 1913, but since that time the votes for these purposes have fallen by some \$10,000,000. Now, it is quite evident that a staff of engineers which was capable of coping with expenditures of the larger sums is more than sufficient to take care of the expenditures under the reduced votes. For a year or two previous to the time I assumed direction of the department, a plan of reorganization had been in contemplation in order to reduce the staff to a number more in keeping with the demands upon it. Under a report prepared by the chief engineer under date January 29, of this year, a reorganization was effected of the Engineering Branch of the department, and while it is not necessary for me to refer in detail to the reductions and consequent changes, I might say that the net result is that the establishment

[Mr. Lemieux.]

of the Engineering Branch has been reduced from 230 to 138.

Mr. LEMIEUX: The Outside Service?

Mr. McCURDY: That is the outside Service, although one of the outside districts so-called is located in the city of Ottawa, with a consequent saving in the total expenditures for salaries in that branch. Unquestionably, every one would approve of some form of reorganization under the circumstances that have prevailed of late years and I myself have always felt it was the duty of the minister to effect these savings if possible. But in order to accomplish that result the status of some officers must necessarily be affected. You cannot make an omelet without breaking eggs, and I have no doubt that one of the reasons why this reorganization was postponed was that, previous to last year, no provision existed for such officers as might be retired. At the last session of Parliament, however, a Retirement Act was piloted through the House by the Minister of Immigration and Colonization (Mr. Calder) and that Act made provision, perhaps not generous, but still a provision, for officers who might be retired when their services were no longer required. The officers in the engineering service who are to be retired, will be entitled to the benefits provided in that Act. I am not personally acquainted, as hon. members will understand, with the members of the engineering staff at large, so I directed the chief engineer of the department to call into council his district engineers from the various engineering districts in the country, and, after consultation with them to prepare a slate of officials who, in their opinion, were best qualified to administer the services of the department. This reorganization was to take effect on May 1, and, of course, the proposed establishment and personnel was referred to the Civil Service Commission for its approval. If there has been any case of hardship in the selection of the officers who are to be retained, an appeal will lie to the Civil Service Commission. I am quite satisfied that the chief engineer of the department has exercised his best discretion as to which of the members of the staff should remain to direct the future operations of the different engineering districts. However, as I have said, if there is any case of hardship, an appeal lies to the Civil Service Commission, and I am sure that if an error has been made by the chief engineer in any respect, it will be corrected. I cannot refer very particularly

to the case mentioned by my hon. friend from Gaspé; what I have said in a general way applies to the official in question. I can assure the committee that the retirement of tried and competent officials is an unpleasant and unwelcome occurrence for the minister. There are officials who are changed to other locations, and others who are retired. Many are excellent men, and it is no reflection whatever on them if they are removed to some other place or are retired.

Mr. LEMIEUX: This official was not retired; he was reduced in rank.

Mr. McCURDY: I can give the position to which he has been recommended by the chief engineer.

Mr. LEMIEUX: If you please.

Mr. McCURDY: The assignments are not final until they receive the approval of the Civil Service Commission. The engineer to whom my hon. friend has alluded and who, I understand, is an excellent official, has been recommended by the chief engineer to be employed as senior assistant engineer in the combined district. If he suffers in salary at all, it will only, perhaps, be to the extent of \$100 or so. His is one of several cases where a man who previously had charge of a district has been placed second in charge of a larger district.

Mr. LEGER: If the transfer of the engineering office from Chatham, N.B., to St. John was for the purpose of economy, I would heartily concur in it, but in the northern part of that province there are hundreds of miles of sea and river shore with numerous breakwaters and wharves where considerable dredging is required. From Chatham the departmental engineer could, in his automobile, cover one-half of the district and return in one day. But to go from St. John to various parts of Restigouche and Westmoreland, and other parts of the province, occupies a much longer time. I do not see any economy in it, because there is a greater expenditure of time and then there is the expense incurred in travelling. That loss of time is much greater than would be the case if the office were retained in Chatham and, of course, the expense is much heavier. To show the committee how the transfer was brought about, perhaps I may be permitted to quote from a letter written by the Minister of Customs and Excise (Hon. R. W. Wigmore) to the St. John Commercial Club. The quotation is as follows:

You will remember that in amalgamating the engineering services of the Public Works Department it was the intention to have the headquarters at Chatham and not at St. John, but I was successful in having the headquarters located at St. John, which, of course, resulted in a very strong protest from Chatham, so that St. John is undoubtedly getting some additional benefit from the amalgamation of the public works engineering services.

In view of this statement by the Minister of Customs, it would appear that a desire to have work done and expenditures made in the city of St. John was the reason for the removal of the office from Chatham, and that it was not a step taken in the interests of economy. I certainly protest against it because, in my opinion, Chatham was a more central place in view of the conditions in the northern part of the province.

Mr. McCURDY: I need not assure my hon. friend from Kent (Mr. Léger) that one could not undertake a reorganization of the district engineering offices of the Department of Public Works, or any number of local offices, without the communities affected by that reorganization seeking to have those offices retained where they formerly were. The number of district engineering offices has been reduced, under the reorganization from thirty-one to sixteen, and it will be no surprise to the committee to learn that from thirteen of the fifteen places where the offices are being closed, protests have come from local bodies and even from members of Parliament. That is not surprising because we all understand what the feeling would be in the local district in each case; but if heed were to be paid only to local sentiment, and we were to disregard the wider interests involved, it would be impossible to make progress at all. In the selection of the headquarters for the enlarged districts, and in the location of the most convenient and central point for the location of the district engineering office, the opinion of the chief engineer was the opinion that ruled. In New Brunswick it happens that in his opinion, and I see no reason to overrule that opinion—in fact I see no reason to overrule his opinion in any of the cases—St. John was, all things considered, a more convenient place, and by the amalgamation a saving was effected. I am sure that many members of the House have been anxious to-day to hear news from New Brunswick. Well, I have some good news from that province for the committee. It is, that under the reorganization there will be a saving of upwards of \$8,000 in the

cost of operating the engineering services in the province.

Mr. LEMIEUX: Will the minister kindly state how many districts there were in each province before the reorganization, and what the number is now?

Mr. McCURDY: Yes, with pleasure. Before the reorganization to which I have alluded there existed in the province of Nova Scotia, five districts. Under the reorganization, there is one. In Prince Edward Island there was one district, and there will be one under reorganization. In New Brunswick, there were two districts, and under reorganization there will be one. In Quebec there were eight districts; under reorganization there are four. In Ontario there were eight districts; under reorganization there are four. In the Prairie Provinces there were two districts; under reorganization there is one. In British Columbia there were five districts; under reorganization there are three. The result is a total now of sixteen districts with a staff of 140 instead of 239. It will be of interest to the committee to know that while the salary list as of April 1, 1920, was \$445,440 representing, after deducting the salaries of those who have resigned or are deceased aggregating \$48,060, a net total of \$397,380—the present salary

9 p.m. list amounts to \$312,980, or a saving of \$132,460 for the next fiscal year and of \$84,400 over the past fiscal year. To the latter amount must be added a saving in round figures of \$10,000 in the salaries of construction foremen who henceforth will be employed part time only. Moreover, it must not be forgotten that the salaries of the proposed staff include the statutory increases for the next fiscal year of \$15,000. Therefore the net economy represents \$109,400.

Mr. SINCLAIR (Guysborough): Has my hon. friend given credit for the pensions or retiring allowances to the retired officers?

Mr. McCURDY: The amount of the retiring allowances is not figured in that calculation, but it is not very large. There will be a very substantial saving, but it cannot be figured with definiteness because until the retirements are effective the amounts payable for retiring allowances will not be known.

Mr. SINCLAIR (Guysborough): The minister has to provide for the 99 who are retired, for I presume they are not going

[Mr. McCurdy.]

to be put out on the street without some provision being made for them.

Mr. McCURDY: I have said there were 240 positions under the old establishment. During the past three or four years vacant positions have not been filled. The new establishment calls for some 140 positions only.

Mr. SINCLAIR (Guysborough): Can my hon. friend tell us how much will be expended per year to pay the retiring allowances of those whose services have been dispensed with?

Mr. McCURDY: I have already advised the committee that those amounts are not yet definitely ascertained. In cases where officials have been in the employ of the department for a shorter period than ten years a lump sum gratuity is paid to them; and to those officials with ten years' service or over a retiring allowance of one-sixtieth is given for each year's service up to thirty years. That is to say, an official retired after eleven years' service would receive eleven-sixtieth's of his average salary for the previous three years. So the amount involved could not under any circumstances exceed one half the salaries being received.

Mr. LEGER: Have all the staff of the engineer's office in Chatham been discharged?

Mr. McCURDY: Not by any means. New Brunswick is not one of the provinces where the saving effected by reorganization is greatest. The proposed staff of the amalgamated office is as follows: District engineer, Mr. Geoffrey Stead; senior assistant engineer, Mr. F. G. Goodspeed; assistant engineers, H. F. Bennett and G. E. Martin, A. W. Wilbur, W. C. Ewing; junior engineers to be promoted J. H. Thurber, W. J. Johnston; bookkeeper H. A. MacMurray; staff stenographer, C. M. McLean; employees to be retired under reorganization, K. A. Brown, draftsman; M. C. Irvine, junior draftsman.

Mr. McCURDY: I think one from the former Chatham office and one from the St. John office.

Mr. McCURDY: I think one from that office and one from the St. John office.

Mr. LEGER: I do not see that very much saving is effected, because they have the same staff at St. John, and the travelling expenses to any part of New Brunswick coast line will be heavy. I think there

will be a good deal more loss of time if they are all centralized in one office.

Mr. FIELDING: What the minister has read is for the establishment of the headquarters staff in New Brunswick?

Mr. McCURDY: Yes.

Mr. FIELDING: Has the hon. gentleman a statement for the reorganization at Halifax?

Mr. McCURDY: Oh, yes. I should like the committee to understand that the recommendations I am reading are made by the chief engineer of the Public Works Department, and both the establishment and the personnel are subject to approval by the Civil Service Commission. In Nova Scotia the office of district engineer—which is called a grade 2 office—is to be filled by C. E. W. Dodwell; senior assistant engineers, T. J. Locke, W. P. Morrison; assistant engineers, J. R. Freeman, H. N. Putman, N. C. Ralston, O. S. Cox and two engineers to be promoted; junior assistant engineers, A. MacGillivray, P. D. Mosher, H. Munro; engineer clerk, W. S. Archibald; draftsman, H. P. Bernasconi; staff stenographers, E. B. Blois, A. Connell; junior clerk stenographer, C. MacDonald. Employees to be retired: G. A. Bernasconi; A. Bernasconi; Melville McKean; C. E. Hamilton; M. McDonald; Miss M. Fry; Miss A. M. Jones.

Mr. SINCLAIR (Guysborough): Does that comprise the whole number to be retired from all the offices in Nova Scotia?

Mr. McCURDY: Yes.

Mr. McKENZIE: Before the reclassification was made, in what class was Mr. McKean? Was he not assistant to Mr. Bernasconi for many years?

Mr. McCURDY: He was assistant engineer.

Mr. McKENZIE: That is, he was next to the chief in the office at North Sydney?

Mr. McCURDY: If my hon. friend means that he was next in seniority in the office of the district engineer, yes.

Mr. McKENZIE: Mr. McKean has been in the service of the department for twenty-one years or longer. In 1918 or the latter part of 1917, when the Government found it necessary to establish an aeroplane station at North Sydney, Mr. McKean who has the training of an architect as well as of an engineer, was put in charge of that work, and at that time his salary was increased to \$1,900 a year. I understand

that under the classification made by the Civil Service Commission of the employees of the Public Works Department these outside men were not properly classified, and that Mr. McKean, though he was regarded as chief assistant to Mr. Bernasconi, now finds himself in a grade far below that in which he thought himself to be for many years. I think that the minister or the proper officials of the department should see that Mr. McKean is put in the proper class before retirement so that he may get the benefit of his many years' service. If there are any papers or correspondence showing the history of Mr. McKean's connection with the department, the different positions he has occupied, the rates of salary that he has been paid and the classifications which were made of his position before the Civil Service Commission came in, I should be very glad if the minister would bring them down.

Mr. McCURDY: When an officer is retired under this reorganization, that is his fortune or misfortune, as the case may be. Possibly it may prove to be good fortune to be retired under pension; if the officer in question has good qualifications it may mean the making of him, because he may go out into the world and make a bigger name for himself even than he did in the department, and have his pension besides. My memory is that this particular official, Mr. McKean, joined the engineering service thirteen or fourteen years ago. His salary on retirement was not \$1,900, as my hon. friend has suggested, but \$2,340, and if recommended he is entitled on retirement to a pension based on his average salary during the last three years of his service. Speaking of the retirements in that district, I may say that we lose in the reorganization the services of a well known engineer, Mr. G. A. Bernasconi, who has been in the service of the department continuously for almost thirty years, in addition to a previous service which was subsequently broken by a year or two of absence from this country. But Mr. Bernasconi has reached an age at which engineers cannot be expected to be very active. In his retirement the department loses the services of a valuable officer.

Mr. SINCLAIR (Guysborough): How much is Mr. G. A. Bernasconi entitled to on retirement? And what will Mr. Adolph Bernasconi receive?

Mr. McCURDY: The whole reorganization is subject to the approval of the

Civil Service Commission, and until that is obtained and the matter finally put through the amount of retiring allowance cannot be known because the exact length of service cannot be determined.

Mr. FIELDING: From a statement made by the hon. gentleman as to the reduction of staff, I presume there will be some economy. But apart altogether from the cost of the retiring allowances I do not think we shall be in a very good position to estimate the extent of the economy until we have had a year's experience. The suggestion of my hon. friend from Kent with regard to travelling allowances will have to be considered. In Nova Scotia there were five districts; consequently, no one of these engineers would have to travel a long distance in connection with his work. If there is to be one district only I suppose we cannot complain if Halifax is chosen as the headquarters, but if every time a public work in Cape Breton has to be attended to the engineers must travel from Halifax to that district, two or three hundred miles distant and back, there will be a very considerable bill of expense. I do not know whether that has been taken into account, but as I say, I assume that there will be some measure of economy in the reduction of staff which is projected.

Mr. McCURDY: I omitted to answer the second question by the hon. member for Guysborough. Mr. A. Bernasconi was in receipt of a salary of \$2,460 previous to retirement. His retiring allowance would be based on the average salary received by him during the three years prior to his retirement. I have pleasure in informing the hon. member that Mr. Bernasconi can claim to receive the retiring allowance—

Mr. SINCLAIR (Guysborough): Will his bonus be taken into consideration?

Mr. McCURDY: Not in computing the amount of retiring allowance. I may say in reply to the hon. member for Shelburne and Queen's that the matter of travelling allowance has received full consideration. There have been a number of anomalies in the service. When I first became a member of Parliament the engineer for the county I represented, Shelburne and Queen's, was resident in Shelburne and his district comprised the counties of Shelburne, Queen's and Cumberland. In order to reach Cumberland, one part of his district, he had to pass through three or four intervening counties. In the reorganization an effort has been made to remove these

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anomalies. Why such an arrangement was ever made passes my comprehension. The travelling expenses which will be incurred by operating from a central office will not be as much greater than they were under the old system as may appear at first sight. No matter from which office an officer proceeds, to reach the termination of his journey, a large part of that journey must be over the same ground and at the same expense, no matter whether he proceeds from one of the new central offices or from one of the old local engineering offices. The matter of travelling expenses and loss of time has all been taken into account, and I can assure the committee that there is a very substantial saving under the reorganization. No hard and fast lines have been drawn in attempting this. I fully appreciate that the actual efficiency of the service, the operating cost and that sort of thing, under the new conditions are more or less conjectural. If it be found, after a year's trial, that the results anticipated are not being obtained, the way is open for further correction. My view is—and I am sure it is the view of the officials of the department—that wherever an improvement can be made in operation, such improvement should be made. If it be found by experience that other dispositions can bring about more economical and efficient results, they will, of course, be adopted.

Mr. SINCLAIR (Guysborough): Can the minister say whether the whole Antigonish staff has been retained excepting Mr. Bernasconi?

Mr. McCURDY: After reorganization, I notice the following names on the chief engineer's slate of proposed officers: A. MacGillivray, D. H. McDonald, P. D. Mosher, J. H. Munro, W. S. Archibald, H. P. Bernasconi, Miss C. Macdonald, Miss A. Connell. Those officers are supposed to be on the staff of the reorganized office, and if the names of the persons that my hon. friend is solicitous about on the Antigonish staff are on that list, he can be sure that the plan is to retain them on the reorganized staff.

Mr. LEGER: Has the travelling inspector for the district of Chatham been dismissed or is he still in office?

Mr. McCURDY: We have no official known by the name of "travelling inspector," but the department has for years employed what are known as "construction foremen." Possibly that is the official to whom my hon. friend refers.

Mr. LEGER: Possibly. We call him "travelling inspector."

Mr. McCURDY: The duties of construction foremen are well indicated by the name which is given to the office. As my hon. friend knows, it is not possible during the winter months to construct public works of the nature of those which are mostly constructed in his district, so that, apart from British Columbia where operations can be carried on during the whole year, it is not the plan of the department to employ construction foremen in future excepting as and when required. The net result of that will probably be that, for this summer, the construction foreman will be retained throughout the summer, and that possibly on towards the end of the year his services will not be further required, but as compensation for that work a somewhat higher salary will be given to the construction foreman while employed.

Mr. LEGER: Will he have to move to St. John?

Mr. McCURDY: It would not be at all necessary for him to move to St. John.

Mr. McKENZIE: Do I understand that all these offices in Nova Scotia are abolished except the one that is now carried on at Halifax?

Mr. McCURDY: The district engineering offices in Nova Scotia have been amalgamated into one office and that office will be at Halifax. The establishment of all the offices prior to reorganization was 25. Under the reorganization, it will be 16.

Mr. McKENZIE: I understood the minister to say a minute ago that there would be only one district now covering a whole province with a central office at Halifax. Is that the only office in Nova Scotia?

Mr. McCURDY: Yes.

Mr. McKENZIE: Who is chief engineer?

Mr. McCURDY: C. E. W. Dodwell.

Mr. McKENZIE: How old a man is he?

Mr. McCURDY: I can obtain that information from the departmental records and forward to my hon. friend a statement of the exact age, but I think, speaking from my knowledge, that he is a man of sixty-seven or sixty-eight years of age.

Mr. McKENZIE: (Why he should be singled out and made engineer of the whole province and a man like Mr. McKean,

who is a much younger and very capable engineer, should be named for execution, I do not quite understand. Mr. McKean is a capable engineer and a good architect, in every way competent to carry on any work that he was able to carry on previously. I presume he is a more competent man to-day than he was for a number of years before. It so happens that I know the names and political affiliations of the men that the minister mentioned. It so happens, by accident, of course, that McKean is the only Liberal in the bunch, the only man that was really appointed by a Liberal Government.

Mr. McCURDY: Is my hon. friend speaking about retirement?

Mr. McKENZIE: Yes. When from quite a number of men a Liberal is singled out for dismissal, it looks suspicious, to say the least. This man is just as capable as Mr. MacGillivray or Mr. McDonald, whom the minister has mentioned, but it so happens that Mr. MacGillivray and Mr. McDonald are Tories, appointed by a Tory Government. They are younger men, splendidly educated, good men in every way, and in a much better position to go out in the world and take another position than Mr. McKean. Mr. McKean has had twenty-one years in the public service—the minister says thirteen. Mr. McKean, in addition to his service with the Public Works Department, was in the Railway Department at Moncton as draftsman and engineer, so that his total public service is twenty-one years. The minister will find that I am not extending the time at all. Now when a man has given twenty-one years of his life to any one calling, he has become pretty well moulded to that kind of work and it is not so fit to be turned loose on the world as a younger man, like McDonald or MacGillivray, of whom the minister speaks. I think when a reorganization of this kind takes place, and only certain men are to be retained, the men who have given the longest service should be given the preference. But there is a very simple explanation. If Mr. Bernasconi had anything to do with selecting the man who should go, he would at once single out a Liberal; there is no question about that. My hon. friend seems to think it is a great pity that we are losing Mr. Bernasconi's services. I presume that he is a first-class man, but there is nothing compulsory about his retirement, for nearly two years ago Mr. Bernasconi told me that he wanted to retire. During the

time Mr. Carvell was Minister of Public Works he was wanting to retire, but the officers of the department for some reason or other would not consent to it, so there is no compulsion about his retirement. If Mr. McKean had to be retired, and was retired from the rank to which he is entitled, I would not have so much to say, but I particularly regret that he is being retired in a class that does not give him the benefit of the Act to the extent he deserves.

Of course, if the minister is going to pursue a policy of allowing every public work in Nova Scotia, and particularly in the Island of Cape Breton, to fall into decay, he will not have need of many engineers, but I do not think this is a time to take it for granted that we are never again going to look after public works in this country. There is a stringency in our finances now, and I can readily understand the minister not going on with new works, but we hope that that condition of affairs will not always last. When we get back to normal times, we shall require just as large and efficient a staff as before.

I would like to know whether the minister's policy is to allow the wharves and breakwaters and works of that kind to fall into decay, so that the fishermen will have to go back to the old conditions before the structures were built.

Mr. McCURDY: If the argument put forward by my hon. friend was carried to its logical conclusion, it must prove that Mr. Bernasconi should be retained as chief engineer for the province, because he makes an argument for Mr. McKean's retention on the ground of his long service. Now for every year that Mr. McKean has served with the Government, Mr. Bernasconi has served more than a year.

Mr. McKENZIE: But not always as Mr. Bernasconi. His name was Brown for a time.

Mr. McCURDY: Whatever his name was, my hon. friend will not deny his scientific attainments, and that he has served a longer time than Mr. McKean. Mr. Bernasconi was the dean of the engineering service of the Public Works Department in the Maritime Provinces.

Mr. McKENZIE: He never was. Mr. Millege was the head man of the Public Works Department in Nova Scotia.

Mr. McCURDY: Mr. Millege is not in the employ of the Public Works Department.

[Mr. McKenzie.]

Mr. McKENZIE: He is dead now.

Mr. McCURDY: Therefore he cannot be the dean of the engineering service in the Department of Public Works in Nova Scotia. Mr. Bernasconi succeeded Mr. Milledge in that position. Next to Mr. Bernasconi is Mr. Dodwell, the District Engineer for the amalgamated officers. My hon. friend may not know it, but Mr. Dodwell has excellent engineering attainments. His engineering qualifications are known far beyond the borders of the province of Nova Scotia.

My hon. friend has displayed a very intimate knowledge of local political conditions. He was able to tell the committee the political stripe of an officer in the service of the department at North Sydney who is being retired. He has more knowledge in that respect than I have, for I do not know the political leanings of any of these men who are being retired.

Mr. McKENZIE: But Mr. Bernasconi did.

Mr. McCURDY: I might tell my hon. friend that two other officers are being retired who were appointed since 1912, so if there is one Liberal, as my hon. friend says, who is being retired, I think the committee will be satisfied that no intention has been paid to the political leanings of these gentlemen when I assure them that two men who were appointed since 1912, previous to the passing of the Civil Service Act, have also been retired.

It is an easy matter for the members of this committee to find fault with the lack of expenditure. I suppose the day will never come in this Parliament when there will not be criticism of whatever course the Government of the day may see fit to pursue. If the opinions expressed in this chamber are to be heeded, if the advice given by the hon. member for Marquette (Mr. Crerar) is to be heeded, even the small votes that we are asking to maintain the public works that we now have would be smaller than they are. Surely, when there is no large amount of work to be done by engineering officers, it is the part of prudence and good administration to see that the expenditure in that direction should be as light as possible until more normal times come, and if in the meantime we exercise economy, will not the country be in a stronger position to proceed with necessary undertakings later on. My hon. friend knows that it is not from choice that small votes are asked for this year; it is because of conditions over which the committee has no control. Surely it is

the part of wisdom that, when money is so difficult to obtain, we should proceed along the line of economy. I think this will appeal to the judgment of my hon. friend.

Mr. McKENZIE: I do not think it would appeal to the judgment of the minister himself that a valuable public work should be allowed to go to ruin. This breakwater cost \$10,000 or \$20,000 to erect, and was a magnificent structure, affording shelter to hundreds of fishermen's boats. It has been of inestimable benefit for the last 25 years, and the fishermen who depend upon it for shelter would not regard it as the part of wisdom for the Government to allow that work to fall into decay for the sake of saving the little money that might be spent repairing it. The deputy minister is quite familiar with Macleod's breakwater at Ingonish. It was built 23 years ago, and it has been of the utmost service to the fishermen of that place. But during the past few years it has been going to pieces. As a result of the action of the sea, it will soon disappear altogether unless something is done to reinforce it. It is right on the Atlantic, exposed to the full force of the elements. It would have been better for these fisherman had this breakwater not been built at all, if the Government is not going to repair it. It was because it was built that the fishermen built large boats.

Mr. BUTTS: Is it not true that, under the government of Sir Wilfrid Laurier, Macleod's breakwater was allowed to fall into decay, and a new one was erected a couple of hundred yards away for Mr. Burke, who was a strong supporter of that government?

Mr. McKENZIE: It was not a couple of hundred yards away. It is not true that Macleod's breakwater was allowed to fall into decay by the late government of Sir Wilfrid Laurier; it was kept in perfectly good repair. The fact is that owing to the condition of the site they could not extend the wharf, and in order to serve the same purpose another breakwater was built, so that between the two there was ample accommodation for the fishermen of Ingonish. Of course, Birk's wharf, as my hon. friend calls it, is a newer structure, more sheltered, and it has not yet got into disrepair. The minister knows that last year he called for tenders to repair this public work. A contract was let to a man whose name is familiar to the minister. He was in the contracting trade, and I have some letters from the department say-

ing that the work would be done. I have always been deploring the pity of allowing this wharf to fall into decay, but after the contract was let something happened and the work was not proceeded with. Now, I appeal to the minister to take some action in this matter. I think it is very much to be regretted that the department, after deciding to reconstruct the wharf, having put a vote in the Estimates, and called for tenders, accepting a tender and signing the contract, should now give up the idea of doing the work. So far as I can see there is not a dollar in the Estimates for it. When this wharf was built, the enterprising fishermen of the locality built large gasoline boats, which they could anchor behind the breakwater. Before that, only small boats were in use there, boats which the men could haul up from the sea at night. If this breakwater goes to pieces, these large boats will be absolutely without any protection. Every one has found this breakwater to be of the greatest possible benefit, and I trust the minister will not allow it to disappear entirely and thus throw the people back into the primitive and impossible conditions under which they worked before it was built. There are many other structures along the shore in the same condition. Ever since the war I have not asked for one single dollar from the Government for public works, because I have fully realized the conditions under which we were living. But I do appeal to the minister now, not only as a matter of good judgment, but from the point of view of sound economy, that breakwaters and structures of that kind, which are most useful to the people, should not be allowed to fall into decay. Every man in the House, whether on this side, or behind the Government, must agree with the reasonableness of this appeal. I shall be very much disappointed if the minister does not take this matter into serious consideration.

Mr. SINCLAIR (Guysborough): I do not think I can support the position which the minister takes. There was a great convenience in having district officers scattered throughout the provinces. The engineers could keep in touch with the work because they were near at hand and knew the people; and there are advantages in connection with district offices as we have them. The rentals will be increased in Halifax. No doubt more room will be required than formerly, and I have no doubt the travelling expenses will be large. When we take into consideration these facts, and the retir-

ing allowances to be paid to the officers that have been released from the service, I fear there will not be very much money saved. If not, the change will not bring an improvement. I hope, however, there will be an improvement, and that a little more care will be taken in the engineering offices with regard to the public works of the province because, for some reason or other, they have not been well attended to of late years. In my own constituency breakwaters have been allowed to fall into decay, out of utter carelessness, that might have been repaired with the expenditure of a very small amount of money. In other cases where the money was voted to make the necessary repairs, the money was mispent and wasted. I want to impress upon the minister the importance of making up his staff in the province of Nova Scotia, and having them look carefully after the public works that still remain there. A good many of these works have been destroyed by storms and practically nothing has been done, or very little, in many places to restore them. In eastern Nova Scotia practically no progress has been made since 1911 in providing additional accommodation for the people of that part of the province. Immense sums of money have been spent throughout the Dominion, the public debt has increased by hundreds of millions, but no part of this expenditure has found its way to eastern Nova Scotia since the Conservative party, the Unionist party, and the National Liberal and Conservative party have had control in this country. Whether the Government intends to go on in that way I do not know; but there is one thing that should be done if the Government wishes to do its duty at all, and that is to look after the existing public works and see that they are not swept into the sea by storms, when the expenditure of a small amount of money might rebuild and preserve them. I have nothing further to say except that I was very pleased to hear the minister state that if the method he is adopting does not work out well changes may be made in the future. It may be necessary for us to come back to the old arrangement if we find we are not saving any money by the new.

Mr. CHISHOLM: The minister has given a certificate of efficiency to Mr. Bernasconi but such a certificate ought to be in proportion to a man's efficiency. When Mr. Bernasconi was at the head of the staff at Sydney he had charge of the works in Cape Breton island, and many monuments exist there that I think do not

[Mr. Sinclair.]

testify to his efficiency. Whoever his successor may be, I hope he will be more successful than Mr. Bernasconi was. When I say this, I have reference to several places and in particular to Port Hood. The wharf there has been in the process of decay and destruction for the last five years. Mr. Bernasconi knew all about it, the department was aware of it, and the expenditure of only \$800 at the proper time would have prevented the destruction of which I complain. I notified the department, and Mr. Bernasconi as well, of what was taking place but without avail. The result is that this process of decay and destruction went on, and now it will require an expenditure of between forty and fifty thousand dollars to put that wharf in the condition in which it formerly was. Last year the Public Works Department had an item of \$7,000 in the general Estimates to repair that wharf, but you will be surprised when I tell you, Mr. Chairman, that not one dollar of that money was spent when it should have been, and when it might have saved from \$5,000 to \$10,000 at least. I refer to this item because I did not happen to be present the other night when the Estimates were under consideration. I now take this opportunity of placing my views before the minister, regardless of whether it will have any effect or not. The minister has been handing out encomiums to Mr. Bernasconi, but I have a word or two of praise to utter in regard to Mr. McKean. In my estimation he is one of the most efficient and painstaking men the department have. I am sorry to hear that he is being retired. I always found that during the storms we had on the rough coast of the county of Inverness Mr. McKean was the boy to go there every time although there were many younger men available. Mr. McKean was always found where he was needed and prepared to do everything he could; and speaking personally I would rather have Mr. McKean than any other man in the service in that particular part of the country. I am bound to say that because of the experience I have had of him.

Mr. LEMIEUX: I wish to say something on the same lines as the hon. members who have preceded me. I would like to call the attention of the minister to the dilapidated state of the various public works on the coast of Gaspé. I may, Mr. Chairman, be somewhat out of order but I will only occupy a few minutes and what

I have to say will shorten the debate on other matters.

The CHAIRMAN (Mr. Steele): With the understanding that the debate will be curtailed I will allow the hon. gentleman to proceed.

Mr. LEMIEUX: There was a big storm, I think three years ago, when some sort of a tornado passed over the gulf of St. Lawrence and even swept—

Mr. McCURDY: Was it not in 1917?

Mr. LEMIEUX: I do not know as to that one. However, there was a big tornado some two or three years ago which swept all over the gulf and river of St. Lawrence and partially destroyed many of the public works. I have in mind Percé wharf which was built at a cost of \$100,000; a wharf at Cape Cove, another one at Griffin Cove, another at Fox River, and another at Grand Valley, but it had been destroyed long before. Nothing has been done to repair these wharves. I cannot blame the Government for its inaction in this respect during the war because it had to economize, and I moved in the House on various occasions to reduce the expenditure. I am still for a reduction of the expenditure, but is it wise to allow public works to continue in a dilapidated state which could be saved by a little outlay? I see that this year my hon. friend has provided an Estimate of \$34,000 for the wharf at Sandy Beach, Gaspé. Of course that is at the terminus of the railway and it is quite proper that this wharf should be repaired. Otherwise, it would certainly jeopardize the operations of the railway and the trade which finds its outlet at that point. But I would like my hon. friend in this reorganization of the engineering districts, to have an estimate prepared of the cost of repairing all these works on that coast. They cannot be replaced at the original cost—that is impossible and I do not ask it—but I am sorry to see a wharf like that at Percé, for instance, cut in two and absolutely useless for navigation purposes. I would like to see my hon. friend during the summer send his new district engineers to that coast and have them prepare an estimate of the cost of the repairs needed, so as to save what remains of the public works there. That was the object of my rising, Mr. Chairman, and I thank you for your courtesy.

Mr. McCURDY: The discussion is out of order, but perhaps the committee will bear with me while I say a word or two

in reply to the questions which have been asked by the four hon. gentlemen who have just spoken. There are detailed reports in the department of all these various and numerous works located along the coast, and I can assure my hon. friend that one is embarrassed—knowing the small amount of money that is available—with the magnitude of the demands even for repairs. Supplementary Estimates will probably be tabled on Monday, and it will be found that some little provision is being made for most necessary work. Even so, however, there are other works on which an expenditure of money would certainly do much towards saving property, and affording better facilities to districts which depend largely on water transportation for connection with those communities with which they do business. But my hon. friend from Gaspé only a month ago advised us that what the country demands is the strictest possible economy.

Mr. LEMIEUX: Hear, hear.

Mr. McCURDY: And I am going to ask the committee to patiently receive the small appropriations for these repair works, necessary as they are. My hon. friend from Guysborough made a general statement which, like many general statements, is a little misleading. He says that of all Government expenditures since the formation of Union Government nothing has found its way into eastern Nova Scotia.

Mr. SINCLAIR (Guysborough): Very little.

Mr. McCURDY: Surely my hon. friend knows that millions have been spent in Cape Breton and in Pictou county. Surely he is aware of the construction of ships at New Glasgow on Government account, and he knows something about the operations of the ship plate mills at Sydney.

Mr. SINCLAIR (Guysborough): Public works.

Mr. McCURDY: My hon. friend used the term public expenditure. However, some of the preceding discussion was out of order and I will not refer further to it. My hon. friend from Cape Breton North and Victoria has been misinformed regarding repairs to the breakwater at Ingonish. To my knowledge no contract was ever given for repairs to that breakwater. It is true tenders were advertised for, but nothing satisfactory was received, and I really think there are other places along our coasts where \$22,000 in repairs

could be spent to greater advantage at the present time.

Mr. MARTIN: Does the minister intend to replace Mr. McDonald and Mr. Hamilton by other officers?

Mr. McCURDY: The two officers named by my hon. friend from Halifax are recommended by the chief engineer for retirement and their places will not be filled.

Mr. MARTIN: Will they receive a gratuity?

Mr. McCURDY: I think both of those officers have been in the service for less than ten years, and therefore would be entitled to a gratuity only.

Mr. MARTIN: I am pleased indeed that the hon. member for Cape Breton had nothing worse to say of Mr. Dodwell than that he was a little older perhaps than one in his position ought to be. He is not very much older than either the hon. gentleman or myself, and I think it will be found that he has been the right man in the right place.

Mr. McKENZIE: I said nothing about Mr. Dodwell.

Mr. MARTIN: I know you did not.

Mr. McKENZIE: Nothing at all. I simply asked Mr. Dodwell's age. What has the hon. member for Halifax to say about that? Did I not, Mr. Chairman, have a perfect right to ask the age of a man who was about to be retired? Yet the hon. member for Halifax must have a jibe at me as if I had said something very bad about Mr. Dodwell. I have known him for the last twenty-five years, and he is a capable man; but when it comes to a preference as between officers, we 10 p.m. in this House have a perfect right to know the equitable basis upon which they are dealt with, and the question of age is one of the things to be inquired into. I do not know why the member for Halifax should remark that he was very glad I had nothing else to say about Mr. Dodwell. I did not try to say anything else, and I do not understand the insinuation.

Mr. MARTIN: I am quite aware that the hon. gentleman did not say anything else against Mr. Dodwell, and I am sure, as I said before, that Mr. Dodwell is a very efficient officer. But the hon. member for Cape Breton also intimated that Mr. McKean was dismissed on account of politics. Now, here are these two gentle-

[Mr. McCurdy.]

men and I am asking the minister whether they are to receive a gratuity. They are not engineers, but they are very estimable men.

Mr. SINCLAIR (Guysborough): The minister doubted the correctness of my statement that very little had been spent by his predecessors in office in 1911 in eastern Nova Scotia, and he referred to expenditure at the steel works, but—

The CHAIRMAN (Mr. Steele): Both sides of the House are aware that this discussion has been out of order for some time. The item under consideration is \$683,510 for civil government, and I would ask hon. members to confine their remarks thereto.

Mr. SINCLAIR (Guysborough): I have no desire to prolong the discussion but I should like to say that I do not think the minister has any right to bring up the case of a contract with the Nova Scotia Steel Works to build a ship as an instance of expenditure on public works.

The CHAIRMAN (Mr. Steele): Order. Shall the item carry?

Item agreed to.

Rents, repairs, furniture, heating, etc., \$4,935,500.

Mr. FIELDING: Would it not be more convenient to take this item by item?

Mr. McCURDY: I move that the committee consider Estimate No. 139 item by item.

Motion agreed to.

Elevator attendants, \$70,000.

Mr. CHISHOLM: Where is that, Mr. Chairman?

Mr. McCURDY: This covers the elevator attendants in all the public buildings at Ottawa, including the House of Commons.

Mr. SINCLAIR (Guysborough): I would like to say that we have a very obliging and efficient staff of elevator men in the House of Commons building and personally I have great pleasure in voting their pay.

Item agreed to.

Lighting, including roads and bridges, \$90,000.

Mr. CHISHOLM: What does this include?

Mr. McCURDY: Lighting of buildings, by the Ottawa Electric, \$43,800; by the Hydro Electric, \$12,543; Parliament buildings, \$4,500; Grand Trunk Railway, for

Railway Commission offices, \$1,000; White Way, Wellington street and Post Office—which includes the lighting of Connaught Place—\$1,300; contingencies, \$11,849.

Mr. McKENZIE: Do I understand that we pay for the lighting of some of the streets in Ottawa?

Mr. McCURDY: Yes, we pay for the lighting on Wellington street in front of the Parliament buildings and other Government buildings on Wellington street. The same applies to the Laurier bridge across the Rideau canal, and the square in front of the Grand Trunk station.

Mr. McKENZIE: I can understand that if we cut a canal across a street we must put a bridge across, but I do not see that we should light it. The city itself should light the city streets. This arrangement strikes me as extremely illogical.

Mr. McCURDY: It is part of the agreement with the city of Ottawa that we should do this lighting. My hon. friend is aware that although cities are supposed to light the streets, residents in a particular area may voluntarily contribute to secure additional lighting. If the city of Ottawa were to undertake to light the particular areas under discussion the lighting would not be of the character that we now enjoy; it would be a dim, religious light.

Mr. McKENZIE: This is the first time I have learned that we are lighting streets in Ottawa.

Mr. McCURDY: We pay for the lighting only on or in front of property owned by the Federal Government. This is not a new item; it has been voted for many years.

Mr. McKENZIE: It is only now brought to my notice. It must strike the minister that we are doing altogether too much for the city of Ottawa. If it is proper that we should light Wellington street, then every farmer along the highway between here and Toronto might claim to be entitled to lighting in front of his property. As for lighting the grounds on Parliament Hill and areas of that kind, that is all right, but I do not see why we should be called upon to light Wellington street. It would seem as if the city could ask for anything it wants and get it. I must express myself as being against this kind of thing; to me it is most extraordinary and absurd.

Item agreed to.

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Departments generally—care and cleaning departmental buildings, including \$100 to E. Snowden for firing noon gun, \$385,000.

Mr. McKENZIE: Now, is that firing of the noon gun done for us? I presume this gun is fired after the House closes and when many of us are a thousand miles away—

Mr. DENIS: And we do not hear it.

Mr. McKENZIE: And we cannot hear it. It should be so arranged that we hear the gun, and it should be so fired as to register the time at the different places in which we live. Now, seriously, I protest against furnishing powder and shot and attendants for the firing of a gun at Ottawa at every season of the year, whether we are here or not. I was for some years in the legislature of Nova Scotia. A gun is fired in the city of Halifax at certain set hours and my good friend who was Premier of that province for several years can testify that there never was an item in the Estimates presented by the provincial Government to provide for the firing of a gun at Halifax.

Mr. McCURDY: That expense was provided by this Government.

Mr. McKENZIE: It seems that in Ottawa, however, with the many other things, we have to pay for the firing of this gun. It is all right to allow a wharf to go to pieces and the poor man's boat to be smashed up on the shore, but it must be seen to that the gun on the Hill in Ottawa is kept going. The minister would make a name for himself by looking into the many peculiarities and absurdities that exist as between his department and the city of Ottawa and by cutting out many of these things. Let the city look after its affairs and we will look after ours.

Mr. McCURDY: Judging from my experience in inaugurating a reform in regard to district engineering offices, I am not encouraged to continue if I must rely for encouragement on any approbation received from my hon. friend. There was a sufficient saving effected in that reorganization to fire many guns, many times during the year. But to speak seriously, as a matter of fact this item has been staring my hon. friend in the face in the Estimates every year since 1909. I think he was in the House at that time. That is the year when this vicious practice referred to was initiated, and every year, year after year, he has cheerfully voted \$100 towards this expenditure.

Mr. McKENZIE: Not cheerfully.

Mr. McCURDY: Well, willingly.

Mr. McKENZIE: Not willingly.

Mr. McCURDY: Silently.

Mr. McKENZIE: I was always a kicker about the city of Ottawa expenditures.

Mr. McCURDY: The fact is that this item has appeared year after year without my hon. friend publicly objecting to it. It has become quite an institution, and one would not like to see an old institution rooted up. I think the hon. member for Cape Breton North and Victoria (Mr. McKenzie) would be the last man who would want to destroy an ancient landmark.

Mr. SINCLAIR\* (Guysborough): This item, is reduced something like \$15,000, and I presume the greater part of it is paid to women who clean out the departmental buildings. Seeing them coming out of the departmental buildings in the morning looking very tired, I am surprised to find that while large increases have been given in most of the other items, there is a reduction of \$15,000 in this one. I hope this is not taken off the charwomen. If it is, I would feel like protesting against it. We have increased the item: Repairs, furniture, grounds, by \$150,000. We have increased the item: Dominion public buildings, repairs, furniture, by \$30,000. We have increased the item: Fittings and general supplies and furniture, by a large amount, and also rents. I would be sorry to think that we are giving the landlords a large increase of \$60,000 and docking the charwomen who clean the buildings. Why are these large increases made in rents and certain other items? This is a time when increases should not be made, especially in rents.

Mr. McCURDY: I have pleasure in assuring the committee that the saving in expenses under this heading does not fall on the charwomen. On the contrary the charwomen are this year receiving \$1.25, where formerly they received one dollar. There has been, and I hope there will continue to be an improvement in the operation of the service. We are getting more efficient work from those who are serving on the staff; we are paying them a little better wage, and the net result is that we are able to operate this year at a reduced cost. As regards rentals the rental of public buildings is a burning question.

Mr. SINCLAIR: It is constantly growing.

[Mr. McCurdy.]

Mr. McCURDY: It has been growing, but the growth as exhibited in this appropriation is apparent rather than real, for the reason that formerly a number of rentals of buildings charged to this appropriation were carried in the demobilization vote. The money was spent just the same, but it was paid under a different vote. While I am speaking of rents, I am sure members of the committee will be interested in knowing that strong resistance has been maintained by the department this year against increases in rents. I took the position early in this year that a rental that was sufficient last year should be sufficient this year, and I have steadfastly set my face against any rental increases. That is an attitude which is not appreciated by owners of buildings; I have had strong representations, in many cases where the amount of rental was substantial, to increase the rents, but I have been able, with very few and isolated exceptions, to hold rents to those of last year and, in some cases, to effect a reduction. Generally speaking, the increase in the item of rents is due to the fact that certain buildings that are shown under this heading this year were last year shown under the demobilization vote.

Mr. COPP: I took up this matter of rents the other day, and it was held over in order that information might be obtained. I do not know whether the hon. gentleman has the complete list of rented buildings before him or not.

The CHAIRMAN (Mr. Steele): I might point out to the hon. gentleman that he was not in the chamber when the item was called. The item is:

Departments generally—care and cleaning departmental buildings including \$100 to E. Snowden for firing noon gun, \$385,000.

The item of rents comes a little later on.

Mr. COPP: If that item has not been reached, I do not desire to discuss it now.

Item agreed to.

Repairs, furniture, grounds, snow and street maintenance, \$700,000.

Mr. SINCLAIR (Guysborough): There is an increase of \$150,000.

Mr. CHISHOLM: And less snow last winter.

Mr. McCURDY: My hon. friend is probably aware that during the year it was necessary to furnish the income tax offices. That is one item which has fallen on us quite heavily this year. In general there

is an increase of expense in every service which calls for wages. I think the average increase in salaries under reclassification of Civil Service comes to between 25 and 33 per cent.

Mr. SINCLAIR (Guysborough): We are not talking about that; we are talking about repairs, furniture, grounds.

Mr. McCURDY: A staff of 253 men is employed and paid out of this vote in connection with repairs and keeping in order the grounds, snow removal and street maintenance.

Mr. SINCLAIR (Guysborough): What has that to do with the income tax offices?

Mr. McCURDY: The cost of fitting up the income tax offices also comes out of this vote. It is a sort of general vote which includes all these services—furnishing the offices, keeping up the grounds about the buildings, making repairs, alterations, and so on.

Mr. CHISHOLM: I thought the income tax offices were in the East block.

Mr. McCURDY: They outgrew those premises, and are now located in the Daly building.

Mr. CHISHOLM: Do we rent more buildings now than we did eight years ago?

Mr. McCURDY: Very many more.

Mr. CHISHOLM: It is an extraordinary thing that after putting up two such large buildings as the Hunter building and the Customs building, we still have to rent more buildings. I had hoped that when these buildings were erected, we would not be renting so many buildings, but evidently this condition is going to stay with us.

Mr. McCURDY: Reducing the office accommodation that you require after the war is something like the cost of living; it is hard to get it down. My hon. friend was present in the House to-day during the discussion over larger pensions, and he will recall that the Pensions Committee recommended that because of the cost of living, the bonus attached to pensions should not be reduced at the present time. Although the war is over and different staffs are being demobilized, up to the present time we have been able to get clear of only a comparatively small number of buildings. We are vacating at the present time a building on Rideau street, rented for \$45,000, also the Bate building on Slater street, with a rental of \$16,000, as well as some whole

floors in other buildings throughout the city. My hon. friend knows enough about government operation to know that it is difficult to cut down in that regard. He is familiar with conditions in the province of Nova Scotia. Conditions have not changed there very much, yet the Provincial Government are constantly buying additional buildings. For what purpose? For the increased needs of the service, although the total volume of business in the province is not much greater. That is the tendency all the time, and it is one that those administering a department have constantly to combat. I am hopeful that in the coming year we shall be able to make progress along the line of getting clear of some of the buildings which we took over during the latter part of the war, and which are not now so crowded as they were during the war.

Mr. McKENZIE: After the Hunter building and the Customs building were occupied, did we cease to rent any buildings?

Mr. McCURDY: I was not administering the department at that time, so personally, I cannot say what happened, but I understand from my officials that there was such a pressure all round for office space that when these buildings were ready for occupation, the influx from overcrowded departments was such as to fill these buildings in almost no time. I do not think the Hunter building would have been built when it was except for the urgent demand for office space.

Item agreed to.

Rideau Hall—Allowance for fuel and light, \$17,000.

Mr. DENIS: It seems to take quite a lot of fuel to heat Rideau Hall.

Mr. McCURDY: The vote is the same as last year in spite of the fact that the cost of fuel has gone up, so I think my hon. friend will agree that we are getting off very cheaply this year.

Item agreed to.

Telephone service, \$90,000.

Mr. DENIS: Is the Government satisfied with the telephone service we are now getting in Ottawa?

Mr. McCURDY: Frankly, I am not, but I expect by the time this committee assembles next year we shall have an improved telephone service. A new system is being installed by the Bell Telephone Company

which will give more rapid connections at no greater expense, and with no capital outlay. The Bell Telephone Company are putting in a number of large private exchanges between departments, and under the contract payments will only be made to the company for calls routed through the telephone company's central office.

Mr. DENIS: I understand that we have somewhere around 400 telephones in this building. Is a flat rate charged, or so much per phone? How many telephones are there under the number Queen 6400?

Mr. McCURDY: The telephone service in the House of Commons is a P.B.X. service—a private exchange. The total cost of the telephone to which my hon. friend has just referred is \$10,000 per year.

Mr. DENIS: Is that \$10,000 a flat rate, or so much per phone? Suppose we have fifty more telephones installed to-morrow, would we still have to pay just \$10,000?

Mr. McCURDY: If we add fifty telephones to the present equipment, it would cost more. The contract for \$10,000 covers a few more telephones than we have at present.

Mr. DENIS: How many telephones have we for \$10,000 a year?

Mr. McCURDY: I will send that information to my hon. friend.

Item agreed to.

Heating, \$450,000.

Mr. DENIS: We passed a few moments ago an item of \$540,000 for heating. What is the explanation of this item?

Mr. McCURDY: The first item includes salaries of engineers, foreman and watchmen needed to carry on the heating service.

Mr. COPP: Of the public buildings in Ottawa?

Mr. McCURDY: It covers the public buildings in Ottawa.

Mr. SINCLAIR (Guysborough): Do we burn Canadian coal in these furnaces?

Mr. McCURDY: Wherever possible. The coal is bought by public tender, and it has been a source of regret to me that Canadian coal companies have not tendered to supply Canadian coal. The matter of coal contracts for buildings throughout the country generally is now being considered, and I hope that we shall be able this year to make larger purchases of coal within the country, thus reducing our imports.

[Mr. McCurdy.]

Mr. SINCLAIR (Guysborough): I thought that in view of the vigour with which the Minister of Finance has been advocating the purchase of goods made in Canada, he would induce the Minister of Public Works to burn Canadian coal in Ottawa.

Mr. CHISHOLM: What is paid for this coal?

Mr. McCURDY: The prices last year were very erratic; anthracite cost \$15.50. A committee is now at work studying the problem of replacing the grates and furnaces in a number of buildings with the idea of using bituminous coal, thereby reducing the quantity of anthracite required.

Item agreed to.

Rents, \$1,130,000.

Mr. DENIS: Is it the policy of the Government to erect new buildings? This amount would be sufficient to pay the interest on \$20,000,000, with which the Government could put up buildings. I am not saying that this should be done now, but what is the policy of the Government in this respect?

Mr. McCURDY: This vote is for buildings in all parts of the country. The policy of the Government is to rent, or buy, or build, whichever is cheapest. Construction costs are not, and have not been, for some years at an attractive level. I made a computation recently, based on the cost of the Hunter building, and found that there was no saving in putting up our own buildings, notwithstanding that the Government can borrow money cheaper than private concerns.

Mr. COPP: What did the Hunter building cost?

Mr. McCURDY: About \$1,350,000 in round numbers. We can get first-class premises to rent in other parts of the city, and investigations have convinced me that at present it is not practicable to build economically. Provision has been made for a site on the western side of the west block, and in the course of time buildings should be constructed there. That is not in immediate prospect, but it would be well for us to keep it in mind. The architects are working on plans, and when construction costs are more attractive, and other conditions are favourable, construction will be proceeded with.

Mr. FIELDING: Is the Daly building rented, or owned by the Government?

Mr. McCURDY: It is rented, but it would be cheaper for the Government to purchase the building.

Mr. COPP: I should like a statement from the minister, giving the names and the locations of the various government buildings rented in Ottawa, together with the rentals. If it is not convenient, I do not insist on having it to-night, but if the list is not too long, he might put it on Hansard.

Mr. McCURDY: I shall be pleased to send it to my hon. friend; the list is rather long.

Mr. COPP: There should be some definite policy as to procuring public buildings required for governmental offices. It is safe to say that the Hunter building, at the present rate of building costs, could be put up at \$1,000,000, and if you could get ten such buildings constructed and centralized for government offices, it would be a very great convenience to members who have any departmental work to do. At present, one needs a guide to lead him around the city of Ottawa. The vast majority of members have departmental business to do, and the experience is that when you begin at one end of the city, in the Daly building, for instance, you are next sent to some building behind the Dominion theatre, or some other place in an equally remote locality, so that it takes two or three days to do the little work one has with the departmental offices. Of course, if the present system is economical, I must support the minister in it, but I should like to get the list for which I have asked in order to come to some conclusion as to what savings could be effected in regard to the rental of buildings throughout Ottawa. In the last two or three years, I have seen vans moving office effects from one place to another, and it would be well to have a number of government buildings to house all the departments. I can understand that during the war extra space was required for the Militia Department to carry on their work, but now that the war is over the Government should embark without delay upon a definite policy in regard to the public buildings, to house the officials required for the various branches of the public service.

My hon. friend spoke of renting good buildings at a cheaper rate than he could build them for. Doubtless there are such buildings that afford proper accommodation

and are very well arranged for departmental purposes; but from my experience in going into a number of these buildings I should say they are not so arranged that business can be efficiently carried on in them, neither is it conducive to economy to rent such buildings. I would suggest to my hon. friend therefore that he take this matter up very earnestly and next year when his Estimates are under review give the committee a full review of the subject dealing especially with the whole matter of the erection or rental of buildings for public offices.

Mr. FIELDING: Many of these buildings, as my hon. friend from Westmoreland has said, are so located or arranged as to occasion very real inconvenience not only to members but to those who desire to know where the various departments are to be found. I should think that a little guide book indicating where each department can be found would really be a very useful thing at the present time.

Mr. SINCLAIR (Guysborough): I understand this item covers the rental for buildings all over the Dominion. Now it was drawn to my attention not long since that the Customs House in Toronto was torn down some years ago and no person up there appears to understand why it was done. It would really seem as though the Government are looking for ways of wasting money. I understand the old Custom House served the required purpose very well. True it was considered a little small for a city like Toronto and it was expected that ere long a new Custom House would be built. However the Government tore down the old building and did not replace it, and they are now paying a high rental to somebody for the building that is at present being used for customs purposes. A few days ago I asked a question on the subject in the House, and I was told that \$53,000 had been paid for rental since the demolition of the old Custom House. My information is that no steps have been taken to erect a new building and that the structure that was torn down was quite as convenient in every way as the present building for which a high rental is being paid. I would like to get an explanation from the minister, if he is able to give it, as to why the Government gave the P. Lyall Company a contract to demolish the Toronto Custom House and then rented another building for which they have paid \$53,000 up to date, and why they have

taken no steps to replace the building that was pulled down.

Mr. McCURDY: I do not think I can add much to the answer that was given to my hon. friend's question the other day. My hon. friend was then told it was the intention of the Government at the time a decision was arrived at to go on with the reconstruction, and that is why the demolition of the old building was begun.

Mr. SINCLAIR (Guysborough): My hon. friend does not mean that the site of the old Custom House is to be used for some other purpose?

Mr. McCURDY: Oh, no.

Mr. SINCLAIR (Guysborough): Why did the Government demolish the old building then?

Mr. McCURDY: With the intention of rebuilding.

Mr. FIELDING: On the same site?

Mr. McCURDY: Yes on the same site. However the reconstruction was not proceeded with. There are a great many meritorious construction projects in view, but it is a question whether it is wise to go on with them at the present moment.

Mr. SINCLAIR (Guysborough): It is not a wise policy to tear down a building and then allow some years to elapse before replacing it.

Mr. McCURDY: Perhaps it is not, but I would point out to my hon. friend that in the case of the Toronto Custom House the saving of interest on the money that would be spent in the new construction will amount to more than the amount now being paid in rent. The present premises are not as convenient perhaps for the public, although the location is a convenient one, and the loss is in that sense and not in the amount paid in rent. If I had anticipated the raising of this question to-night I would have brought before the committee the detailed results of the study I made three or four months ago of this very question. I have already given the committee one result of that study which is, that based on present construction prices, it is not economical for the Government to erect new office buildings under present conditions.

Mr. SINCLAIR (Guysborough): I understand that, but why tear down the old building if it was not intended to replace it?

[Mr. J. H. Sinclair.]

Mr. McCURDY: I quite understand the purpose of my hon. friend's question. He wants to know why one building was torn down and another not put in its place. Well, I simply say that construction conditions have become very difficult. Construction costs and the cost of obtaining money went very high, as my hon. friend knows. If he adds these two factors together he must conclude that the Government is justified in postponing plans for construction. At any rate that was the conclusion of the Government. If construction costs are high, and the cost of obtaining money falls very low we might go on and build; but if construction costs are up and the cost of borrowing also up at the same time, it puts a different face on the whole matter.

Mr. LEGER: What is the name of the owner of rented building?

Mr. McCURDY: The owner's name is J. Peters.

Mr. BALDWIN: Is the rental allowance to postmasters throughout the country included in that total amount of rentals for the whole Dominion?

Mr. McCURDY: No, those amounts are not included in this vote.

Item agreed to.

Yukon Public Buildings—Rents, Repairs, Fuel, Light, Water Service and Caretaker's salary, \$40,000.

Mr. McKENZIE: In view of the small population in the Yukon now and the small amount of business that appears to be done there, for what purpose do we expend \$40,000 in connection with public buildings?

Mr. McCURDY: It is quite true that the population of the Yukon is not increasing but rather the reverse. A departmental committee is at present studying the question of administration there, and I think it is quite possible—although I do not want to ask that this vote be reduced—that not nearly the whole amount will be required. There will be a saving probably in the vicinity of \$10,000, but I am not sufficiently sure of the time at which the report will take effect to ask the committee to reduce the amount of the vote.

Item agreed to.

Victoria B.C. — Astrophysical Observatory (Little Saanich Mountain)—Maintenance, Repairs, etc., \$3,500.

Mr. COPP: Before the committee leaves the general item connected with rentals I would like to ask my hon. friend a question in regard to buildings like the Rea Building which the Government have rented. Where the whole building is rented, is the cost of heating and lighting included in the rental, or do the Government pay for that besides?

Mr. McCURDY: The practice varies in different buildings. In the case cited by my hon. friend the department does pay for the lighting and heating. The rental of the building is \$85,000 a year and in addition we bear the cost of lighting and caretaking.

Mr. COPP: I suppose that would be true generally where you have the whole building rented?

Mr. McCURDY: As a rule where we have the whole building we take care of the service.

Item agreed to.

Harbours and rivers, \$4,031,000.

The CHAIRMAN: This item No. 128 was under consideration immediately after the House resumed this evening, and Mr. Leger had asked a question concerning it.

Mr. McCURDY: I will answer that now. This amount of \$1,250,000 for St. John Harbour is required to carry on the following improvements:

Courtenay Bay improvements under contract.. . . . .	\$1,200,000
St. John West, protection to concrete exposed to sea action.. . . .	10,000
Maintenance of harbour work.. . . .	40,000

The Courtenay bay improvements are required—so the report goes on to state—to increase the present shipping facilities in St. John harbour. The work comprises an extension of the existing breakwater for a distance of 2,500 feet, dredging channel from main channel St. John harbour to the basin in front of the proposed dry dock for an area 7,200 feet long by 500 feet wide to a uniform depth of 22 feet, completing dredging of basin in front of proposed dry dock to a depth of 22 feet, and dredging the channel from the basin to the proposed dry dock. The total estimated cost is \$4,917,478.10.

Mr. FIELDING: Yet to be spent or including past expenditure?

Mr. McCURDY: That refers to the present contract. These are the figures:

Amount of contract, as per unit prices, approximately.. . . .	\$4,683,312 50
Gross amount of last progress estimate No. 27.. . . .	2,606,690 00

Amount of work still to be performed to complete contract, about.. . . . .	\$2,076,622 50
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Drawback.. . . . .	\$ 260,660 00
Further amount earned but withheld owing to exhaustion of appropriation for St. John Harbour improvements . . . .	181,990 00

Mr. LEGER: What time of the year was this contract given?

Mr. McCURDY: July 11, 1918.

Mr. LEGER: In view of the financial situation of the country a couple of years ago and at the present time I think that that contract should never have been entered into. Repairs to small wharves in various parts of the country have to be neglected for lack of money, and yet we see this large amount of \$1,250,000 expended in a way that I do not think will result in any benefit to the country for some years to come.

Mr. FIELDING: Do the figures include the dry dock?

Mr. McCURDY: No, the dry dock is being constructed under the Dry Dock Subsidies Act—an entirely different matter.

Mr. FIELDING: I think I am right in stating that the dry dock forms part of the other contract. The two were associated together at one time, and although the Dry Dock Subsidies Act may apply, I think the contractors included in their undertaking the building of the dry dock.

Mr. McCURDY: In this sense, that the contract for the St. John harbour improvements bound the contractors to build under the Dry Dock Subsidies Act a dry dock.

Mr. FIELDING: But the figures given by the hon. gentleman do not include the dry dock at all?

Mr. McCURDY: No.

Mr. FIELDING: The dry dock being part of the general operations, cannot the hon. gentleman tell us what progress has been made with it? It is part of the same scheme.

Mr. McCURDY: No vote is asked for the purpose of the dry dock, and I have not complete particulars under my hand regarding it; but, generally speaking, the excavation of the dry dock has been completed

under the contract, and I think the approach to the dry dock is almost completed.

Mr. FIELDING: Who are the present contractors? I think there was some change at one time.

Mr. McCURDY: The St. John Dry Dock and Shipbuilding Company Limited.

Mr. FIELDING: Are they local people? The original contractors were from the Old Country.

Mr. McCURDY: The original contractors in 1911 were Norton, Griffiths and Company Limited.

Mr. FIELDING: They are not now?

Mr. McCURDY: No. I understand the contractors are all Canadians. Some Ontario people, I believe, are members of the company. It is a limited liability company, and the information I have comes from the advertisements in connection with some of the bonds issued by the company.

Mr. COPP: The contract was first awarded to Norton, Griffiths and Company Limited. Did they do any work at all, and was anything paid to them?

Mr. McCURDY: The final estimate paid to Norton, Griffiths and Company Limited was \$3,913,802.07.

Mr. FIELDING: A fresh contract was made, I think, in 1918 with the local company?

Mr. McCURDY: That is correct.

Mr. COPP: That contract was for \$4,000,000 odd?

Mr. McCURDY: Yes.

Mr. COPP: The whole cost of the work would be what was paid to Norton Griffiths and Company Limited and the present contract for some \$4,000,000 odd?

Mr. McCURDY: Yes.

Mr. COPP: Can my hon. friend tell me from any report of his engineers when this work is to be completed?

Mr. McCURDY: The contract calls for completion on June 30, 1922.

Mr. COPP: This Courtenay bay work has been before the public for a great many years, and if it is going to be of any service to the Maritime Provinces by providing us with a winter port, I should like to see it carried to completion. Is the work being carried on now without any break?

[Mr. McCurdy.]

Mr. McCURDY: The work ceased for about two months during last winter on account of exhaustion of the appropriation, but it was resumed about three or four weeks ago. I do not know whether or not the work will be completed at the time set out in the contract; it is difficult to anticipate just what progress will be made.

Mr. COPP: I read in the press some time ago an article rather condemning this work on the ground that the silt and sand was filling in as the dredging was being done. Have any reports been made to the department as to the probable final success of the work?

Mr. McCURDY: As my hon. friend has said, this project of the improvement of Courtenay bay has been before the public for many years. Many able engineers have opinions on the subject, and possibly there is difference of opinion as to just how effective the work will be. I have not had occasion to inquire particularly into what will be the result of the work as completed. The department has not been initiating anything new in Courtenay bay; the works at present being carried on are proceeding under contract, and I think my hon. friend will understand that there is no special reason why engineering investigations should be made as to their ultimate working out. As a matter of fact, engineers' opinions differ, and any investigation now might be productive only of further opinions. A more satisfactory study of that aspect of the question could probably be made when the present work is completed.

Mr. COPP: I can hardly agree with my hon. friend in that regard. I should think that sufficient work had been done to enable engineers and experts in that line to form some definite opinion in the matter. I would be very sorry to learn that the condemnation to which I have referred is well-founded, because I have always looked forward to the time when the port of St. John would be of very great advantage to Canada, and I am sure that the completion of this work will be of great benefit to the winter port business of the Maritime Provinces as well as to the trade of the whole of Canada. But there have been rumours in different quarters indicating a very strong opinion on the part of some that this work is a waste of public money. I do not believe that is the case, and I think the department would only be doing justice to the Maritime Provinces, and to the port

of St. John in particular, as well as to itself if it made clear through the reports of its engineers that such statements are—I shall not say untrue, but at least exaggerated, and that this work is being carried on with the intention of bringing it to completion in the belief that it will be the advantage to the country that it was intended to be when it was initiated many years ago.

Mr. McKENZIE: Surely sufficient work has been performed to enable the department to know whether or not the statements made by the hon. member for Westmoreland are well founded.

Mr. COPP: I want to correct my hon. friend. It was not my statement; I was only repeating what I had heard.

Mr. McKENZIE: I understand—a statement repeated as a rumour or belief that this dredging is filling up as the work goes on. How much money has been expended since the commencement of the work?

Mr. McCURDY: The total amount up to the time of the last progress Estimate, spent by both governments, was \$6,520,492.

Mr. McKENZIE: What have we to show for the expenditure of that large sum?

Mr. McCURDY: Some time when my hon. friend is going to Nova Scotia, if he will take the Canadian Pacific, stop off at St. John and inspect the work there, he will be very much impressed with the work that has been done. It has not yet advanced to the point where it can be used for commercial shipping. There is still to be over \$2,000,000 spent before the present contract is completed.

Mr. McKENZIE: I should think that some of the work is being completed as we go along. We cannot dredge in layers; the dredging would be done over a certain area and to a certain depth, and then the work would be proceeded with on another area. There should be no trouble in ascertaining whether or not the parts that are being dredged are filling up again.

Mr. McCURDY: None of the dredging is down to grade as yet. In other words, to use my hon. friend's own expression, the dredging is done in layers, and all the layers have not been taken off at any one part of the harbour. That is, the maximum depth which is to be reached under the contract has not been attained in any part of the area that is being dredged.

Mr. ROBB: Have they got down to rock at any place?

Mr. McCURDY: At the entrance to the outer dock it is rock excavation, but further out in the bay it is sand, clay and gravel—more movable material. I have just sent a chart over to my hon. friend for his inspection.

Mr. McKENZIE: This picture, although it is somewhat pretty, is Greek to me; I do not make anything of it. It is nice drafting with red letters and figures, but it is absolutely incomprehensible from my standpoint. What I want to know, and what I think the committee wants to know from the minister, is what value the Dominion of Canada is getting for this large expenditure of money. Six million dollars is a considerable amount. We have spent that amount, and we are committed to expend four or five million dollars more under the contract of 1918. It is a proper thing for us to know what we are getting for this.

Mr. McCURDY: About \$2,000,000 more.

Mr. McKENZIE: Is it likely that when we have completed the dredging and the harbour is extended, as it was proposed at the beginning, the harbour will “stay put,” or will it fill up again? There is indication that it will fill up from year to year because the sea action will certainly fill in the space that has been dredged out. This matter should be very closely watched, and if the minister finds that the action of the sea is filling up the space as fast as the old material is being removed, common sense and precaution would teach us to stop the business at once and expend the money, if in St. John, to some better purpose. Have we yet finally taken over the harbour of St. John? A couple of years ago we passed legislation to take over the harbour of St. John and make it a public harbour under the control of a commission. Has that been done?

Mr. McCURDY: My hon. friend is possibly aware that this work which he has been discussing is proceeding under contract. He says: “Why do you not stop and spend the money elsewhere?”

Mr. McKENZIE: The minister will find that the work is useless.

Mr. McCURDY: The contract is in existence and we are operating under the contract.

Mr. McKENZIE: Surely the minister will not say that if the department discover that they have entered into an im-

provident contract and are spending money to no purpose, they must go on spending until the end of the contract.

Mr. McCURDY: I am not contending anything of the kind; I am simply making the statement that the matter of the advisability of the work was doubtless decided before the contract was entered into, and we are proceeding at the present time under this contract. Before this contract is completed, investigations will have been initiated and completed, as I assured the hon. member for Westmoreland (Mr. Copp), under conditions where better observations can be made than at present to determine whether further work will be done or what additional action should be taken after the present contract is completed. St. John harbour has not been put under a commission. An Act was passed by Parliament some years ago; but before that would become effective, I think a plebiscite of the citizens of St. John is required. That plebiscite has not yet been taken.

Mr. McKENZIE: There is no such provision as far as I can remember.

Mr. McCURDY: Possibly not. I am not familiar with the communications at that time between the city of St. John and the Government, but I have always understood that the legislation would not become effective until a plebiscite was taken. Until that plebiscite is taken, there is no intention of proceeding further under the legislation.

Mr. FIELDING: Is the contract for a lump sum or for quantities and prices?

Mr. McCURDY: The contract is for estimated quantities at unit prices.

Mr. McKENZIE: I do not hope to get very much practical result from my talk to the minister. It is unwise to say that we are going to continue under this contract until we remove the quantity and expend the amount of money mentioned in the contract, if we are doing no good to the country by that expenditure. There are certainly some well-founded reports that this space dredged is filling in again and it will be the part of wisdom for the minister to satisfy himself whether or not that is the case. If he finds out that the space that we have already dredged is filling up again, he should come to this House for authority to cancel that contract and to take the consequences of cancelling it. I am sure hon. members will stand behind the minister and the department in

[Mr. McKenzie.]

setting aside an undertaking that appears to be abortive. It is not an answer to give to members of this House to say: "Well, I do not know whether this is filling up or not; I do not know whether this work is going to be useless or not; I do not know whether the story that it is filling up as rapidly as it is being removed is true or not; but I have a contract to do a certain quantity of dredging, and I must go on until that is done, and then I will know whether the money has been properly spent or not." That does not seem to be the answer that a business man like the minister should give.

Mr. McCURDY: There is a resident engineer on this work, and I am sure if conditions such as my hon. friend represents existed there the department would be advised. No word of this kind has come to me. I have inquired of the officials of the department, and they say that no report of this kind has come to them. I, therefore, hesitate to believe that the rumours are correct; but I shall, of course, make inquiries at once of the engineer.

Mr. McKENZIE: I presume this engineer, whoever he is, will report only what he is asked to report. He values his head and his life, and he knows very well the feeling in the city of St. John about these expenditures on public works. Any civil engineer who cares to remain on his job in the department and be alive in St. John, is not going to make any report to say that this work is useless unless he is specifically asked to do so, and even then I question very much whether such an engineer would do so.

Mr. McCURDY: I shall send a special engineer to report.

Mr. McKENZIE: The minister should send the best man he has to get a full, conclusive and reliable report as to conditions. I am sure he will find that he is wasting public money if he goes on with the contract.

Mr. SINCLAIR (Guysborough): Is the dredge Tornado still working in Courtenay bay?

Mr. McCURDY: I believe she is still operating in St. John harbour.

Mr. SINCLAIR (Guysborough): She is costing a great deal of money.

Mr. McCURDY: She is paid under this contract. The contractors are entitled to so much per yard under the contract and the

more material she can remove, the more quickly she will finish.

Item agreed to.

Ottawa public buildings—heating, including salaries of engineers, firemen and watchmen, further amount required, \$167,000.

Mr. PARDEE: At what points is this to be expended?

Mr. McCURDY: \$142,000 is required to pay the salaries of engineers and firemen, and \$25,282 to pay for coal.

Mr. McKENZIE: What Supplementary Estimates are these?

Mr. McCURDY: These are to complete last year's expenditures.

Mr. McKENZIE: This is money the Government has expended without the authority of Parliament. How do we get into that scrape?

Mr. McCURDY: We are coming to Parliament now for authority to expend this money. Conditions in the coal trade could hardly be forecasted at the beginning of last year. Prices have gone up, and this is the further amount we require. The coal has been supplied, but we cannot pay the contractors until the money is voted. The contractors have been waiting three or four months for their pay.

Mr. McKENZIE: But the money is expended already.

Mr. McCURDY: In effect.

Mr. McKENZIE: And it has been expended without authority. Why does not the department ask for the proper amount of money in the first place, instead of cutting down the Estimates with the idea of making them look small and then asking for supplementary votes to make up the deficiency? That is not business like.

Mr. McCURDY: You can either ask for a little more than you want, or a little less than you would like to have. I had rather expected to be commended because we had asked the House for a little less than we actually required.

Mr. SINCLAIR (Guysborough): My hon. friend and his colleagues are asking for \$14,000,000 in these further Supplementary Estimates. It looks as if the whole thing was going wild. I see that some of it is chargeable to capital, and has been expended without authority. It is unprecedented in my experience to have an expenditure on capital account without Parliamentary authority.

Mr. McCURDY: We have no capital expenditure.

Mr. SINCLAIR (Guysborough): It may not be in this department, but there is an expenditure on capital account in these Supplementary Estimates. Then we have items like this: overtime, \$25,000; miscellaneous, further amount required, \$235,000.

Mr. McCURDY: I can give my hon. friend the details of any vote that I am asking for.

Mr. McKENZIE: It is bad business. When the party I support was in power there was nothing fought so bitterly by hon. gentlemen then in Opposition as any expenditure of this kind, when a minister would dare to come to the House after he had expended the money and ask for a blanket authority to cover it. We have \$14,000,000 in these Supplementary Estimates, which has been expended by the different departments without any authority at all. Very poor calculations must have been made in the first place when such a further large amount is required. There is no disposition on the part of the House to refuse any vote a minister may properly ask, but the minister should figure out with some degree of accuracy the amount he requires, put it in the Estimates, get the money, and then expend it properly; but he comes here with a haphazard guess, and between them they are \$14,000,000 short, which they have expended without the slightest particle of authority. I do not know how the \$14,000,000 is divided as between the different departments, but this money has been expended and must be paid. That is not the proper way to do business, and I hope in the future the Minister of Public Works will figure more closely what he requires, and ask for that amount, and not bring down Supplementary Estimates of this kind.

Mr. McCURDY: I am afraid my hon. friend has a very short memory. He referred to the time when the Government which he supported was criticised for bringing down Supplementary Estimates.

Mr. McKENZIE: And for very small amounts.

Mr. McCURDY: All I am asking for is \$543,270. My hon. friend thinks that is a monstrous proceeding. I find that in 1908-09, the Department of Public Works, instead of asking for \$543,270, asked for \$1,285,366.73.

Mr. McKENZIE: What for?

Mr. McCURDY: Further Supplementary Estimates for the Public Works Department—exactly on all fours with this vote.

Mr. McKENZIE: What kind of Supplementaries?

Mr. McCURDY: The same kind we are discussing here now.

Mr. McKENZIE: I would like my hon. friend to give details of the \$1,285,366.73 vote he just mentioned.

Mr. McCURDY: The example that I have given is not an isolated one. I find that in 1909-1910 the Department of Public Works asked for further Supplementary Estimates amounting to over \$1,077,000. In 1907-1908, \$1,173,337.49 was asked for, for the very same purpose. There was no substantial decrease below \$1,000,000 until the year 1911, then this department asked Parliament for \$715,696, and in the following year for \$244,000, the next year for \$303,000, the next year for \$425,000, and in 1916-1917 they got it down to \$9,993.

Mr. McKENZIE: We are not responsible for the expenditure of 1916-1917.

Mr. McCURDY: No, but compare the vote of that year with the votes asked for in 1907-1908, and on up to 1911.

Mr. McKENZIE: No matter what the votes were, I say it is bad practice to spend money without the authority of Parliament.

Mr. McCURDY: I quite agree that that should be avoided wherever possible, but my hon. friend knows that last year was a peculiar one. The price of coal could not be anticipated. What would my hon. friend have us do? Close down the furnaces? The public service must go on.

Mr. McKENZIE: What furnaces?

Mr. McCURDY: The furnaces that heat the public buildings in Ottawa.

Mr. McKENZIE: The price of coal has not gone up to that extent.

Mr. McCURDY: We had either to buy coal, or let the furnaces go out. We chose the course of buying the coal and keeping the fires going.

Mr. SINCLAIR (Guysborough): How much is included in this item for coal?

Mr. McCURDY: \$25,282 for coal, and \$142,000 for salaries for engineers and firemen.

[Mr. McCurdy.]

Mr. SINCLAIR (Guysborough): You could have anticipated what the salaries would be.

Mr. McCURDY: I do not think that could have been anticipated any more than the price of coal. My hon. friend knows what happened with regard to the supply of coal on Government contracts last year. A new agreement was made with the miners, in August I think it was, called the Montreal agreement, whereby an advance in wages was given, and consumers of coal, the Government among the number were asked to pay more for coal. That was something that could not be foreseen.

Mr. McKENZIE: The Montreal agreement was late in October, and every Government establishment in the country had coal before that.

Mr. SINCLAIR (Guysborough): That covers \$25,000, but there is \$167,000 in this item.

Mr. McCURDY: Salaries of engineers and firemen amount to \$142,000.

Mr. SINCLAIR (Guysborough): Those salaries should be foreseen. There is no reason why we should not know at the beginning of the year, how many engineers we need for the public buildings in Ottawa. There is something to be said for the minister's argument in regard to coal, but he can hardly justify the large amount for the salaries of additional engineers. And then there is \$55,000 for water. Do we not know what we are paying for water in the public buildings in Ottawa? How did that increase come about?

Mr. McCURDY: The increase in the pay of the engineers, firemen, etc., could not have been foreseen any more than the increase in regard to the miners under the Montreal agreement.

Mr. SINCLAIR (Guysborough): I am not disputing the coal, but the engineers.

Mr. McCURDY: But I have to mention the coal to show the reason for the other increases. Coal went up because the wages of the miners went up, and other expenses went up in consequence. These engineers, firemen, etc., came under the reclassification by the Civil Service Commission, and were put on prevailing rates, and the result is they were entitled to \$142,000 more pay than they would have received under the rates that existed at the time the Estimates were adopted last year. Were we to let these men go without their pay, or put them on part pay until Parliament as-

sembled, when we could get an appropriation?

Mr. SINCLAIR (Guysborough): The classification was before the House last year.

Mr. McCURDY: It was not completed until the middle of 1920, so far as these employees are concerned.

Mr. VIEN: As a matter of fact, the reclassification increased the salaries of very few civil employees. I understood that instead of increasing their salaries, in most cases, it decreased them. This, I believe, does not apply during the tenure of office of present holders, but in very few cases did the reclassification increase salaries.

Mr. McCURDY: My hon. friend is quite incorrect. I have not encountered any cases where salaries were decreased under the reclassification.

Mr. VIEN: The maximum, in many classes I can point out, have been lowered.

Mr. McCURDY: You are talking about classifications of positions and grades; I am talking about the amount of money payable to engineers and firemen, and I have not come across a single case where the wages have been decreased.

Mr. SINCLAIR (Guysborough): The classification did not affect the water, and the minister has not explained that.

Mr. McCURDY: This is the first year in which the Government is liable to pay rental of \$35,000 to the city of Ottawa under the new agreement. I am informed, by the officials of the department, that at the beginning of last year this agreement with the city of Ottawa had not been completed, and therefore no vote was taken for water.

Mr. McKENZIE: There is no use getting off with any camouflage of that kind.

Mr. McCURDY: I rise to a point of order; I ask the hon. member to withdraw that expression.

Mr. McKENZIE: What else is it? It is a good word.

Some hon. MEMBERS: Order.

Mr. McKENZIE: I care not what the minister says; there is no use in trying to camouflage the House by stating things which the records of the House do not bear out.

The CHAIRMAN: I do not think the expression is in order; it is not in order for one hon. gentleman to accuse another of attempting to camouflage the House.

Mr. McKENZIE: I did not say, attempting; I said, actually camouflaging the House.

The CHAIRMAN: I fear that would be still worse.

Mr. McKENZIE: The contract with the city of Ottawa was signed while the House of Commons was in session, and all the details were discussed with the Minister of Railways (Mr. Reid), who was then Acting Minister of Public Works. Now the minister says that it was not passed during that time.

Mr. McCURDY: I never said that the agreement was not passed. I said that the officials of the department advised me that the agreement was not signed at the time the Estimates were brought down last year.

Mr. McKENZIE: The agreement was signed and adopted while the House was sitting. There is no use in the minister and his officials shaking their heads and finding there is no sound inside.

Mr. McCURDY: There is a good deal elsewhere.

Mr. McKENZIE: I have a distinct recollection that we discussed this matter and criticised it, and if my hon. friend will consult the Minister of Railways, that hon. gentleman will tell him what difficulty he had in getting the agreement through.

Item agreed to.

Harbours and Rivers, Nova Scotia, \$2,370.

Mr. McKENZIE: In Victoria and North Cape Breton we have perhaps the largest coastline of any county in Canada, including the inland waters of the Bras d'Or lakes and the seacoast, throughout which it is necessary to have harbours, breakwaters and wharves. During the fifteen years the Liberal party was in power, and the member for Shelburne and Queen's (Mr. Fielding) was Minister of Finance, several wharves and breakwaters were built which were absolutely necessary for that part of the country. I am sorry that the present minister's policy is to allow these wharves to rot and fall to pieces, leaving no accommodation for the fishermen's boats. We have no railroads in the county of Victoria for a distance of over one hundred and twenty miles. The only means of com-

munication in the districts not served by railway, is by boat along the coast and the boat must call at wharves in order to do business. The present minister is allowing these wharves to fall to pieces, and there will soon be no place for the boats to call at. On behalf of the people of North Cape Breton and Victoria I register my complaint before the minister and before this committee. While we need more wharves I am not asking for the building of new structures; I am simply asking that the old wharves and breakwaters be kept in repair, and that the privileges which the people have enjoyed for many years past shall not be taken away from them. That, I think, is a reasonable proposition. The minister is spending ten or twelve millions of money in the harbour of St. John on a very doubtful venture, on a new enterprise, on a thing that is not going to bring any good to anybody. The people of St. John and the people of the province generally are getting along splendidly with the present accommodation in the harbour of St. John, but it seems that we must spend all these millions of additional money in dabbling in the mud in Courtenay bay without any certainty of proper results. Yet the minister has not a dollar to maintain the wharves and breakwaters in the county which I represent in a proper state of repair. I want to tell my hon. friend that I do not regard that as a proper policy. I would therefore like to know from him what the policy of the department is in regard to these breakwaters? When he finds that a wharf, or a breakwater, will cost \$1,000 to repair does he propose to allow that structure to fall to pieces and leave nothing at all for the use and service of the public? I would like to hear from the minister what he has to say so that the people whom I represent will know what the policy of the Government is, and what hope they have for the future in regard to these public undertakings which are so very useful to them? There are several members from Nova Scotia, and some from Cape Breton, and they know what I am talking about. They know the places which are served by these wharves and breakwaters and they know how absolutely helpless the people will be if there is no opportunity for boats to call at regular intervals in order to allow them to carry on their trade.

The CHAIRMAN: Shall the item carry?

Mr. McKENZIE: No, I am not going to be defeated by the minister. He will

[Mr. McKenzie.]

either give me some answer as to what his policy is, or we will have to talk a little further on the subject.

Mr. McCURDY: The hon member for Inverness (Mr. Chisholm) had the floor and I had no opportunity to reply.

Mr. CHISHOLM: I thought the minister was not going to make any reply to my hon. friend from North Cape Breton and Victoria and for that reason I rose to ask him a question. The other day when we were discussing the Estimates of the Public Works Department I was unfortunately absent. I may be a little out of order now, but I want to get some information as to the intentions of the minister and his department with respect to Port Hood wharf. There is an item of \$7,000 in the Estimates, for this wharf, but I do not know what it is proposed to do with this money. The people of Port Hood—in fact the people of a large section of country—are anxious to know what is going to be done in the matter of this wharf, which is so necessary to the boat which calls at the port. They are totally dependent upon this service, it is the only one they have. I have already informed the minister that the wharf is in a dilapidated condition and that in its present state the boat cannot go near it. I will, therefore, be pleased if the minister will tell me what his intentions are.

Mr. McCURDY: I have been hoping to be able to visit the place of which my hon. friend from Inverness speaks, but hon. gentlemen will realize how difficult it is for a minister to get far away from this scene of his labours. My hon. friend knows that large sums of money have been spent on the Port Hood wharf, which has existed ever since Confederation. I have not the exact figures of that expenditure with me, but I think a total in excess of \$250,000 has been spent on Port Hood harbour. That is my recollection at any rate. Requisitions for additional expenditures continue to come in, but I would really like to see the place myself before determining what shall be done. Engineers' reports and plans are all very good, but they do not make a matter as clear as do personal observations on the spot. I cannot give my hon. friend any assurance at the present moment in regard to further expenditures in Port Hood harbour. Neither can I say very much more to my hon. friend from North Cape Breton and Victoria, than has been already said at this sitting of the committee. Large requisitions are coming in

from all parts of the country for repair works, some of which are very urgent. I doubt if it is going to be possible to get large enough appropriations this year to care even for the very, very necessary works; and if it comes to a case of spending \$22,000 on work of the character mentioned by my hon. friend earlier in the evening, it will be totally impossible to get round to the very urgent works. I do not know what my hon. friend wishes me to say further than that. Some of the urgent repair works will be provided for in the Supplementary Estimates this year, but those votes are not going to be large. Perhaps this matter could stand over until the Supplementary Estimates come down when I could talk with a little more freedom than I can at the present time.

Mr. McKENZIE: The minister said he called for tenders last year for the Ingonish breakwater, the preservation of which is a most serious proposition to the people of that place. I understood notification was sent to the lowest tenderer and that for a long time he was waiting to receive the contract. I think I had the right to take it for granted that once the department called for tenders it had made up its mind to finish the work. But nothing was done. The wharf is exposed to the Atlantic swell of the Gulf breaking on that shore, and any dilapidated structure very soon gets worse. I did hope that while there was opportunity of repairing the main body of the old structure something would be done, and that thereby the interests of the people would be safeguarded.

Mr. CHISHOLM: The minister did not quite understand what I had reference to. I did not mention Port Hood harbour but Port Hood wharf. The harbour is a different matter altogether. As a result of the delay in finishing that undertaking the harbour is being absolutely spoiled through the accretion of sand banks and so forth. The provision for this wharf has been voted and revoked until actually the item has whiskers. I do not know what the department have in view. They sent a dredge there last fall to dredge a foundation for the new wharf. If they would only do something to put the wharf in condition so that shipping could approach the shore and deliver their cargoes we would be satisfied, but there seemed to be a spirit of utter indifference. A carload of engineers have been down to examine and report on that wharf year after year and month after month. It appears to me

that there is a disposition on the part of somebody to allow the old wharf to be absolutely destroyed, and that will end the whole thing—until a change of Government.

Mr. FIELDING: I hate to interfere where Nova Scotia is concerned, but down in that province, especially in the constituency of my hon. friend (Mr. McKenzie) they have a profound respect for the Sabbath, and if you look at the clock I think you will probably see the wisdom of adjourning.

Item agreed to.

Telegraph and telephone lines—land and cable telegraph lines, Lower St. Lawrence and Maritime Provinces, including working expenses of vessels required for cable service—further amount required, \$40,000.

Mr. ROBB: Is that for construction or operation?

Mr. McCURDY: Increase in salaries.

Item agreed to.

Progress reported.

On motion of Right hon. C. J. Doherty the House adjourned at 12.05 a.m. Sunday.

Monday, May 30, 1921

The House met at Two o'clock.

## REPORTS

Mr. H. B. MORPHY (Perth North) presented the second and final report of the Select Standing Committee on Public Accounts.

### QUEBEC UNION ELECTRIC TELEPHONE COMPANY

Mr. J. E. ARMSTRONG (Lambton East) moved:

That, whereas it appears by the minutes of the proceedings of the Senate of the 25th instant that the Select Standing Committee on Railways, Telegraphs and Harbours has reported that the preamble of the Bill No. 38, to incorporate La Compagnie de Telephone Quebec Union Eléctrique (The Quebec Union Electric Telephone Company) has not been proven to their satisfaction, the fee and charges paid on the said Bill in this House be refunded, less the cost of printing and translation.

Mr. LAPOINTE: Is this recommended by the Committee on Railways, Canals and Telegraph lines, or is it a motion from my hon. friend without having the support of the committee?

Mr. ARMSTRONG (Lambton): I understand that the committee were in favour of reporting in the way that I have stated in the motion.

Mr. LAPOINTE: Of refunding the fees? Was the question of refunding the fees considered in the committee?

Mr. ARMSTRONG: It is the usual course to refund the fees when a Bill is not reported upon favourably in the Senate.

Mr. CURRIE: Always.

Motion agreed to.

#### INSPECTION AND SALE—BERRY BOXES

Mr. J. A. ETHIER (Laval-Two Mountains): I beg to present petition from the strawberry growers of Laval-Two Mountains, asking that Inspection and Sale Act, section 326, paragraphs (a) and (b), be suspended and paragraph (g) of said section be enforced for 1921, and the use of boxes for berries, commonly called "short" be permitted.

On the Orders of the Day:

Mr. ETHIER: As a consequence of the petition which I have just presented, I beg leave to move the adjournment of the House under rule 39 for the purpose of discussing a definite matter of urgent public importance, namely the suspension of section 326, subsections (a) and (b) of the Inspection and Sale Act respecting the sizes of boxes manufactured and approved for sale in Canada and for packing berries for sale in Canada.

Mr. SPEAKER: It may be open to question whether this is a subject that properly comes within the letter and spirit of rule 39, but without giving a decision upon that point at the moment, I wish to say to the hon. member that I cannot entertain the motion to-day for the reason that probably the House will be moved into Committee of Supply, and, that motion being debatable, the hon. member will have ample opportunity to present the matter to the House. Therefore, it would not be proper at this stage to submit a motion of this character. I shall look into the merits of the motion in the meantime, and if the hon. member is within his rights under rule 39 in submitting a motion of this character, and if a motion to go into Committee of Supply is not made, I shall at a later stage decide on the merits whether the hon. member may proceed.

[Mr. Lapointe.]

Mr. ETHIER: I bow to your ruling, Mr. Speaker. My intention was not to provoke a controversial discussion. This is an important matter, and I had intended to submit the motion to the Prime Minister and the Minister of Agriculture before the House opened this afternoon, but I could not reach them. I am sure that when the matter is submitted to the Minister of Agriculture on the motion for Supply he will agree with me that the matter is urgent.

#### ARCTIC EXPEDITION

On the Orders of the Day:

Mr. MACKENZIE KING (leader of the Opposition): May I ask the Prime Minister why the expedition of the Arctic to the north lands has been cancelled?

Right Hon. ARTHUR MEIGHEN (Prime Minister): The Government did contemplate an expedition into Northern Canada, as we describe it, to the islands of the Arctic this year, for purposes connected with the ensuring of Canada's claim to that territory, but since the appropriation was inserted in the Estimates for that purpose—and I believe it has passed—there is reason to believe that no great danger would ensue if the expedition were deferred until at least next year. As a consequence, it has been decided so to defer. In so far as any expenditure has been incurred, I am told that little, if any, will really be lost, because it has gone for supplies, and the like, which can be used.

Hon. RODOLPHE LEMIEUX (Maison-neuve): With your leave, Mr. Speaker, may I suggest to the right hon. gentleman that there has been of late a rumour that another power contemplated taking this step in advance of Canada, and therefore is it prudent on the part of the Canadian Government to delay hoisting our flag on these distant islands, which may be very valuable?

Mr. MEIGHEN: The matter to which the hon. member refers had to do with the original decision of the Government and the vote having passed, I can assure the House that if any reason transpires to indicate a serious intention in that direction on the part of any power, the Government will not hesitate to take action to protect the interests of Canada.

## PRIVATE BILLS

ALPHONSE LeMOYNE de MARTIGNY

Mr. ADOLPHE STEIN (Kamouraska)  
moved:

That the Order for further consideration in Committee of the Whole House of Bill No. 120, intitled "An Act for the relief of Alphonse LeMoyné de Martigny" be discharged, and that the said Bill, together with the evidence taken before the Divorce Committee of the Senate, be referred back to the Select Standing Committee on Miscellaneous Private Bills for further consideration, with instruction that the said committee have power to hear further evidence concerning the facts set forth in the preamble of the said Bill.

Mr. SPEAKER: I think there is no question that this motion is quite in order. Perhaps I had better point out at this stage that the motion is not debatable, under rule 17A.

The House divided on the motion, which was negatived on the following division:

## YEAS

Messrs.

Baldwin,	McCurdy,
Ball,	McIsaac,
Blake,	Manion,
Boivin,	Marcile (Bagot),
Cahill,	Mowat,
Calder,	Murphy,
Chisholm,	Pacaud,
Cowan,	Papineau,
Crerar,	Savard,
Cronyn,	Scott,
Davidson,	Sinclair (Antigonish
Déchène,	and Guysborough),
Denis,	Sinclair
Doherty,	(Queens, P.E.I.),
Duff,	Spinney,
Ethier,	Stein,
Gauvreau,	Stewart (Hamilton),
Glass,	Tobin,
King,	Trahan,
Lang,	Turgeon,
Lapointe,	Vien,
Léger,	Whidden,
Lemieux,	Wilson
MacKelvie,	(Saskatoon)—46.
Mackie (Edmonton),	

## NAYS

Messrs.

Andrews,	Crowe,
Argue,	Cruise,
Armstrong	Currie,
(Lambton),	Davis,
Arthurs,	Douglas (Strathcona),
Best,	Douglas (Cape Breton
Blair,	S. and Richmond),
Boyce,	Edwards,
Boys,	Fraser,
Euchanan,	Gould,
Charlton,	Griesbach,
Clark (Bruce),	Guthrie,
Clark (Red Deer),	Harrison,
Clements,	Hay,
Cooper,	Henders,

Hepburn,	Reid (Mackenzie),
Hocken,	Ross,
Johnston,	Sexsmith,
Knox,	Sheard,
Lalor,	Simpson,
Maclean (Halifax),	Stacey,
McLean (Royal),	Stevens,
MacNutt,	Thompson
McGibbon (Muskoka),	(Weyburn),
McGregor,	Thompson (Hastings),
McIntosh,	Tolmie,
McKenzie,	Tremain,
Meighen,	Tweedie,
Morphy,	Wigmore,
Myers,	Wilson
Redman,	(Wentworth)—58.

## PAIRS

(The list of Pairs is furnished by the Chief Whips).

Messrs.

Kemp,	Boyer,
Tudhope,	Proulx,
Allan,	Lesage,
Elkin,	Kennedy (Essex),
Casselman,	Kennedy (Glengarry),
Anderson,	Pedlow,
Bristol,	Jacobs,
Middlebro,	Robb,
Porter,	Gordon,
Finley,	d'Anjou.

House again in committee on Bill No. 129 (from the Senate) for the relief of Alphonse LeMoyné de Martigny.—Mr. Ross. Mr. Boivin in the Chair.

Mr. STEIN: I am sorry to have to delay the committee again in resuming the remarks I had begun on this Bill a few days ago. When I rose to speak the other day only one hour was allotted for Private Bills, and that time expired a few minutes after I had risen. On that occasion I was about to reply to some of the statements of the hon. member for West Toronto (Mr. Hocken) who referred to certain cases that had been heard before the courts of the district of Montreal, in the province of Quebec, and, I think in good faith, the hon. gentleman said some things that were not correct. When I first spoke on this subject, I had not available the exact dates in reference to these cases, but I have them now, and will take the liberty of giving this information to the committee.

The first case that came before the courts in Montreal between these parties was heard on November 12, 1912, when a judgment was rendered, granting to Mrs. de Martigny, under our provincial laws, separation as to bed and board, with alimony of \$100 per month. The dispute between the parties remained in abeyance until 1919, when Mrs. de Martigny brought before the court another petition, this time for an increase in alimony. Her husband con-

tested the petition and, in addition, claimed the custody of the infant child, who was then nine years old—the custody of the child had been left with the mother up to that date. The husband also petitioned the court for relief from the obligation of paying the allowance of \$100 a month to his wife. Evidence was adduced by both parties before the Superior Court in Montreal, and at the close of the case Mr. Justice Duclos delivered two judgments on April 23, 1919. By these judgments the monthly allowance was increased, and the counter-petitions of the husband were rejected on the ground of lack of evidence. It was stated in the judgment that it was in the interest of the child that she should remain in the mother's custody, because the father was openly living with another woman. The husband filed an appeal against these judgments, which was heard by the Court of Review, composed of three judges.

An hon. MEMBER: Who were the judges?

Mr. STEIN: I have not the names of those judges here; I have only the name of the judge of first instance, Mr. Justice Duclos. While the case was pending before the Court of Review, the grandmother of the little girl, Mr. de Martigny's mother, filed a claim of intervention seeking the custody of the child for herself, and she submitted the same reasons as those which had been adduced already by her son against Mrs. de Martigny. She claimed that neither her son nor Mrs. de Martigny should retain the custody of the child. Having heard the evidence in that intervention, Mr. Justice Coderre, as Mr. Justice Duclos had done, came to the conclusion that the intervening party, the grandmother, had not proven her allegations against Mrs. de Martigny, and the intervention was dismissed. The witnesses who were heard before the Superior Court of Montreal on behalf of the husband were the very same witnesses who gave testimony before the Divorce Committee to support his claim. In her testimony, Mrs. de Martigny very positively denied all the charges of adultery brought against her by her husband and by her mother-in-law, and also emphatically denied the alleged admissions which her husband stated before the Divorce Committee she had made to him.

This, Mr. Chairman, is a resumé of what happened before the courts in Montreal. Now, if I may be allowed to proceed, I will refer to the evidence that was adduced by [Mr. Stein.]

the husband, Mr. de Martigny, before the Divorce Committee of the Senate; and with all due respect to the hon. senators who passed upon the case, as well as to the members of this House who do not share my views, I shall endeavour to show that there is absolutely no evidence in this case to justify this committee in adopting the conclusions that have been reached by the Divorce Committee of the Senate. When Mr. De Martigny was asked before the Senate what was the cause of the separation between himself and his wife, he replied that it was owing to incompatibility, and therefore they separated on September 22, 1912. I now quote from the testimony given:

Q. At that time had you any reason to suspect your wife of immoral conduct?

A. No, Sir.

Q. You separated on the 22nd September, 1912, and where did your wife go?

He replied that she took an apartment on Union avenue, and he said:

For the first year I didn't follow her very much.

Well, it is easy to see immediately that the husband did not care much what his wife was doing. They separated on account of incompatibility, and he says for the first year he did not follow her much—he did not care what she was doing, but that he had no reason at that date to suspect her of immoral conduct. He further says that he stayed in Montreal until August, 1913, and that after August 26, he was very much depressed, and he left for California. He states further that when he returned in May, 1914, his wife telephoned to him to secure an interview with him. He replied that he did not care to have any interview whatever with her. He states then that he had heard gossip about his wife, but he does not give the source of this gossip—he does not give any details whatever. It puzzles me why the Senators who sat on the Divorce Committee should have been satisfied with such slim evidence. He merely said that he heard gossip about her, and he did not care to have anything to do with his wife. Furthermore he states that after she had telephoned to him several times he decided to grant her an interview, and then appears the statement he makes as to the admission of his wife to him of her immoral conduct. He says this:

Well she told me that she was living with a man.

Q. What was his name?—A. Mr. V. S. \* \* \* She was his mistress, and she loved him, and she was living with him.

I was passing over several details that are not necessary, I think, to quote.

Mr. HOCKEN: I would pass over that myself if I were you.

Mr. ETHIER: It is not legal proof at all.

Mr. EDWARDS: Read it all.

Mr. STEIN: He continues in this way:

A. She was his mistress and she loved him, and she was living with him, and she told me that I could not expect anything different because she was not going to spend her life without a man. It was over a year that I had left her. And she told me that she was very much worried, because she was always afraid of being caught in the family way. The fact is that she had been caught early in 1914.

Q. Or thought she was?—A. She said she was.

Q. I see?—A. And she had gone to our family doctor and he had refused to help her or have anything to do with her, and she had a terrible time to get out of that trouble. And she wanted to know what I was going to do about it.

Well, I claim that this reply is absolutely absurd. If the facts as stated here by the husband are true, it is impossible that the wife should have gone to him and asked what he was going to do about it. It is absolutely ridiculous. This fact cannot have occurred in this way; it is, I submit, impossible.

Mr. ETHIER: It is absurd.

Mr. STEIN: If the first facts stated are true, I cannot believe the last one to be true. Why should she have gone to that man if she did not want to live with him, and when she stated she was living with another man? Why should she have gone to her husband to inquire from him what he was going to do? If the facts are as stated by the husband the woman should have hidden herself.

Mr. EDWARDS: Was that before or after she applied for alimony?

Mr. STEIN: That was in 1914. She secured a judgment on November 22, 1912, from the courts of the province of Quebec granting her, under our laws, separation as to bed and board, and alimony to the amount of \$100 per month; and the husband says that on September 22, two months previous to that judgment, they separated of their own free will on account of incompatibility. Now, the husband does not say a word of this in evidence before the Senate Committee. He tries to hide all these things,

but if he had been frank he would have stated the facts in their entirety. Now hear what he did afterwards:

Q. After that interview did you urge her to give up Perry? A. Well, I told her I would not stand for that.

He was very angry; he told his wife he would not stand it. I suppose he slammed the door and left her. I also remind hon. gentlemen that the questions, from first to last, are practically all leading questions, questions putting the answer into the mouth of the suppliant himself, of the party most interested in the case. In fact I find that in one instance a member of the committee told the solicitor for the suppliant that he had better let the witness reply himself. Then de Martigny states that he thought he had lost the right to supervise the behaviour of his wife, but at the same time he was not going to lend himself to a public scandal, especially in view of the fact that the wife had a baby that was only four years old at that time. That was in 1914 and she had been given the custody of the baby by the courts of the province of Quebec. The husband states further that after his wife had left him in 1912, she left the child with him, and he says:

This is what hurt me most. She left me the child. I loved the baby, and I could not see how her mother could leave her alone like that.

This statement is absolutely contradicted by the suppliant himself, for on page 10 of the evidence he says:

She was longing—

That is the baby—

She was longing for her mother and her mother was longing for her.

Well, this is a flat contradiction of the statement in which he says he was disgusted to see how his wife could part with that baby. Without having been re-examined, de Martigny contradicted himself on this one fact, to say nothing of many others. He begins by saying that he was disgusted at his wife not seeming to love the child—having no regret in parting with it. Then he says:

The child was longing for her mother, and the mother was longing for the child, and I allowed the child to go back to the mother.

He allowed the child to go back to its mother because he was compelled to do so by the courts of the province of Quebec under the judgments to which I have already referred.

There was no question of immorality at that time. He does not give the date, but after explaining that in 1913, when he felt so much depressed he left for California, he states that he had no suspicion then of immoral conduct on the part of his wife. He came back in 1914, and it is then that he said he heard some gossip. Further on he says:

There was no question of immorality at that time.

This is another contradiction of his statement that he had heard some gossip about the conduct of his wife. After that first answer of there being no question of immorality, he was further asked:

There was no charge of immorality at that time?

But he does not appear to have given any answer to that second question on the same subject.

The following questions were put by the chairman and answered by the petitioner:

Q. She got the custody of the child?

A. So she took the child.

Q. Have you got the child now?

A. No, sir.

Q. Who has the child?

A. She still has the child.

Q. Still has the child?

Mr. Guthrie, who I understand was the solicitor for the suppliant then states:

Mr. de Martigny got a judgment from the courts of Quebec giving him the custody of the child at one time.

Well, that is a mistake. I have stated to the contrary, and I shall be glad to prove my statement before the Private Bills Committee if this Bill is sent back to them. This is a mistake, for Mr. de Martigny was not given the custody of the child; it was the wife, as I stated a few minutes ago.

Then the witness continues to refer again to the interview that he had in his office with his wife after she had telephoned to him on his return from California at the end of May, 1914. He says:

After that interview in my office when I told her I was not going to stand for that kind of life, I told her I was going to take the child away from her. I took action, and I then took the child away from her.

This is another mistake. If he ever took the child away he did not do so after the action, because he lost that action and the court gave the wife the custody of the child.

There is no wonder that although very little evidence was adduced the members

[Mr. Stein.]

of the Senate Divorce Committee were brought to believe that all the grievance was on the husband's side, especially as the wife did not appear before them. But I am not very much surprised at her failure to appear. She had already won three actions against her husband and also against her mother-in-law in the courts of the province of Quebec, and therefore perhaps she did not think that she should be compelled to come into the province of Ontario and adduce further evidence. It must also be remembered that she had only \$125 a month to maintain herself and her child.

Then another question was put to the suppliant:

Q. Did you make any condition?

That was after the interview they had in May, 1914. He stated that the mother was longing so much for the child that he decided to allow the child to go to the mother, but it was on the express condition that she would not live with Perry any longer.

Q. Exactly.

A. And that was absolutely understood, so I let her have the child back, and she kept on living with Perry ever since.

Q. And that is the reason you are here?

There was no answer to that question, but apparently the members of the Divorce Committee were satisfied. Then the chairman of the committee put this one question:

Q. And she still keeps the child?

A. She still keeps the child.

Then Mr. Guthrie, his solicitor, makes the following statement:

The present position, Mr. Chairman, is that Mr. de Martigny has to get a divorce in order to establish his rights to the custody of the child.

I submit that Mr. Guthrie again' made a great mistake. The judgments to which I referred a few minutes ago were rendered on Article 214 of the Civil Code of the province of Quebec, which provides that the children are entrusted to the party who has obtained the separation from bed and board, unless the court, if it think proper, having consulted a family council, decide it is for the greater advantage of the children that all or some of them be entrusted to the care of the other party or of a third person. I respectfully submit that this altogether sets aside the statement made before the Senate committee by the suppliant through his solicitor. He states that he is before the Senate committee requesting a divorce in order to

establish his rights to the custody of the child. But there is no mention of such a claim in the divorce Bill. If he is seeking a divorce for that purpose he must take action under the laws of the province of Quebec in which he is domiciled. And article 214 of the Civil Code which I have just quoted states that the custody of the children is granted to the party who has obtained the separation, which in this case is the wife. Therefore, whether the husband gets his divorce or not, he will not be entitled to the custody of the child. Then why grant him a divorce?

It is to be noted that all the witnesses who were brought before the Divorce Committee on behalf of the husband were French-speaking, they could not understand English, and their evidence was translated. This enables us to understand why the evidence is so incomplete and why it is so difficult to comprehend the answers that have been given. Most of the answers are given in the third person, as statements made by the interpreter, not in the first person as statements made by the witness himself. The first witness was an old woman of eighty-two years, Azilda Fournier. She was shown a photograph of three ladies and she identified Mrs. de Martigny as one of them. She stated that she had lived in several places with Mrs. de Martigny and that in the last place in which they had lived, on Boulevard St. Joseph, there were four bedrooms, one for Mrs. de Martigny, one for Mr. Perry, one for herself, and one for the child. She was asked:

Q. I suppose you cannot say anything as to what happened between them?—A. She says she did not see anything; she was in her room.

Q. Did you ever see them in bed together?—A. Oh, no, sir.

That is a very emphatic statement,—“Oh, no, sir.” Then Mr. Guthrie makes a statement, although he is not a witness and should not have testified in the case:

Mr. Guthrie: All Mrs. Fournier can swear to is that they lived together, apparently en famille, as man and wife.

The witness could not speak English. Mr. Guthrie was not the interpreter and he should not have been allowed to make that statement. That will give hon. members of the committee an idea of the way the hearing was conducted before the Senate committee. I repeat that I say this with all due respect, but I feel that I must express my humble opinion as to how these matters were dealt with before the Senate committee. The next witness was Justina Brosseau, a dressmaker. She had worked

about eight or ten times for Mrs. de Martigny. She was asked:

Did you ever hear them speak to each other?

To which she replied in the affirmative. Then she was asked:

Did they ever use any expressions of affection or endearment?

To which she replied: “No, sir.” She had been working there for eight or ten days, but she never heard any expressions of affection or endearment passed between Mrs. de Martigny and Mr. Perry. I have taken the trouble to go through this evidence, because it was frankly admitted by the member for Frontenac (Mr. Edwards) the other day that he for one had never read it, and that may have been the case with several other hon. gentlemen.

Mr. GLASS: I understood the hon. member to say that under the laws of Quebec, in view of the action which had been taken in 1912 and again in 1919, Mrs. de Martigny had the custody of the child granted to her by the courts. Now, what would be the effect in that regard if this divorce were granted?

Mr. STEIN: The civil effects of marriage continue to exist. Under article 185 of our civil code, marriage can only be dissolved by the natural death of one of the parties; while both live, it is indissoluble.

As long as there is no modification of the judgment rendered in favour of the wife by the courts of the province of Quebec, the wife will continue to keep the custody of the child, whatever may be the result of this Bill.

Mr. GLASS: The granting of this divorce would not in the eyes of the court of Quebec be any evidence as against the chastity of the woman?

Mr. STEIN: No, that would not serve as evidence against her before the court in the province of Quebec. The third witness examined by the Senate committee was Moise LeBoeuf, janitor of the apartment house in which Mde. de Martigny had an apartment. Again the answers are given in the third person through an interpreter. The witness was examined by Mr. Guthrie as follows:

Q. What did you see of her life with Mr. Perry?—A. He thought it looked to him as man and wife.

Q. What made him think so?—A. By their way; it was always like man and wife in the house. He never inquired.

Q. Did he think the child was Perry's child?  
—A. The little girl was calling Mr. Perry "Daddy."

Q. How did Perry behave?—A. Very well.

The chairman asked:

Q. Did Perry and this Mrs. de Martigny occupy an apartment there?—A. He says that in the evening he never went up in the apartment.

This witness was the janitor of the apartment. He said it appeared to him that these people were acting as man and wife, but he really knew very little about it. In this case again, the witness does not answer for himself, but his answers are translated from French into English and given in the third person. The answers to those questions might have been very different if they had been given in the proper form, as I claim they should have been, and if Mr. Guthrie, the solicitor, had not taken upon himself to make now and then during the evidence the statements that he made on behalf of the witnesses. As can be gathered from reading this evidence, those three witnesses spoke, not from facts that they knew of personally, but from suppositions that they made. Nevertheless, when the old woman of eighty-two years who has lived most of the time with Mrs. de Martigny, is asked if she has seen anything that would warrant this Parliament in granting a divorce, she says: "Oh, no, Sir." This is a formal denial to all the charges made by the husband. When Miss Brosseau, the dressmaker, is asked if she has observed the use of any expressions of affection or endearment between Perry and Mrs. de Martigny, she says: "No, Sir." When the third witness, M. LeBoeuf, the janitor, is asked "How did Perry behave?" he says, "Very well." It is on this evidence that we are asked to grant a divorce. I do not see where one can find in this case sufficient evidence to warrant the granting of a divorce. I stated the other day that I took pains to read the evidence in several other divorce cases. I do not want to refer to this to-day because it would be too long, but in all these cases there was strong evidence, altogether different from the evidence in this case, leading to the conclusion that adultery had been committed by the respondent in each case. This case is altogether different, especially if we have regard to the fact which I pointed out a while ago, that the husband flatly contradicts himself in two or three very important statements in his evidence. As regards the custody of the child, he said that he was disgusted at seeing his

[Mr. Stein.]

wife not paying any attention to or loving the child, allowing him to take custody of the child. A little further, to avoid admitting that a judgment had been rendered by the courts of Quebec granting the custody of the child to the wife, he explains, contradicting his first statement, that the child was longing for the mother; that the mother was longing for the child, and that he decided to surrender the child to the mother. If hon. gentlemen will, as I did, take pains to study this evidence, they will easily come to the conclusion that there is no ground for granting a divorce in this case. I for one feel bound to vote against this Bill.

Mr. BALDWIN: While I am not a lawyer, I am looking at this case from this point of view. A husband and a wife have become incompatible. The wife takes a suit for separation and alimony. She is granted separation with alimony of \$100 a month. Later on, under this servitude, the husband brings a counter-suit to have the former position annulled, and in that suit the tribunal enlarges the alimony by \$25 a month, making the matter much more galling for the husband. In a later suit, the grandmother contends that neither of the parents is a suitable person to nurture the child. According to the testimony of the three witnesses, as given by my hon. friend (Mr. Stein), there is no conclusive proof that adultery has occurred. Can this Parliament, on circumstantial evidence, question or decide upon the chastity of a woman, or besmirch her character? The very fact that a male and a female, a man and a woman are living together, is no proof of adultery. While the janitor says that he took them for man and wife, that is no proof. I have known a man running a store to have a lady clerk, and commercial travellers who had been coming to that store for many years, always supposed the woman was the merchant's wife. That is, however, no proof. What do we find in criminal courts? We find that the prisoner has always the benefit of the doubt. In a civil court, would a judge in a case of this kind accept the evidence of the only witness, being the plaintiff, who is galling under this servitude, as conclusive? Or would he take it rather that the plaintiff was trying to get rid of paying that amount of alimony? Would the plaintiff not stretch the truth in such a case? There is in this House not a lawyer, nor a judge, nor a past judge, nor a keen, sharp individual who is acquainted with humanity, who does

not know, at this juncture of the world's history, that evidence goes into court of a diametrically opposite character, and that you must believe that one side or the other is committing perjury. In this case, I say, this Parliament has no right to besmirch the character of a woman on any such circumstantial evidence.

Mr. DENIS: I move that the committee rise, report progress, and ask leave to sit again.

Motion agreed to; yeas 27, nays 11.

Progress reported.

### QUESTIONS

(Questions answered orally are indicated by an asterisk).

#### CENSUS ENUMERATORS—MISSISQUOI

\*Mr. KAY:

What are the names of the census enumerators in the county of Missisquoi and what are their respective divisions?

Right Hon. Sir GEORGE FOSTER: These have not yet been sent in to the department.

#### DOMINION LANDS ACT AMENDMENT

On the motion of Hon. J. A. Calder (Minister of Immigration and Colonization) Bill No. 212, to amend the Dominion Lands Act, was read the third time, and passed.

#### NORTHWEST TERRITORIES ACT AMENDMENT

On the motion of the Right Hon. Arthur Meighen (Prime Minister) Bill No. 213, to amend the Northwest Territories Act, was read the second time, and the House went into committee thereon, Mr. Boivin in the Chair.

On section 1—council increased to six members.

Mr. LEMIEUX: What is the explanation of this?

Mr. MEIGHEN: This is a very simple Bill. It merely provides for increasing the membership of the council that aids the commissioner in the administration of the Northwest Territories, from four to six. The commissioner is Mr. Cory, Deputy Minister of the Interior, and the councillors are Mr. Gibson, Col. Perry, Mr. Greenway, and Mr. Camsell. A majority constitutes a quorum, but on account of

the necessary absence of some of the members it has sometimes been difficult to get a quorum.

Section agreed to.

Bill reported, read the third time, and passed.

#### SUPPLY—ARCTIC EXPLORATION

On the motion of Right Hon. Arthur Meighen (Prime Minister) for the House to go into Committee of Supply:

Mr. LUCIEN CANNON (Dorchester): Mr. Speaker, the press of the city of Quebec has mentioned a very important matter to which I wish to direct the attention of the House. A steamship called the Arctic has been kept busy, both under the present Government, as well as under the previous administration, cruising in the northern seas, and generally doing work of exploration for the Government, and I understand that the results of that work have been most beneficial in the past year. This year the same ship was equipped and full supplies were bought in considerable quantities, it being understood that she would leave for the north within a short time. At the last moment, however, for reasons which I do not know, I am given to understand that the Government cancelled the trip, although the object of the voyage this year was of great importance. People were led to believe that discoveries of oil and other valuable minerals had been made in the north, and it was essential for the Canadian Government to send an expedition to these northern lands and formally take possession of them in the name of Canada. Other countries are stated in the press to be getting ready to send expeditions to this area before our own, and the people are anxious to know what influenced the Government in cancelling the trip this year. The newspapers, at any rate, make this announcement, and I shall be glad to have from the minister in charge of the department, a statement as to exactly what the Government intends to do in this matter.

Right Hon. ARTHUR MEIGHEN (Prime Minister): In answer to the hon. member, I may say—

Mr. SPEAKER: The motion having been put in the name of the Prime Minister, he has technically spoken and is therefore debarred from speaking again. I am sure, however, that under the circumstances the House will accord to him the courtesy of

presenting a reply to the hon. member for Dorchester (Mr. Cannon) now.

Mr. MEIGHEN: The subject has already been brought up to-day by the leader of the Opposition (Mr. Mackenzie King), and my reply was that there is an Estimate to provide for further exploration in the Arctic. That Estimate has passed, but because the Government had not sufficient reason to believe that there was any danger in deferring the trip for at least another year, the conclusion was arrived at to do so solely on the ground of expense. It is a very expensive matter to send an expedition to Ellesmere Land, and it is not believed that there is sufficient justification for such an undertaking merely on the score of present or prospective oil or other development there. The idea was in the main, if not wholly, to see that the territorial interests of Canada were not imperilled by any other country, and because that reason does not appear to be so pressing as it was at first considered, it has been decided that the expense would not be justified for the present. If, however, it later appears that the matter is urgent, we will not hesitate to take whatever steps are necessary to protect the interests of this country.

#### SUPPLY—BERRY AND CURRANT BOXES

Mr. J. A. C. ETHIER (Laval-Two Mountains): I desire to bring to the attention of the Government a matter in reference to which I have had an interview with the Minister of Agriculture (Mr. Tolmie), who I am sorry is not at present in his seat. Section 325 of the Inspection and Sale Act of 1920 reads:

(2) On and after the first day of June, 1920, the following provisions shall come into operation;

(1) All berry or currant boxes manufactured in Canada, and all boxes containing berries or currants, packed in Canada, for sale in Canada, shall contain when level full as nearly as practicable one or other of the following quantities:

- (a) Four-fifths of a quart;
- (b) One pint;
- (c) Two-fifths of a quart.

That law was not put in force last year owing to representations by the producers of berries. The Government suspended the operation of the foregoing two sections, and permitted berry-growers to use only boxes of two-fifths of a quart measure, as provided in section 6 of the Act. Last year the berry-growers had a very bad crop; as every one of us knows, the crop was a

[Mr. Speaker.]

failure, and although the farmers purchased a quantity of boxes against the prospective demands of the market, they found no use for them, the crop being so meagre. I may say, that Two Mountains, which is known as the garden of the island of Montreal, and such other places as St. Hypolite, St. Augustin, St. Dorothée, and St. Eustache, met with failure, and therefore the growers did not use the boxes they had on hand for berries. Now, the berry market will be open ten or fifteen days hence, and the producers are anxious to know whether the Government will allow them to use the boxes which they now have. Yesterday, Sunday, notices were posted up outside of the churches to the effect that farmers were not allowed to use what are commonly called short boxes, that is to say, the boxes which they bought last year with the permission of the Government.

Mr. CURRIE: Where do they buy those boxes—from the United States?

Mr. ETHIER: I am informed that they buy them in the fruit district near Niagara, in Ontario. The berry producers gave no orders for boxes this year because they have large quantities in stock which they did not use last year owing to the failure of the crop. This year the berry prospect is very promising, and they are about to put their crops on the local market; but I see that the Department of Agriculture, whether through an Order in Council or otherwise, I do not know, has issued a notice that the farmers must use boxes as described in paragraphs (a) and (b) of section 325, which I have read. In Quebec, especially in and around Montreal, the producers have in stock various quantities of the boxes they were permitted to use last year, ranging from 50 to 5,000, but these boxes they are now forbidden by law to use. Clause 326 says that the box shall contain "one or the other of the following quantities." Well, one or other means A, B or C. The one used last year was "C." I do not see why that privilege cannot be continued again this year so as to permit of the sale of the fruit we shall shortly have on hand. The berry-growers must be permitted to use the boxes they now have, because they cannot at present get standard boxes from the manufacturers. If that is not done the berry-growers will lose all the crop produced this season. The local berries will mature next week and no standard boxes will be available. This is not a political matter, it is one that deeply affects the entire farming community—in fact it

is in the interest of the whole country. Everybody knows that the berry trade in Canada is a very important one, and in view of United States tariff legislation our growers should receive protection. Personally I believe in protection for the berry-grower. I hope therefore that the Minister of Agriculture, in view of my remarks—which I have endeavoured to express in as friendly and sincere a manner as possible—and in the interest of all parties concerned, will, within the next few days, take the necessary steps to permit the berry-growers to use the kind of boxes they used last year. If this is not done the growers must lose their fruit crop or, if they persist in using last year's boxes, they will render themselves liable to the imposition of a penalty. This is a most urgent matter and a decision should be reached immediately because it will only be a few days before the berry crop will have attained maturity. I hope, therefore, that the Government will agree to my suggestion.

Mr. JOHN A. CURRIE (North Simcoe): Before the minister replies I desire to say a word or two. I have a distinct recollection that last year in the province of Ontario, and especially in my own constituency, vast quantities of berries went to waste because it was impossible to get boxes for the fruit. In many cases the growers had to have recourse to boxes that had been already used. That is, a great many boxes of fruit came in from the United States early in the season and Canadians saved up these containers and used them again. The American berry-growers use what is called the "short" quart, which is one-fifth less than the imperial quart. The plants of the American box-makers are all equipped to make a box that is four-fifths of one quart. On the other hand the Canadian factories are equipped with machinery for making a larger box. Last year something went wrong and the Canadian berry-growers did not bother about procuring the necessary boxes and thousands of dollars of fruit went to waste. I think that rather than see anything of that kind occur again, the Government would be amply justified in extending the privilege granted last year for another twelve months, because I do not think there are going to be sufficient boxes available to carry all the fruit that will be produced this year. Of course, the time must come when the Government will have to put its foot down and refuse to grant any further concessions. There are, of

course, two parties interested—the seller and the consumer. As long as the seller caused it to be clearly understood that the box he was selling was the short quart and that the price charged was on that basis no harm could accrue. But when one seller is using the short quart box and gets exactly the same price as another who is selling by the imperial quart, the latter, of course and the consumer in the first case, are getting the worst of it. There is a shortage of boxes this year, just as there was a year ago, and I do not see what the Government can do, in the interest of the fruit growers, except to again extend the privilege granted in 1920—

Mr. ETHIER: That is what I am asking for.

Mr. CURRIE:—or else make the "short" box the standard box. If the "short" box were made the standard box all over the country, then people would know exactly what they were buying. Unfortunately our standard of measurement is one-fifth greater than the American quart and there has been worry and annoyance over the matter. I think the Government would be justified, from what I learn from many sections of my own constituency, where a great deal of fruit growing is carried on, in accepting the suggestion of the hon. member who has just spoken.

Hon. S. F. TOLMIE (Minister of Agriculture): This amendment to the Act was brought down on May 24, 1918, after a conference of fruit growers from all over Canada who agreed that these particular measures should be adopted in the case of fruit. However, one whole year was given, or until June 1, 1919, before bringing the Act into force. On the representation being made that there was a great quantity of old boxes still on hand, the application of the Act was postponed for another year; but the growers were all clearly informed in 1920 that the use of old boxes would not be permitted in 1921. It is very unfair to the man who is complying with the law to be compelled now to send out a larger package of fruit, or a container with more fruit in it, and at the same time to permit other men to sell fruit in the "short" boxes. I might place on Hansard the dimensions of the various boxes as we have found them. The "short" box is  $4\frac{1}{2}$  inches by  $4\frac{1}{2}$  inches at the top;  $3\frac{1}{2}$  by  $3\frac{1}{2}$  inches at the bottom; and approximately  $2\frac{1}{2}$  inches deep. The dimensions of the legal package are as follows:  $5\frac{1}{2}$  by 5 inches at the top; 4 by 4 inches at the bottom; and 3 inches deep.

Mr. ETHIER: Is it not a fact that paragraph B of the schedule provides for a box of one pint which means the following dimensions:  $4\frac{3}{8}$  by  $4\frac{3}{8}$  inches at the bottom and at the top, and  $1\frac{1}{8}$  inches deep. So we impose not only on the grower but on the consumer a one-pint box which is smaller than the one which is being used now. We do not complain of the decision of the committee of fruit growers which was arrived at in 1918 and was to be given effect to in June 1919, we are only asking that on account of the bad crops of last year, and of the impossibility of getting the required boxes for the time being, last year's rule be again continued this year.

Mr. TOLMIE: I submit, Mr. Speaker, that the fruit growers have had ample opportunity to comply with the law since 1918, and they were given the whole season of 1920 on the clear understanding that the law would go into force all over Canada this year. We have had these applications from year to year, and I have taken them up with the men in my department who are handling this business, particularly the food commissioner and the deputy minister, who are both very familiar with the situation, and they are agreed that sufficient time has elapsed for us to apply the law as laid down, otherwise we may have these requests continued indefinitely. I submit that we have allowed sufficient time for everybody to comply with the law, and there is no reason why it should not now go into effect.

Mr. ETHIER: If the minister will allow me, don't you think that the interests of the industry are sufficient to justify the continuation of the permission which was given last year? If not, I tell the House that the enforcement of the law this year will ruin the industry.

Mr. SPEAKER: Order.

Mr. ETHIER: And it will mean the ruin of all parties interested in that industry.

Mr. SPEAKER: Order. The hon. member has spoken at least twice before. He must submit to the ruling of the Chair.

Mr. ETHIER: I withdraw my remarks, Mr. Speaker.

Hon. RODOLPHE LEMIEUX (Maison-neuve—Gaspé): Mr. Speaker, it seems to me that my hon. friend (Mr. Tolmie) might be a little more generous in regard to the application of this law. Although [Mr. Tolmie.]

passed two or three years ago, there are circumstances this year which justify the attitude taken by my hon. friend from Two Mountains (Mr. Ethier). Last year the crop failed, and this year the farmers and market gardeners in view of the scarcity of these new boxes are obliged to use the old ones. I am interested to a degree in this business because many of my electors in Montreal grow strawberries and I can assure the hon. gentleman that it would be a real hardship to them if he maintain his stern and unbending attitude. In matters of weights and measures, if my hon. friend will read history—and I am sure he does—he will find that it takes centuries to alter them. Take the case of France, where the metric system has been in use since the revolution, there are to-day many communes where they still use the old weights and measures which were common during the monarchy. Then I would direct his attention to the failure to adopt the metric system in England. Resolutions have been passed from time to time by the British House of Commons in favour of the adoption of the metric system, and yet the merchants and farmers of England still cling to the old system which has been in vogue for centuries. In the province of Quebec we have had three systems; the old French system of weights and measures, then the English currency, and to-day the metric system. But if you read notarial deeds you will find that even to-day in some

4 p.m. of the districts of Quebec the people still express values according to the only French monetary system which was in vogue before the British domination. Therefore in these matters of weights and measures you must not be too rigid or you will go right against the grain of the people. On the contrary, you must bring those changes down, as has been said of the development of the British constitution, "from precedent to precedent" and accommodate them quietly to the usages and habits of the people. Surely my hon. friend, who is such a good-natured fellow, would not be so stern as to force those good habitants, who send him those delicious strawberries for his table, to adopt these new boxes this season and so prevent them from selling their fruit on the market next month.

Mr. ETHIER: They cannot get any boxes now.

Mr. LEMIEUX: I appeal to him, Mr. Speaker, I am sure he will not deprive

those men of their little profit. We are passing through hard times, and those market gardeners and farmers need all the money they can get to pay their bills. Again I appeal to my hon. friend on their behalf, and I can read in his face his sympathy for them.

Motion agreed to, and the House went into Committee of Supply, Mr. Boivin in the Chair.

Customs and Inland Revenue, \$6,782,195.

Mr. MACKENZIE KING: I move that this Estimate be discussed item by item.

Motion agreed to.

Salaries and contingent expenses of the several ports in the Dominion, including pay for overtime of officers, notwithstanding anything in the Civil Service Act—and temporary buildings and rentals, \$5,489,815.

Mr. MACKENZIE KING: How does the minister explain the increase of half a million dollars?

Mr. WIGMORE: The item of salaries and contingent expenses of the several ports in the Dominion, including pay for overtime of officers notwithstanding anything in the Civil Service Act, for the year 1920-21, was: Customs, \$4,250,000; Excise, \$734,433.25. This latter amount was made up of the following items: salaries of officers of excise and to provide for increases pending the result of excise examinations, \$465,033.25; extra duty paid at large distilleries and other factories, \$15,000; duty paid officers serving longer hours at other than special survey, \$2,000; Excise travelling expenses, etc., \$112,400; amount to provide for salaries in connection with war taxes, \$140,000. The Estimate for the fiscal year, 1921-22 shows an increase of \$505,381.75, of which amount \$165,533.75 represents the salary arrears from 1920-21, due to reclassification, leaving \$339,848, covering increases for the fiscal year 1921-22. This latter amount is made up of the following items: statutory increases, \$144,635; amount to provide for 33 auditors and accountants in each of the districts to audit the books in connection with the collection of excise taxes; for temporary employees relieving regular officers on sick leave with pay, and for promotions, transfers, etc., \$114,113; amount due to transfer of officers from preventive service, salaries under reclassification, \$75,000; amount required due to increased cost of contingencies, \$6,100; total, \$339,848.

Mr. VIEN: Would the minister give us some further details with respect to these items? What is the amount for auditors?

Mr. WIGMORE: The total amount for auditors is about \$80,000.

Mr. VIEN: Are these auditors permanent?

Mr. WIGMORE: No, they were appointed in connection with the collection of sales and luxury taxes last year and are being continued this year on the same basis.

Mr. VIEN: They will be permanently employed as long as there is a sales tax?

Mr. WIGMORE: Yes.

Mr. SINCLAIR (Guysborough): I heard the secretary of the Civil Service Commission say that we were going to save a very large sum of money through reduction of staffs, but in this item my hon. friend wants half a million more than was appropriated for the same purpose last year. Is he making any allowance for the work that the Griffenhagen firm did in connection with his department? Will it be necessary to pay all these officers during the whole year if a report comes in shortly recommending the retirement of a very large number?

Mr. WIGMORE: While a certain number of men have been retired and a large number will be retired, these persons are receiving retiring or superannuation allowance. Those who are being retired under the Calder Act and have had less than ten years' service will, of course, receive a lump sum.

Mr. SINCLAIR (Guysborough): Does my hon. friend mean that the statement made by the Secretary of the Civil Service Commission that we were going to save two millions in connection with the Post Office and Customs Departments is not correct; that he did not take into consideration the superannuation and retiring allowances to be paid?

Mr. WIGMORE: I think that after this year there will be a saving. All that we have done so far is to make retirements involved in the amalgamation of the two departments. The positions of Collector of Customs and Collector of Inland Revenue have been amalgamated and certain of these officers have been retired. As I have said, they will be paid retiring or superannuation allowance so that the immediate saving will not be very great. The salaries

and expenses of auditors, provided for under this item, will not be affected by reduction of staff.

Mr. SINCLAIR (Guysborough): What percentage of the customs revenue does it require to collect that revenue, including the cost of salaries?

Mr. WIGMORE: The cost of collection, I am informed, is about 3½ per cent, including everything.

Mr. VIEN: Were these 18 auditors appointed by the Civil Service Commission.

Mr. WIGMORE: Yes, after examination.

Mr. SINCLAIR (Guysborough): How did the Customs Department come to be so greatly over-manned that experts had to take charge of it and thin out the number of employees?

Mr. WIGMORE: The reduction became necessary on the consolidation of the two

departments. For instance, in Montreal the Customs offices and Inland Revenue offices were carrying on the work of these different departments in different places and with separate staffs. Now that the amalgamation has taken place the work of both is done in the same building and necessarily the staff can be materially reduced. I believe the result will be of advantage to the general public as well as economy in administration.

Mr. SINCLAIR (Guysborough): I would like to get the basis for the figures of 3½ per cent given as the cost of collecting the customs revenue. What was the total amount received from customs last year and the total cost of administering the department?

Mr. WIGMORE: I have the figures before me from 1894-95 to the present; perhaps I had better put them all on record. The statement follows:

Statement showing the Percentage Cost of Collection of Customs Revenue since 1894-95

Fiscal Year	Revenue	Expenditure	Percentage Cost of Collection
1894-95.. . . . .	\$ 17,890,516 94	\$ 917,607 81	5.13
1895-96.. . . . .	20,219,037 32	896,332 50	4.43
1896-97.. . . . .	19,891,996 77	945,245 33	4.75
1897-98.. . . . .	22,157,788 49	968,100 42	4.37
1898-99.. . . . .	25,734,228 75	1,037,633 61	3.46
1899-00.. . . . .	28,889,110 13	1,271,222 17	3.30
1900-01.. . . . .	29,106,979 89	1,123,817 06	3.86
1901-02.. . . . .	32,425,532 31	1,176,024 24	3.62
1902-03.. . . . .	37,110,315 17	1,229,028 71	3.31
1903-04.. . . . .	40,954,349 69	1,357,184 29	3.31
1904-05.. . . . .	42,024,339 92	1,467,160 09	3.49
1905-06.. . . . .	46,671,101 20	1,548,384 08	3.31
1906-07*.. . . . .	40,290,171 70	1,224,981 74	3.04
1907-08.. . . . .	58,331,074 04	1,923,854 17	3.30
1908-09.. . . . .	48,059,791 93	1,994,951 46	4.15
1909-10.. . . . .	61,024,239 21	2,024,533 51	3.32
1910-11.. . . . .	73,312,367 59	2,187,174 76	2.98
1911-12.. . . . .	87,596,426 40	2,443,846 23	2.79
1912-13.. . . . .	115,063,196 97	3,150,776 75	2.74
1913-14.. . . . .	107,179,360 33	3,849,083 86	3.59
1914-15.. . . . .	79,205,286 51	3,775,364 31	4.76
1915-16.. . . . .	103,941,714 81	3,685,399 40	3.55
1916-17.. . . . .	147,631,941 38	3,745,790 90	2.54
1917-18.. . . . .	161,587,979 41	4,059,861 12	2.51
1918-19.. . . . .	158,138,377 34	4,274,792 89	3.13
1919-20.. . . . .	187,631,217 92	4,669,132 78	2.48
1920-21 (9 months).. . . . .	145,757,022 84	3,699,972 31	2.53

\* 9 months.

The following is a statement showing the percentage cost of collection of Inland Revenue for four years from 1917-18:

Inland Revenue Service			Percentage cost of Collection
Statement Showing the Cost of Collection			
Fiscal Year	Revenue	Expenditure	
1917-18.. . . . .	\$ 29,709,772 56	\$ 1,791,612 17	6.03
1918-19.. . . . .	42,287,741 45	1,386,942 35	3.21
1919-20.. . . . .	58,527,035 34	1,513,927 86	2.59
1920-21.. . . . .	115,469,042 79	1,937,679 94	1.68

[Mr. Wigmore.]

I think that is the information the hon. gentleman asked for in reference to average costs.

Mr. MORPHY: I should like a little information about the method of retirement of public officers in the different services. As I understand the matter, if A has been in the service for 10 years and 1 day and B has been in the service for 9 years and 364 days, they are treated in a totally different manner. If I am not misinformed, the minister's scheme of retirement is to give A, who has been in the service for ten years and one day, a retiring allowance for the rest of his life of one-third of his average salary for the last three years, while B, who has been in the service nine years and 364 days, gets out with a lump sum of \$1,000, and that settles him, though his service was within two days of that of the other man. If A was getting a salary of \$3,000 a year, he would draw \$1,000 a year for the rest of his life. He gets 10 per cent on \$10,000, while B gets 7 per cent on \$1,000, or \$70 a year for each year of his service. Notwithstanding that they have both served practically the same length of time, and that B may have been a much superior man, and much more attentive to his duties, he is told to get out on the bare sum of \$1,000, while A gets \$1,000 a year for life. I do not see how that basis was arrived at. It seems to me there should be some consideration to the public servant who has given ten years all but a day or so, that would be more equitable in comparison with his brother official who happens to have been two days longer in the service. I think that instead of there being an arbitrary line drawn, there should be a graduated scale, and I would like the minister to consider that suggestion so that we may have a scheme of retirement that will be more equitable to the man who has been a faithful public servant, but whose service did not happen to extend to the full ten years. An arbitrary rule of this kind makes for hardship to those who have not been in the service for a certain length of time.

Mr. WIGMORE: I understand that nine years and six months counts as ten years in calculating the retiring allowance, but the Minister of Immigration is more familiar with this Act, which, in fact, has been called the "Calder Act."

Mr. CALDER: That Act will be before the House very shortly, and I shall be very glad then to get the views of the committee on that very point. In the Bill that

was passed last year there was an arbitrary line drawn. It was considered that unless a man had been ten years in the service, and was over forty-five years of age, if I remember rightly, he was not entitled to an annuity. You must draw the line somewhere. If a man has had over nine years and six months in the service that counts as ten years, but are you going to provide that every person who is in the service shall be entitled to an annuity upon retirement, regardless of his length of service? While there may apparently be an injustice at the present time as between the man who has been nine years in the service and the man who has had ten years' service, if you drew the line further down, this same apparent injustice would exist as between the man who had had seven years' and the man who had had eight years' service, and between the man with six years' and the man with five years' service. If you are going to carry out the principle of equity all the way down, eventually you would have to give an annuity to a man who had been in the service only one year. We must draw the line somewhere.

Mr. MORPHY: Could not a graduated scale be worked out?

Mr. CALDER: What call is there upon the state to provide an annuity for the rest of his life for the man who has been three, or say four, years in the public service? I doubt if there is very much. We considered that a man should be at least ten full years in the service and be of a certain age before he was entitled to an annuity. I do not think we should delay these Estimates, because we will have a Bill before the House that amends the section in the Act relating to the annuity, and there will then be full opportunity to discuss the point raised by my hon. friend.

Mr. REID (Mackenzie): The minister has given the committee a great array of figures as to the cost of collecting customs revenue and inland revenue, but he did not say how he arrived at the percentage of cost. Has he taken into consideration, for example, rentals, depreciation of buildings, office furniture, and so on? In other words, has he computed his costs as they would be computed in the annual statement of a commercial company at the end of the year?

I notice also that the cost of collecting the inland revenue was reduced from 6.3 in one year to 3.21 the next, and to 1.68 in the following year. How does the minister

account for this reduction? If the cost keeps on coming down, he will soon be able to collect his inland revenue without any expenditure at all.

Mr. WIGMORE: The department at one time was responsible for Weights and Measures, Gas and Electricity, and Food Inspection, but these have been turned over to other departments, and that accounts for the reduction in our cost of collection. We have arrived at our percentage cost by taking the gross revenue and the gross expenditure, just as an ordinary company would.

Mr. REID (Mackenzie): Can the minister give details of his expenditure?

Mr. WIGMORE: It includes salaries, rentals, travelling and all other expenses in connection with the running of a department.

Mr. REID (Mackenzie): Have you regular fixed charges to meet, and has depreciation on office furniture, adding machines, and so on, been taken into account?

Mr. WIGMORE: We have simply taken the total expenditure and the total revenue, and have not gone into details of depreciation. The Customs Department, of course, rents a number of buildings. Particularly in the smaller ports we do not own the buildings.

Mr. SINCLAIR (Guysborough): A large number of the buildings in which the customs business is conducted not only in Ottawa but throughout Canada, belong to the Government, having been built by the Government for that purpose. Did the minister allow in his calculations anything for interest on the capital expenditure for these buildings?

Mr. WIGMORE: I am informed that no allowance has been made for that. As the hon. member knows, we rent a number of buildings, particularly in the smaller ports. We have not, however, taken into consideration any rentals to the Public Works Department.

Mr. EDWARDS: Is not the minister following in that respect exactly the same course which has been followed since 1867?

Mr. WIGMORE: Yes.

Mr. SINCLAIR (Queen's): In the amalgamation of the two branches of the department, what system has been followed in recognizing the seniority of the clerks in the two different branches, and who is responsible for that—the commission or the department?

[Mr. J. F. Reid.]

Mr. WIGMORE: The seniority is not affected by the amalgamation. We take into consideration length of service, merit, and efficiency.

Mr. SINCLAIR (Queen's): When you amalgamate the Inland Revenue with the Customs, are the two heads jointly in control of the amalgamated department?

Mr. WIGMORE: In many cases one or other of them is eligible for retirement, but that is a matter that rests with the Civil Service Commission.

Mr. REID (Mackenzie): How would it affect the cost of collection if the minister had to pay rent for the buildings he occupies free of charge, or, in other words, if the matter were put on a purely commercial basis?

Mr. WIGMORE: The present policy has been followed since 1895, and probably before that.

Mr. REID (Mackenzie): Would the minister follow this practice in his own private business? Is that a proper statement to make to the committee?

Mr. WIGMORE: It is a practice that has been followed since Confederation by all governments. Furthermore, it is the practice elsewhere.

Mr. REID (Mackenzie): The minister does not say whether or not he would follow this practice in his own private business. If there is to be any allowance made for rentals, it is purely a matter of book-keeping to ascertain how that would affect the cost of collections.

Mr. WIGMORE: We are simply following the practice that has been pursued since the first Government was formed. I have no doubt that a calculation could be made, taking average rentals into account, and adding the total to the cost of collection: but, as I have said, we are only following the course that has been pursued for years.

Mr. REID (Mackenzie): I do not wish to monopolize the time of the committee, but I do contend that even though previous Governments may have done as this Government is going, that is no answer to my question. We ought to know more approximately what is the actual cost of collecting the revenue.

Mr. MCKENZIE: Has the bonus been paid, to date, to the various officers to whom it was granted, and does it extend to the Outside Service?

Mr. WIGMORE: The bonus has been paid to all officers of the Outside Service who are considered full-time officers. There are some employed in the outports who are considered only part-time officers, and who, under the Civil Service Act, are not entitled to the bonus.

Mr. McKENZIE: Sydney is a large port with a considerable revenue. Are there any persons in that place who are not entitled to the bonus?

Mr. WIGMORE: All the officers at the port of Sydney are entitled to the bonus, with the exception of three men on the outside who are sub-collectors. These are: Joseph Orr, of Port Morien, who receives \$350 a year; Anthony McDougall, customs patrol officer, \$250, and Ephraim McGillivray, of Gabarouse, \$300. These are only part-time officers, and they receive no bonus.

Mr. McKENZIE: These places are outports. Gabarouse is a place forty miles from Sydney. It is a port on the Atlantic coast, and I am sure the officer there must be in attendance pretty regularly. I know the place very well, and I cannot see the justice of denying him the bonus. He had to go through the period of larger expense and harder times which other civil servants experienced, he gets the same salary he got before the war; and he ought to get the bonus. When the minister referred to "part-time" officers, I understood him to mean men temporarily employed; but these men in question are on the job all the time. They do not know the moment they may be wanted, and they must be constantly in attendance. In my judgment, therefore, they are not part-time, but full-time officers. The bonus, I understand, was given to supplement salaries during times of stress and high prices, and it was intended to take the place of permanent increases. I therefore cannot see the justice of depriving these men of the bonus.

Mr. WIGMORE: If these men were entitled to a bonus, the bonus would be larger than their salaries. The bonus for married men receiving certain salaries is \$420 a year. The mere fact that these men receive only \$250 and \$350 a year is positive proof that they do not give their whole time to the service, and are otherwise employed. The Civil Service Commission, therefore, has decided that such men are only part-time officers, and should not be given the bonus.

Mr. McKENZIE: That may be so, but a man should not be deprived of fair treat-

ment because it happens that because he has a small salary the bonus would be higher than his regular pay. If the bonus were adjusted on the basis of a percentage on the salaries that civil servants receive, no matter how small a man's pay might be, it would always be more than the bonus. I repeat that I do not see why these men should not be given the bonus. I understand that the bonus is based on a percentage of one's salary and in no instance could it be greater than the salary. I do not understand how that could be effected but perhaps the department has very little to say about it. Still, it is a matter which the department could bring to the notice of the Civil Service Commission. As I said before I always thought that these small-salaried officers were getting the benefit of the bonus. I now find that is not the case. That they could be away from their offices and do something else may be true; but they cannot be sufficiently far away from their offices at any time to prevent them from attending to their duties. I know a great many of these people; I know their situation and that their salary is small. Many of them only receive \$250, but they seem to be fond of getting Government money and they take these positions. There seems to be some lure about Government money that other money does not possess. My hon. friend will find, if he makes inquiry, however, that even in the case of the smallest of these ports ships are passing in and out all the time. I might take the Bras d'Or lakes in my own county—or take the port of New Campbellton. That is a small place with a very small population, but ships are passing back and forth there all the time and these vessels are obliged to enter inwards and outwards. Well, the officer must be on hand to see those entries. I think that when we are dealing with the betterment of salaries the officers with smaller salaries should be recognized just the same as the men who are paid larger stipends. It is, perhaps, too late now to deal with the matter, although it ought never be too late to rectify a wrong. If the proper treatment has not been meted out to these men all over the country in connection with bonuses, it should not be too late, even now, to readjust the matter and see that the right thing is done.

Mr. WIGMORE: There is no distinction in the matter of bonuses. Some of these men are receiving \$250 or \$300 and others as low as \$50 in salaries unless the bonuses

were on a percentage basis, or on a sliding scale, in many cases the bonuses would be larger than the men's salaries.

Mr. SINCLAIR (Guysborough): Coming back to the question of the cost of collecting the revenue, will the minister repeat the figures for 1920-21.

Mr. WIGMORE: The figures for nine months are all we have in the case of the Customs Department.

Mr. SINCLAIR (Guysborough): Well?

Mr. WIGMORE: The revenue was \$145,757,022.84 and the expenditures were \$3,699,972.31. The cost of collection was 2.53 per cent. We have the complete returns of the inland revenue for the year.

Mr. SINCLAIR (Guysborough): I want an explanation as to this Estimate which represents the customs returns for last year. The amount voted was \$6,653,108.25 and the appropriation not required amounted to \$400,000. Deducting the latter amount we have \$6,253,108.25. Now my hon. friend says we only spent \$3,699,972.31.

Mr. WIGMORE: We have only nine months returns in the case of customs and the full year for inland revenue. Last year the items were separate. This year, owing to the two departments having been consolidated, they are put in together.

Mr. SINCLAIR (Guysborough): I do not see how my hon. friend can make correct calculations for nine months and compare them with other full years. Am I to understand that we voted last year \$6,653,000 and that we only spent \$3,699,000, or about half the amount?

Mr. WIGMORE: Oh, no. I do not know how the hon. gentleman got those figures.

Mr. SINCLAIR (Guysborough): Where is the rest of the money?

Mr. WIGMORE: The figures I gave were for nine months of customs, and the hon. gentleman is comparing that with the full year of customs.

Mr. CALDER: I should judge that in the Estimates this year for comparative purposes they have gathered into the one item of six millions, the amounts that were separately voted last year for customs and inland revenue.

Mr. SINCLAIR (Guysborough): They appear in the same way this year.

Mr. WIGMORE: No.

[Mr. Wigmore.]

Mr. SINCLAIR (Guysborough): The figures given at page 65 of the Estimates for 1920-21 and 1921-22 do not seem to tally with my hon. friend's statement that he only spent a certain amount. I was going to ask him if all these expenditures are included in the statement of expenses which he gave. For example, the first item given on the page in question is:

Salaries and contingent expenses of the several ports in the Dominion, including pay for overtime of officers notwithstanding anything in the Civil Service Act—and temporary buildings and rentals.

The second item reads as follows:

Salaries and travelling expenses of Inspectors of Ports and of other officers on inspection and preventive service, including salaries and expenses in connection with the Board of Customs.

Then there are other items: "Miscellaneous," "To provide for expenses of maintenance of revenue cruisers and preventive service," and "Amounts to be paid to Department of Justice." In making up the gross total of expenses were all these items incorporated, including the money paid to the Department of Justice, the expenses of the revenue cruisers, and everything connected with the departmental expenditure?

Mr. WIGMORE: Yes, they were. If the expenditures for nine months of the year amounted to \$3,699,972.31 for customs alone, the other three months would bring the total up, figuring on the same basis, to \$4,933,296. Then adding the inland revenue figures it would augment the total to the amount that is asked for, namely, over \$6,000,000.

Mr. COPP: What was the amount for inland revenue?

Mr. WIGMORE: It was \$1,937,679.

Mr. SINCLAIR (Guysborough): The staff does not require to be very much larger to collect a greater amount than it does to collect a smaller amount. As far back as 1916 the cost of collection was down to 2.54 per cent and now although we are collecting a good deal more revenue we do not seem to be reducing the percentage very much.

Mr. WIGMORE: In view of the fact that all the services to-day—due to reclassification and the bonus paid—are costing a great deal more I think the showing is a very good one—in fact, in my opinion, it is a remarkable showing and one that the department should feel very proud of.

Mr. SINCLAIR (Guysborough): Is the minister making allowance for the amount that is paid out to retired officers? Are pensions and retiring allowances a charge upon the department?

Mr. WIGMORE: I could not tell the hon. gentleman just how much they would amount to.

Mr. SINCLAIR (Guysborough): No allowance has been made for that?

Mr. WIGMORE: No.

Mr. McKENZIE: I cannot get it into my head how it is that the bonus of any official would be more than his salary. On what basis is this bonus distributed?

The CHAIRMAN (Mr. Steele): May I draw the attention of the committee to the fact that there is another item which deals with bonuses, therefore a discussion of that question might be deferred until that item is reached.

Mr. McKENZIE: I wish to say a word or two with regard to the payments made for overtime. I have repeatedly brought to the notice of this department and of other departments the desirability of doing away with this system. It must involve a lot of extra time-keeping and book-keeping. I have suggested to ministers that they should see that whatever is fair compensation for this overtime work be added to the men's salaries, and so dispense with this tinkering. I have no specific charge to bring against anyone, but it is not well that people should be made their own time-keepers with no check over them at all, and certainly the system leaves the door open to dishonesty.

While the Minister of Immigration and Colonization (Mr. Calder) is in his seat so close to the Minister of Customs and Inland Revenue, I wish to point out some injustices which are operating under this overtime system. In North Sydney at the same landing place are stationed officers of the two departments, but only the customs officers get paid for any extra time. Why should they be paid overtime while the officers of Immigration and Colonization get nothing at all? There should be no discrimination. I hope the Minister of Immigration and Colonization will take notice of this condition of affairs so that I will not have to bother him when his own Estimates are before the committee. But I certainly say the same thing to my hon. friend in respect to his officials as I said to his colleague, that the salaries of these men should be increased so that they

may be called on for duty at any time. I think all round it would be much more satisfactory than the present system.

Mr. SINCLAIR (Queen's): Why is the overtime mentioned here as being paid "notwithstanding anything in the Civil Service Act?"

Mr. WIGMORE: I am informed it would be illegal to pay it without this proviso.

Mr. SINCLAIR (Queen's): The overtime is not allowed by the Civil Service Act?

Mr. WIGMORE: That is correct.

Mr. SINCLAIR (Queen's): This is a provision to get around the provisions of the Civil Service Act?

Mr. WIGMORE: Yes.

Mr. McKENZIE: What is the nature of the contract for the steamer used in the preventive service around the coast of Cape Breton? And what is the speed and size of that steamer?

Mr. WIGMORE: I suppose the hon. member refers to the Restless?

Mr. McKENZIE: I presume so.

Mr. WIGMORE: She is not paid from this vote.

Mr. McKENZIE: Is there any vote covering her?

Mr. WIGMORE: I am informed she is paid from the seizures fund. I will get information as to her speed and size.

Mr. McKENZIE: If the hon. minister would give me all particulars about the vessel I shall be obliged.

Mr. WIGMORE: I shall be very glad to do so.

Mr. SINCLAIR (Guysborough): Does the Inland Revenue Department collect any tax from printers for job printing?

Mr. WIGMORE: The inland revenue officers collect all sales taxes.

Mr. SINCLAIR (Guysborough): I received a complaint from a job printer who thought the amount charged by the Inland Revenue Department was excessive, in that most of his output was labour. For example, a job printer purchases \$100 worth of blank paper and puts his printers to work on it. He pays out, we will say, \$500 for labour, that being by far the largest part of the expense. When the percentage sales tax is levied upon the work he has to pay a tax on this labour, which he thinks was

not intended by the department, and that possibly some blunder must have been made by the officials. It did look to me reasonable that the printer should not be compelled to pay this tax.

Mr. CURRIE: I submit that is out of order. It comes under the Finance vote.

Mr. BALDWIN: How many years' service is required, in the Customs Department, we will say, to entitle a man to a pension? And must the service be continuous?

Mr. WIGMORE: Under what is known as the Calder Act he must have given ten years' continuous service before he becomes eligible for superannuation.

Mr. BALDWIN: Even if a man enters, say, at the age of twenty-one, he is entitled to superannuation at thirty-one?

Mr. WIGMORE: He is not eligible for superannuation unless he has given ten years' continuous service.

Mr. BALDWIN: But he is entitled to superannuation if he serves ten years?

Mr. WIGMORE: Yes, if 45, and recommended.

Mr. BALDWIN: You are superannuating rather young men.

Mr. SINCLAIR (Guysborough): In order that the minister may have the case properly before him that I mentioned a few minutes ago, I now have the particulars under my hand. They are as follows:

The Howard Smith Paper Company, manufacturers, of Montreal, sell the Maritime Paper Company, Moncton, one hundred dollars worth of paper and add an excise tax of one per cent, which they remit to the Government. The item reads: "Excise tax, one per cent, \$1." The Maritime Paper add a profit to the paper and sell it to the Eastern Publishing Company for \$120, plus excise tax of one per cent. This item reads: "Excise tax on \$120 at one per cent, \$1.20." The Eastern Chronicle Publishing Company apply to the paper only labour, amounting to \$500, and in turn sell the printed sheets to their customers for \$620, and the Excise Department says the tax in this instance must be two per cent. This we collect, and in turn it goes to the Government along with the previous taxes, the item in this instance reading: "Excise tax on \$620 at two per cent, \$12.40." Total taxes collected and paid, \$14.60.

How is it that in respect to an amount of paper on which there is an original tax of one dollar, when the job is finished and handed over to the customer there has to be paid to the Inland Revenue Department the sum of \$14.60?

[Mr. Sinclair.]

Mr. McGIBBON (Muskoka): I submit that this question is out of order. If we are to get away this summer at all we must keep the work in hand. There is legislation on the Order Paper under which this matter can be brought up.

Mr. SINCLAIR (Guysborough): We are voting the salaries of the Inland Revenue officers, and under that head it is quite within the rules to discuss anything relating to the Inland Revenue Department, unless the rules have been very much changed.

The CHAIRMAN (Mr. Steele): In discussing under this item taxes collected by the Inland Revenue Department, the hon. member would seem to be quite in order.

Mr. SINCLAIR (Guysborough): I think I am entitled to an explanation.

Mr. WIGMORE: Under an amendment introduced on May 10, if the job printer sells exclusively by retail on the order of the individual customer, he is not subject to the tax. He is in the same position as the tailor in that regard.

Mr. SINCLAIR (Guysborough): Then this tax should not have been collected from the job printer?

Mr. WIGMORE: It may have been before May 10, but if it was since May 10, then he was not bound to pay the tax.

Mr. SINCLAIR (Guysborough): Does the minister say that before May 10 the tax was collected?

Mr. WIGMORE: Yes, in every case.

Mr. McKENZIE: This is the only opportunity that we on this side have of making inquiry about departmental matters, and we should be permitted to ask a few questions. It is open to hon. gentlemen on the other side to visit the department and get information privately whenever they like, but members of the Opposition do not regard themselves as being in that position, consequently there must be some questions asked when the Estimates are being put through on these various subjects. It used to be the practice in the case of promotion for officers in charge to make the recommendation which, upon being approved by the deputy minister, might be granted. For instance, take my own home town of North Sydney. We have quite a number of officers there in the customs office who used to get increases of \$50 a year, more or less. I do not know whether they get any such increases now, but if they

do, by what machinery are they provided for? Now, that we are under the Civil Service Commission, what machinery takes the place of the old system of obtaining advancement for officers in the various departments?

Mr. WIGMORE: Under the classification these men receive certain statutory increases. That classification, of course, is prepared by the Civil Service Commission. I am surprised to hear the hon. member say that members on this side have received or do receive more consideration at the hands of the department than members on the other side. I want to say right here that it has been my great pleasure to take up hundreds of cases having to do with matters pertaining to my department and in which hon. gentlemen opposite were interested. The latch-string is always out so far as the obtaining of information is concerned, whether it is desired by hon. gentlemen on this side or hon. gentlemen on the other side. It is a real pleasure for me to give any information I can, irrespective of where the hon. gentleman sits who desires the information.

Mr. SINCLAIR (Queen's): This item provides for "pay for overtime of officers notwithstanding anything in the Civil Service Act." Are we to understand that the minister is asking permission to pay overtime which is forbidden by the Civil Service Act? If so, I think we should ask the minister how this overtime is made up. It relates, I assume, to the several ports and outports of the Dominion.

Mr. WIGMORE: No overtime is allowed under the Civil Service Act. This overtime allowance is given to men who are serving as baggage examiners on trains and steamers and who put in extra time in the performance of their duties.

Mr. SINCLAIR (Queen's): Was this done last year?

Mr. WIGMORE: It has been done for years. It would be hardly fair to ask these men to go on at eight o'clock in the morning and work until twelve at night without receiving extra pay. If the department did not carry on in this way it would mean the employment of an extra staff and consequent additional cost.

Mr. SINCLAIR (Queen's): I quite agree with what the minister says regarding those who put in overtime, but it seems strange that the statutes forbid any such payments as are here provided for.

Mr. WIGMORE: It is the only way we can provide for it.

Mr. SINCLAIR (Queen's): How much of this vote is taken up in overtime pay?

Mr. WIGMORE: The overtime pay for the last year was \$189,678.01.

Mr. TURGEON: I notice that there is an increase of \$129,000 in the whole of this item. Is that increase due to the amalgamation of the two departments?

Mr. WIGMORE: The increase is in respect of the two departments.

Mr. MCKENZIE: I did not notice until now this provision for the paying of overtime, contrary to the statute. Is it not strange that the Government should pass a law regulating the salaries of officials and what duties they shall perform, and then go on spending money irregularly, without authority, in a sense illegally, and afterwards come here with an Estimate of this kind in which Parliament is asked to override and overrule the general law of the Dominion? It strikes me as most extraordinary. I can understand this happening one year, or when the law came into force and this was not noticed and the amount was to pay for services that had been performed. But as to bringing down Estimates to pay for services of this kind that have been rendered since the law was changed, when every officer knows the law under which he is working and what that law allows—well, I certainly hope that this sort of thing will stop. The intention of this Parliament in passing the Civil Service Act was that we should at least save this money, because we did away with the power of departments to provide payment for overtime. Now we are dropping that idea, and we are still continuing to make these expenditures providing for them in this way. If this expenditure is to be made, let us amend the Act and make the expenditure properly and under statutory authority. This practice is improper, irregular, and it is one that should be avoided and stopped as quickly as possible.

Mr. WIGMORE: I am very much surprised at the statement of the hon. member, because he has been in this House for a number of years and I have been here only a few months; but I may point out to him that this very item was placed in the Estimates for the first time during the Laurier administration, and I cannot understand why at this late date the hon. member would speak against it. Prior to

that time the transportation companies paid the overtime of these officials, and I think the item at that time was well considered. By the way these men are not allowed any overtime until after they have served ten hours. The fact that the transportation companies paid this overtime practically placed these officials in the hands of the transportation companies, and I do not think that was a proper situation. The move made at that time was well considered and proper, and this is an item that should be placed in the Estimates. This practice has been continued from that time until the present, and I do not see any reason for changing it now.

Mr. McKENZIE: My hon. friend seems to find no wrong in overriding a statute; I do. I see the greatest possible objection. This House has solemnly placed upon the statute book an Act of Parliament regulating the department and the conduct of servants, regulating their hours and their pay, and saying that that will be their salary, no more, no less. I see the necessity of standing by such statutes once they are passed. Possibly the minister does not; possibly the minister thinks that they are just to be thrown aside and no attention paid to them at all except as they might meet the exigencies, whims, and convenience of the minister and his officials. If that is his view of an Act of Parliament, it is not mine. I have always had the greatest possible regard for an Act once it is passed, whether I supported it or not. I may say further to the minister, that in the days of the Laurier Government, the Civil Service Act did not apply to the Outside Service. The Civil Service Act as passed in 1908 had no application to expenditures in connection with officials at ports or any other place beyond the Inside Service. Even if it were so, even if in the days of the Laurier Administration the minister finds an irregularity, an impropriety, a misappropriation of money, and something done that should not have been done, does he take that as his gospel, and power, and right, to go on in perpetuity with that wrong? I would think that a minister or a member of Parliament, discovering that something had been done by a former minister that was not right or proper, would take the earliest opportunity of getting rid of it. I understand it is the position of hon. gentlemen opposite to hunt deliberately for something that was not right, if there was such a thing, and to make that a basis for the continuance of it for all time;—say: "That

[Mr. Wigmore.]

thing was done by the Laurier Administration and, therefore, it can go on forever."

Mr. MORPHY: Do I understand from the hon gentleman's statement just made that he alleges that there was misappropriation of money under the Laurier Administration in connection with the same item?

Mr. McKENZIE: I say nothing of the kind. I say that if there had been—and I do not think there was because there was no such law in force then as there is now—that is no reason or ground for the continuation of such an irregularity. The hon. member for North Perth (Mr. Morphy) is, I am sure, a stickler for regularity, and when there is a statute passed by this Parliament, I am sure the hon. member would like to have it complied with. If the Civil Service Act does not make any provision for overtime, let us put such a provision in it if necessary; but let us not go on in this way, obliging us from time to time to be tinkering with the Act by passing Estimates of this nature for which the general law does not provide.

Mr. MORPHY: Do I understand the hon. gentleman to apply the principle that a regular officer should not work overtime, if necessary to perform the service, and that a new staff should be appointed for the overtime service?

Mr. McKENZIE: The hon. member heard all that I said this afternoon. I said that the salary of the officer should be sufficiently large to command his time whenever he was wanted. He should be paid a sufficient amount for his regular hours and for these extra hours. It does not make it any easier for an officer to give his extra time because it is paid for as extra time; he must be on hand just the same. Instead of this being made a separate charge with separate book-keeping and time-keeping, an officer should be allowed a salary sufficiently large to enable us to command his service whenever we want him. That is the position I have always taken in this House. I never liked those extra charges and hours because, as I said this afternoon, there is an opportunity of irregularity and impropriety in connection with them. I do not think it is well that any man should be his own time-keeper and paymaster and have absolute control of what his time and salary shall be.

Item agreed to.

Salaries and travelling expenses of inspectors of ports and of other officers on inspection and

preventive service, including salaries and expenses in connection with the Board of Customs, \$621,380.

Mr. SINCLAIR (Guysborough): What is the explanation of the increase of \$77,805?

Mr. WIGMORE: This item is "Salaries and travelling expenses of Inspectors of Ports and of other officers on Inspection and Preventive Service, including salaries and expenses in connection with the Board of Customs", the vote for which in 1920-21 was \$543,575, made up as follows:—

Customs.....	\$500,000
Excise.....	43,575

The \$43,575 for Excise was made up of the following items, viz:—

Salaries of inspectors and to provide for increases.....	\$32,575
Travelling expenses, etc., for inspectors.....	11,000

The Estimate for the fiscal year 1921-22 shows an increase of \$77,805, of which amount \$54,497 represents salary arrears for 1920-21 due to reclassification, leaving \$23,308 covering an increase for the fiscal year 1921-22.

This latter amount is made up of the following items, viz:—

Statutory increases.....	\$13,780
Amount to provide for increased cost of travelling expenses and for employees relieving regular officers on sick leave with pay, and for promotions, etc.....	9,528
	<u>\$23,308</u>

Item agreed to.

To provide for expenses of maintenance of revenue cruisers and for preventive service, \$238,000.

Mr. SINCLAIR (Guysborough): Is the whole of this vote required in connection with cruisers?

Mr. WIGMORE: Yes.

Mr. SINCLAIR (Guysborough): That includes repairs?

Mr. WIGMORE: Everything.

Mr. SINCLAIR (Guysborough): There are several votes in the Estimates for repairing ships, and I wanted to know if this covered everything. What are the names of the cruisers?

Mr. WIGMORE: The Margaret operating in the Gulf of St. Lawrence; and the Grib, on the Nova Scotia coast.

Mr. SINCLAIR (Guysborough): Are there no cruisers on the Pacific coast or the Great Lakes?

Mr. WIGMORE: No.

Item agreed to.

Further Supplementary Estimates, 1920-21—Customs—To provide for expenses of maintenance of Revenue Cruisers and for Preventive Service—further amount required, \$45,000.

Mr. SINCLAIR (Guysborough): Has this money been already expended?

Mr. WIGMORE: Yes.

Mr. SINCLAIR (Guysborough): Under what authority?

Mr. WIGMORE: The money has not actually been expended, but these repairs have been made, and we are now asking authority to make the expenditure. The Margaret during the war was used by the Naval Service Department, and when she was turned over to us considerable repairs were necessary before she could be placed in commission. It was absolutely necessary to have her in commission before May 1, so these repairs were gone on with.

Item agreed to.

Main Estimates—Immigration and Colonization—contingencies in Canadian, British and foreign agencies and general immigration expenses, \$870,000.

Mr. SINCLAIR (Queen's): Will the minister explain the increase in this item?

Mr. CALDER: This vote covers our general expenses in connection with immigration work in Canada, the United States, and Great Britain. It covers such items as publicity, which includes advertising, printing, pamphlets, atlases, maps, magazine articles, and other items of that character. Our general printing, such as the printing of books, forms, cards, letter-heads, and so forth, is done through the King's Printer. Then we have contingencies and miscellaneous expenses. That covers special investigations, and the salaries and expenses of temporary employees engaged outside of Ottawa. I might give an illustration of the expenditure under that head. Last year when the rush of immigration was upon us, particularly from Europe, we were compelled to employ a fairly large number of temporary employees. Many of the immigrants were detained, and many were destined for the United States. It cost us just for that work alone in the neighbourhood of \$40,000 or \$50,000 for these temporary employees. This vote also includes the small bonus that is paid on certain classes of immigrants that heretofore came into Canada. I am very pleased to state that that bonus is to disappear on July 1 of this year. All the British dominions have agreed that hereafter no

bonus of that kind shall be paid, and I think myself that the time has come when it should be dropped. This vote also covers expenses in connection with the inspection of British immigrant children. Then we have certain grants payable to societies interested in British immigration and immigrant children. We have also our expenses at our seaport and inland agencies. At Montreal, for instance, Winnipeg and Vancouver, we have a building, offices and staff to maintain. This item covers the general expenses in connection with the maintenance of those offices. This vote also includes our expenditure in connection with deportation, which has been on the increase. Last year the amount expended was in the neighbourhood of about \$34,000. As I explained to the House earlier in the session, we have a fairly large staff at the ports of entry along the border and there are certain general and contingent expenses in connection with their work that comes out of this vote. There are also a large number of expenses in Great Britain and the United States, such as rental, fuel, light, postage, telegraphs, travelling expenses, stationery, and so forth, which are covered by this vote.

That will give the committee a general idea of the class of expenditure under this vote. So far as the increase is concerned, we found it almost impossible to carry on our services last year on the vote we had asked for of \$770,000. That is accounted for very largely, in the first place by the increased railway fares in England, and in the United States as well as in Canada;—our men do a considerable amount of travelling. There has been a large increase in travelling expenses, apart from railway fares. The cost of living has increased, and if our men are to do any travelling, their expenses in that direction must necessarily be greater than before. There is also a general increase in supplies of materials of every kind. For example, the printing of our forms and literature, and everything of that kind, costs a great deal more than formerly, and advertising has increased considerably. So that, if we are to maintain the service at all, it is necessary to provide the increase here set out. I have carefully gone over all the items in detail with the officers, and unless this amount is voted, we shall have to curtail our services to a great extent.

Mr. SINCLAIR (Guysborough): The minister has already been voted \$82,000 for Contingencies. It seems to me that the

[Mr. Calder.]

items he now describes are included in contingencies.

Mr. CALDER: That is for the Department of Health, which is an altogether distinct department from Immigration.

Mr. LEMIEUX: Although there is no immigration to be expected immediately from Belgium, in the years to come there will be an excellent class of immigrants, especially farmers and gardeners, whom we may secure from that country. Gardeners are very much needed around the large cities like Winnipeg, Toronto, Montreal, and Ottawa. Wherever you find a Belgian, you find an excellent gardener, and although the Belgian Government is averse just now to letting any nationals leave that country, yet we have in that country many openings in the matter of immigration. From the trade point of view, also, I think we ought to have some sort of representation there. When I went to Brussels the last time, I found that the office maintained by the province of Quebec in that place was practically the office of Canada. The agent there is very alert and bright. Mr. Langlois, formerly a journalist of note in this country, of the province of Quebec, has really made a name for Canada in Belgium. He has popularized this country over there. I understand that if he were allowed to add to his sign the name of Canada, in addition to that of the Government of Quebec, this country would be greatly advantaged. I have personal knowledge that ministers of the Crown in Brussels have called on Mr. Langlois and have also sent for him, and in divers ways he has helped the Canadian Government in the work of preventing people from bringing the good name of our country into danger through more or less hazardous propositions. Indeed, he is an excellent go-between as regards the Canadian and Belgian Governments. Would not my hon. friend, under those circumstances, give him some status? I understand that he does not expect any stipend from the Government; he is quite willing to give his services freely, provided he is given a status as Canadian representative in Brussels.

Mr. CALDER: At the moment, I can see no objection at all to that. I have met Mr. Langlois, and I know that he is a very efficient and capable official who has an excellent standing in Belgium. I am quite sure he would be able to give very valuable service to this country, as suggested by my hon. friend.

Mr. LEMIEUX: He publishes the only Canadian journal on that continent, a very interesting journal called "Canada Belgique," printed in French, which is the most familiar language on the continent. Since the war, I know that big firms in this country, in Toronto, Winnipeg and Montreal, have utilized his services in placing very large orders. Any hon. member who refers to the big firm in the West of Pat Burns, will find out what service Mr. Langlois has been to this country. He has advertised Canada while discharging his duties as representative for the province of Quebec. His paper is typically Canadian and speaks for Canada, and altogether he is a deserving official.

Mr. CALDER: I shall be glad to take the matter up. At present I cannot see any objection to, but rather many reasons for, an arrangement of this kind. I feel certain he could be of real service.

Mr. McKENZIE: What is the \$8,000 for?

Mr. CALDER: This is for salaries of officials in the United States. There are other items for salaries in Canada and in Europe.

Item agreed to.

Exhibitions, \$90,000.

Mr. LEMIEUX: Are these the usual exhibitions?

Mr. CALDER: Yes.

Mr. LEMIEUX: Who is in charge of these exhibitions?

Mr. CALDER: The Minister of Agriculture (Mr. Tolmie).

Mr. McKENZIE: Is not that a matter for the Agricultural Department?

Mr. CALDER: All exhibition work was transferred from the Agricultural Department to the Department of Immigration two or three years ago.

Mr. SINCLAIR (Guysborough): What is the reason for the increase of \$10,000?

Mr. CALDER: It is due to cost of material, travelling expenses, freight, express, etc., which have all gone up. As a matter of fact, if we are to carry on the work with any degree of efficiency, we shall require all that we ask for. We might as well drop the work if we do not do it properly. This vote has been cut to the bone. Personally I would prefer to give it up altogether unless we are going to make something like a reasonable showing in carrying on this work.

Mr. LEMIEUX: I would be very sorry to see the exhibits—and I have special reference to the one in the Immigration Office at Charing Cross, London—given up. You can always see a large crowd of people admiring the fruits and the various displays that are exhibited there. I think that exhibit is attractive and helpful.

Mr. COPP: What kind of exhibits are shown?

Mr. LEMIEUX: Canadian exhibits.

Mr. CALDER: Many agricultural products and occasionally a few minerals, including coal. The exhibits are very seldom manufactured articles, and are mostly products illustrating our natural resources. Usually they are small exhibits, window displays, that we have at our offices in the United States and in Great Britain. We have an exhibit, to which the hon. member for Maisonneuve has referred, at Charing Cross, London, and the articles are changed from time to time.

Mr. COPP: But the exhibits are continuous?

Mr. CALDER: Yes. We have arranged now so that in future there will be probably three or four changes during the year. It is really amazing the number of persons who take a very great interest in these exhibits and how they draw people to our offices. Personally I think this is a very good work. For the present we cannot expect to receive many immigrants, or say in the course of this year, but the time is coming when we will. We are doing educational work now which will have its effect in the years to come.

Mr. MACLEAN (York): Will the minister say what plan he has in view for co-operation between our national railways, and the Department of Immigration in order to bring immigrants to this country who will be desirable settlers? I believe the national railways will be a larger means for assisting in the location of immigrants in our new country in the West than heretofore has been the case. The minister ought therefore to frame, in conjunction with the railway management, a new and broader policy for the location of new settlers upon the land in the West. The Canadian Pacific railway has been doing that successfully in the past, and there is no reason why a still more progressive programme in that direction should not be inaugurated between the Immigration Department and the management of our national railways. What we want

in this country is to divide the per capita cost of carrying the expenses and the more people we bring in the sooner we will be able to overcome the high taxation that now prevails—the carrying of the cost will be shared by a greater number of people. In view of the fact that we now have a national system of railways, and that there is a lot of unsettled land in the West which is served by those railways, I am quite confident that a much broader system of co-operation between the two bodies that I have referred to would result in many desirable immigrants coming to this country and settling on those lands.

Mr. CALDER: I may say just a word or two in reply to the hon. gentleman. We have had a number of conferences during the course of the past year or two with the railway companies, all the railway companies, in fact, in reference to that problem, and we have been endeavouring to arrange all our work so that there shall be as little overlapping as possible and better co-operation. In addition to that, during the course of the last few weeks, largely on account of the discussions that have taken place in the House, I have arranged for a conference to be held some time during the month of June. I am hoping that at that conference representatives of both the Ontario Government and the Quebec Government will be present with a view to seeing whether or not practical steps can be taken in connection with the colonization of the hinterland of both Ontario and Quebec, and it is quite likely that we will have present representatives of the railway companies.

Mr. MACLEAN (York): How I would like to ask the minister another question that came up in the special committee during the consideration of the position of the national railways. It was disclosed there that in addition to the railways we now have a system of telegraphs, and the evidence came out that private companies get the preference in the matter of Government business. I would like to ask the Minister of Immigration, who is a great friend of the national railways whether, in his department, he gives as much Government business as he possibly can to the national railway and telegraph line? I am going to ask the same question of other ministers in this House, and I hope the question will reach the ears of the Prime Minister (Mr. Meighen) himself. I see the Minister of Public Work (Mr. McCurdy) here, and I hope he will take note of the matter. There

[Mr. W. F. Maclean.]

is urgent necessity that all the ministers should give as much of the departmental business to the national railways and telegraphs, as possible. The same applies to the national express business. I hope that next year when ministers are putting their Estimates through, they will be able to tell us they have done their best for the national railways, and telegraphs, and express service in this respect. I am making no reflections on the Canadian Pacific or any other railway company; but it is time, after what we heard in the committee, that the attention of the ministers was publicly drawn to the apparent discrimination displayed in some of the departments in favour of private companies and against the national railways and telegraphs, and to that extent not showing the co-ordination in the departments that there ought to be in this particular matter of expenditure.

Mr. SINCLAIR (Queen's): Do I understand that this item provides only for permanent exhibits in immigration offices outside of Canada or does it include exhibits of a more temporary character at fairs and the like?

Mr. CALDER: It applies very largely to the latter. We have practically no permanent exhibits. An exhibition of the class covered by this item is from its very nature not permanent. The material that is used will only last probably six or eight months, or a year or a year and a half at the outside, and then the exhibit must be replenished. So we have nothing in the nature of permanent exhibits of that class. We have these window exhibits in our offices in Great Britain and in the United States, and they are changed from time to time, because an exhibit that stands in a window for three, four or five months, particularly at a point like Charing Cross in London where people by the thousands are passing every day, needs to be changed in order to maintain its attractiveness. In addition to that, I may say that the major portion of this expenditure is in connection with state or county fair exhibits in the United States, I may say that the major portion of this expenditure is in connection with state or county fair exhibits in the United States, and with what they call "the one-day farmer shows" in Great Britain, where one of our agents will go out to a country point and will have a small exhibit and put up his signs for the purpose of attracting a crowd. Now the exhibit that is used there is very small but our men contend

there are hundreds of these one-day shows during the course of the year in Great Britain. It can therefore be understood that in order to carry on this work some thousands of dollars are needed to provide the necessary material.

Mr. SINCLAIR (Queen's): Is there any amount incorporated in this vote for the exhibition of the poultry products of Canada at the Congress that is to be held at the Hague in September of this year?

Mr. CALDER: That would be an agricultural exhibit, and the vote for it would not find a place here.

Mr. SINCLAIR (Queen's): What is the difference between the two class of exhibits then?

Mr. CALDER: If any exhibition of that kind has been arranged for I have not heard of it at all. Certainly this item does not cover any exhibition of that class.

Mr. SINCLAIR (Queen's): I am informed that the exhibition alluded to is an international affair and that all countries will be represented at it. I understand also, that there is to be an exhibition of poultry products as well as a conference of international instructors on poultry.

Mr. CALDER: Well, I know nothing about it.

Mr. SINCLAIR (Queen's): Has the Government received no intimation that this exhibition will be held?

Mr. CALDER: It never came to me. I have not heard anything about it myself.

Item agreed to.

Chinese Immigration—salaries and contingencies, \$32,000.

Mr. McKENZIE: What is the present situation in regard to Chinese immigration?

Mr. CALDER: At present we have an exclusion order in operation in British Columbia against the entrance of both skilled and unskilled labour at seaports and at one or two railway ports very close to the sea. That order has been in operation for a year, due to the fact that labour conditions in that province have been more accentuated than probably in any other part of the Dominion, and is effective in excluding persons of the Chinese race belonging to those classes, but it would not apply to merchants, students and travellers. As I explained the other day in dealing with the Bill to amend the Chinese Immigration Act, during the year many Chinese entered

Canada under the guise of students and merchants. That now has all been stopped as a result of the steps that have been taken.

Mr. McKENZIE: We have a few very good Chinamen in my part of the country, and some of them come to me and ask when relatives of theirs, young people like themselves, can come to Canada. Under this order they cannot come at all?

Mr. CALDER: If they came in at the Atlantic ports they could enter.

Mr. McKENZIE: This exclusion applies only to British Columbia?

Mr. CALDER: That is all.

Mr. CHISHOLM: Is it correct to say that Chinese can enter Canada on the east but not on the west?

Mr. CALDER: Yes.

Mr. CHISHOLM: What will prevent them coming in by the eastern ports and going to the West?

Mr. CALDER: Inconvenience and cost more than anything else.

Mr. CHISHOLM: That is an extraordinary regulation.

Mr. CALDER: If they came in that way in large numbers we might find it necessary to put an exclusion order in force there.

Mr. McKENZIE: At our eastern ports there is no exclusion order in effect at all?

Mr. CALDER: None.

Item agreed to.

Supplementary Estimates—Department of Immigration and Colonization—contingencies—further amount required, \$10,000.

Mr. McKENZIE: I do not know why the department of my hon. friend has spent \$10,000 without the authority of Parliament. I think it had better stand over until to-night.

At Six o'clock the committee took recess.

### After Recess

The committee resumed at Eight o'clock.

Railways and Canals—loan not exceeding \$89,687,633.39 repayable on demand with interest at the rate of six per cent per annum, payable half-yearly, to be used (where amounts available from net operating earnings may be insufficient) to meet expenditures made or indebtedness incurred at any time by or on behalf of the Grand Trunk Railway Company of Canada or any company comprised in the Grand Trunk Railway System (excluding herefrom, however, expenditures or indebtedness incurred

by or on behalf of the Grand Trunk Pacific Railway Company except as specifically provided in item (f) hereof) on any of the following accounts:—(a) operating deficits, (b) acquisition of property, materials and supplies, (c) interest on notes, securities or obligations, (d) the principal and interest of maturing or matured loans, secured or unsecured, (e) construction and betterments, (f) guarantees by the said Grand Trunk Railway Company of securities of the Grand Trunk Pacific Railway Company, such loan to be secured by mortgage or mortgages upon the undertaking of the Grand Trunk Railway Company of Canada on such terms and conditions as the Governor in Council may approve. The loan or assistance herein authorized may be made in cash or by way of guarantee, or partly in cash and partly by guarantee, in the discretion of the Governor in Council. Any guarantee from time to time given under the authority herein may be of the principal and interest of the notes, obligations or securities of the Grand Trunk Railway Company of Canada, and may be signed by the Minister of Finance, on behalf of His Majesty, in such form and on such terms and conditions as the Governor in Council may approve, \$89,687,633.39.

Mr. CANNON: These amounts are referred to as loans. The Government have taken over these railways; how can we lend money to ourselves?

Hon. Mr. REID: The Canadian Northern Railway system is under charter as a private corporation. Of course, this would be a loan to the Canadian National Railways when the Act dealing with the Canadian National Railways comes into force.

Mr. CANNON: Does the minister contend that we are lending this money to the old companies? Those old companies have passed out of existence and the railways are now under one management.

Hon. Mr. REID: No; the companies are always kept alive. There will be subsidiary companies of the Canadian National. For instance, there are a number of subsidiary companies in the Canadian Northern system; they are all kept alive, but the stock is held by the parent company.

Mr. CANNON: Have all these companies different directorates, or do they come under the directorate of the Canadian National Railway system?

Hon. Mr. REID: Each has its own directorate, but it is usually the same as that of the parent company. For instance, the directors of the Canadian National railways would be the directors of the Canadian Northern.

Mr. CANNON: All the directors are the same for all the companies, and they are the directors who were appointed by the Government the year before last?

[Mr. McKenzie.]

Hon. Mr. REID: The directors who were appointed by the Government a couple of years ago for the Canadian Northern are still directors of the Canadian Northern, but when we bring the Act respecting the Canadian National Railways into force we shall appoint directors of the Canadian National. As a rule the directors of the Canadian National will be also directors of the subsidiary companies, though it does not necessarily follow that they would be the same. In fact it might not be possible to have them the same in the case of some of the subsidiary companies. You might require American citizens on the directorates of some of the companies in the United States in order to keep them alive.

Mr. CANNON: What we are asked now is to lend \$89,000,000 to the Canadian Northern and a few other companies. How can we lend money to ourselves? It is the same as if I were to say that I could lend money to myself. These companies are national property.

Hon. Mr. REID: We own the stock of the Grand Trunk Railway Company, and for the money we advance to that system for further improvements or on capital account we take security on the system itself.

Mr. CANNON: But if we own the stock we own the company.

Hon. Mr. REID: Yes.

Mr. CANNON: As I understand it, in these companies there is debenture stock guaranteed by immovable property that the company happens to own, and there is common stock. In most of these railway companies the common stock is not worth anything, so we take over not the common stock but the debentures. Now, can we lend an additional \$89,000,000 to these companies? What guarantee have we for its reimbursement?

Hon. Mr. REID: Well, if \$50,000,000 is put into the company, of course it increases its value to that extent. For the money advanced the Government must take security on the railroad.

Mr. CANNON: But the minister is not answering my question. What is our security for the \$89,000,000, and how is it made up?

Hon. Mr. REID: The security will be by way of mortgage on the road. Of course, it will rank after the other securities that are ahead of it.

Mr. CANNON: How can a man be at the same time the owner of a property and the mortgagee creditor? That is a legal question that I would like the minister to answer.

Hon. Mr. REID: I would not attempt to answer legal questions; the hon. member himself, being a prominent lawyer, should understand that without asking me. But if he owned all the shares of any private company, is there any reason why he could not lend that company money and take security by way of mortgage on the property of the company?

Mr. CANNON: Any one who did that would be securing himself out of his own property.

Hon. Mr. REID: Well, if the property is increased in value to the extent of the advance—

Mr. CANNON: That is his profit.

Hon. Mr. REID: No, it is money advanced for the purpose of extension of lines or to pay liabilities against the company.

Mr. CANNON: What is the period of that loan? When are we to be reimbursed?

Hon. Mr. REID: It will be on demand.

Mr. CANNON: That is very vague. Does the minister mean that a month from now or a year from now the Government may ask the company to reimburse the amount loaned?

Hon. Mr. REID: It will be a demand mortgage or loan. If it is in the interest of the Government or of the country to demand it in a month or in a year, or whatever time it may be, they will call in the loan.

Mr. CANNON: What rank will this mortgage hold? Will it be a first or second or third mortgage?

Hon. Mr. REID: All the securities that are against the road up to date—and they have been given to the House—of course rank first. This will be the last.

Mr. CANNON: Therefore, as regards priority, we are going to be the very last, and seeing that these companies were taken over by the Government because they could not meet their liabilities, our mortgages are worth nothing. What is the use of saying that this is a loan?

Hon. Mr. REID: The arbitrators will decide whether they are worth nothing or not. If the arbitrators in regard to the

Grand Trunk decide that these are worth nothing, they will not ask the Government to pay anything; but if they decide that the Government shall pay a certain amount annually, or a certain amount for the equity the Government have, the liabilities that are against the road up to that time will be good.

Mr. CANNON: Why should the Government not take this attitude which, I should think, is far more reasonable? Why cannot the Government deduct from whatever award is given by the arbitrators the amount of this loan? Then we would have a chance of getting our money back; otherwise we have not. We are lending now \$89,000,000 to this railway and we have absolutely no security. The minister stated a minute ago that our mortgage is the very last one. These companies were taken over because they could not pay their creditors, and if they could not pay their creditors before this loan was made, how can we get paid ourselves? Why should the Government not make with the company an arrangement that there shall be deducted from whatever the arbitrators award the company the amount of the loan? If the arbitrators decide that we owe the company for the whole of the property, \$100,000,000, we will pay them only \$11,000,000, because we are lending them \$89,000,000. Has the minister any intention of putting up that proposition to the company?

Hon. Mr. REID: The arbitrators will decide the award taking into consideration the \$89,000,000 that must be advanced to the Grand Trunk Railway system.

Mr. CANNON: Does the minister declare under his authority that when the award takes place, these amounts which are being voted now will be taken into consideration and deducted from the amount? Does the minister declare that in his official capacity and under his authority as a minister of the Crown?

Hon. Mr. REID: The award is given as of the date that we took the road over.

Mr. CANNON: That is not what I am asking the minister. The minister, a moment ago, stated that when the arbitrators give their award, the amount which we are voting now will be taken into consideration. I am asking him to repeat that statement as a minister of the Crown, and to tell the committee and to the country that when the final award is given, these amounts which we are voting now will be

considered and, therefore, deducted from whatever sum the Government will be called upon to pay to the shareholders of the Grand Trunk.

Hon. Mr. REID: The arbitrators will decide the award with reference to the condition of the company on the day that we took it over. If any of the amounts are in this statement of \$89,000,000, they will be considered. If not, then, of course, they are liabilities that have been incurred since and they will not be taken into consideration.

Mr. CANNON: When was the company taken over by the Government?

Hon. Mr. REID: In February of this year.

Mr. CANNON: Therefore, this money being voted in May will not be considered.

Hon. Mr. REID: I do not know that I can make the matter any plainer. I say that the arbitrators will decide the amount that we have to pay as of February, the date that we took the railway over. Any of the amounts that we must now assume of the \$89,000,000 that were due on or prior to that time will be considered; any liabilities since will, of course, not be taken into account in the award.

Mr. CANNON: The minister understands exactly what I mean, and it is very easy for him to give an answer. I may state right now that I shall have the answer no matter how long it takes to get it. The minister has his officials beside him; he has the Minister of Marine and Fisheries (Mr. Ballantyne) sitting at his helm, a very able minister. I am going to have an answer, and the minister owes that answer to the country. The minister a moment ago stated from his seat that this amount of \$89,000,000 was to be considered by the arbitrators. He stated that most expressly, leaving no doubt in the minds of whoever heard the statement. Now, the minister is saying that the arbitrators will consider only the liabilities or assets of the company as they existed between the Government and the company itself on February 1 of this year. We are voting on May 30, \$89,000,000. Will this \$89,000,000 be considered by the arbitrators? Have we a ghost of a chance of getting our money back? That is what I want to know and that is what the people of Canada are entitled to know. The minister is in a position to give the information, and if he does

[Mr. Cannon.]

not want to tell the committee, that is probably for the reason that he would as well the committee did not know.

Hon. Mr. REID: Anything I know, I am prepared to tell the committee, and the insinuation was a mean one for the hon. member to make. I am prepared to give any and every answer I can, no matter what the hon. member states. I want to repeat again: Any items in the Estimates that were due or owing when this Government took over the Grand Trunk, will be considered by the arbitrators in making their award. Any item of expenditure since that time, will, of course, not be considered by the arbitrators.

Mr. CANNON: Will the minister state to the committee now, out of this sum of \$89,000,000 what are the items which will be considered and what are those which will not be considered? What ones were owing on February 1, 1921? What do they amount to?

Hon. Mr. REID: I will give the hon. member the items that go to make up the \$89,000,000.

Mr. CANNON: That is not what I am asking for. I do not want the minister to be under any wrong impression. I want the minister to state openly and frankly to the committee what amounts out of the \$89,000,000 were expended prior to February 1, 1921, and, therefore, will be considered by the arbitrators when they make their award. I do not want the items comprising the \$89,000,000.

Hon. Mr. REID: The Government took over the railway about February, 1920, a year ago last February. These are the items that the arbitrators would consider because they were prior to that time:

Current and overdue working liabilities, net.. . . . .	\$14,589,433 09
Pay rolls.. . . . .	4,773,726 25
Sinking fund.. . . . .	500,000 00
Retirement of capital obligations.. . . . .	24,765,713 31
Bank overdrafts.. . . . .	5,404,520 03

Those are the items that my deputy has marked as being due prior to the time we took over the railway.

Mr. VIEN: Were the items my hon. friend has just read the only ones due at the time of the taking over of the railway?

Hon. Mr. REID: Those are the only ones my deputy has marked as being due at that time by the Grand Trunk Railway. The other items would be since then.

Mr. VIEN: Then those items are the only ones which the arbitrators will take into account when giving their award?

Hon. Mr. REID: Yes.

Mr. VIEN: Would the minister give us a detailed statement of the various items which are covered by the \$89,000,000, as shown in the Estimates under the heads (a) (b) (c) (d), and so on? I would like the amounts under each of those heads.

Hon. Mr. REID: What I would have to do would be this: Give the other items that go to make up the total.

Mr. VIEN: It is not necessary, because I can easily deduct from the \$89,000,000 the amount the minister has given. The minister can go on with his statement.

Hon. Mr. REID: I have read five items. The items since then are:

Rentals.. . . . .	\$ 1,292,093 45
Interest.. . . . .	20,304,328 74
Operating deficits on subsidiary lines.. . . . .	3,029,658 75
Capital expenditure.. . . . .	12,150,073 00
Cash requirements of Grand Trunk in the United States.	4,235,370 55

Mr. VIEN: What are those requirements? Are they for capital expenditure or to cover operating deficits?

Hon. Mr. REID: Part of it is capital. I will go on with the statement:

Discount on "F" equipment trust notes to be paid.. . . . .	\$1,002,000 00
Items paid out of special fund, Department of Railways and Canals, since the 1st of the year, or to be paid, not provided in above.. . . . .	1,092,437 09
Additions to fuel stocks.. . . . .	2,500,000 00
Locomotives.. . . . .	3,917,000 00

Those items I have mentioned, and the five I have already given, make a total of \$99,656,354.26. Towards meeting that amount the Grand Trunk have the following:

Cash available December 31, 1920.. . . . .	\$ 8,313,793 12
Overdue traffic balances and accounts collectable.. . . . .	3,331,628 47
Due on account from the United States Government.. . . . .	5,000,000 00
Net return from operations, less taxes.. . . . .	12,892,679 00
Other income.. . . . .	2,501,700 28
Total.. . . . .	\$32,039,800 87

If you deduct that from the \$99,656,354.26, it leaves a total of \$67,616,553.39, that must be advanced to the Grand Trunk Railway. Then we add to that, Grand Trunk Pacific guarantees amounting to

\$22,071,080, making a total of \$89,687,633.39.

That is the statement that was furnished the department signed by Mr. Frank Scott, first vice-president and financial comptroller of the Grand Trunk Railway.

Mr. MURPHY: Will the minister explain what the \$5,000,000 is for that he mentioned as being due by the United States Government to the Grand Trunk Railway?

Hon. Mr. REID: The United States Government agreed to pay the different railways it took over a certain amount to meet interest and guarantees. That \$5,000,000 is owing by the United States Government to the Grand Trunk Railway, and Mr. Kelley told me there was no question but that when the vote went through at Washington all the railways would be paid the amounts that had been decided on by the United States Government for each railway.

Mr. MURPHY: Is that one of the results of the United States Government taking over the railroads?

Hon. Mr. REID: The United States Government lost a good many hundred thousand dollars, or rather, the railways did, and the Government agreed to make these amounts up and also to pay interest and other liabilities. The United States Government is liable for this \$5,000,000 as regards the Grand Trunk.

Mr. MURPHY: Is that the debt that accrued during the time that the United States Government had charge of the road?

Hon. Mr. REID: That was the time. I have given the figures showing that \$89,687,633.39 must be advanced to the Grand Trunk and the Grand Trunk Pacific in order to meet the liabilities I have mentioned.

Mr. CANNON: How much did we advance last year?

Hon. Mr. REID: \$25,000,000.

Mr. CANNON: Does that include all our railways?

Hon. Mr. REID: If I remember rightly, \$50,000,000 was advanced to the Canadian Northern System, and I think that included the Transcontinental and the Intercolonial. Then \$25,000,000 was advanced to the Grand Trunk, making a total of \$75,000,000 advanced last year.

Mr. CANNON: What is the total owed by the railways to the Government to date?

Hon. Mr. REID: My deputy will look up that information. I suppose my hon. friend means the amount guaranteed by the Government, which would be the same thing.

Mr. CANNON: How much has been advanced by the Government to the railways, and how much has been guaranteed by the Government?

Hon. Mr. REID: It is all in the Public Accounts; I will get the accounts.

Mr. COPP: Is the \$5,000,000, which the minister speaks of as being due to us by the United States, already settled, or is it only a claim?

Hon. Mr. REID: The Grand Trunk claimed very much more, but Mr. Kelley says that we are safe in including that amount in the statement. When he handed us the statement signed by Mr. Scott he assured us that we could rely on that amount.

Mr. MURPHY: In the meantime, it is just an Estimate?

Hon. Mr. REID: Yes.

Mr. CANNON: Some time ago the minister gave us a statement showing that \$47,000,000 was considered by the arbitrators as covering expenses incurred previous to February 1, 1920. What was done with the \$25,000,000 voted last year?

Hon. Mr. REID: It was used for the general purposes of the company.

Mr. CANNON: That will not satisfy me at all.

Hon. Mr. REID: Well, I will make a memorandum of the question, and get the information at the next meeting.

Mr. CANNON: I want it now; the minister ought to know.

Hon. Mr. REID: If I had the details I should be glad to give my hon. friend the information now. However, I will get it for him; there is no doubt about that.

Mr. CANNON: I want the minister to understand that there is to be no mistake about that. I want to have the information, and I want it now. We understand that Parliament will prorogue pretty soon, and the minister has a happy knack of deferring things until "next week," and "the next meeting," and so forth. I want the [Hon. Mr. Reid.]

information at this present sitting of the committee.

Hon. Mr. REID: I have not got it here, but my deputy will get it later in the evening.

Mr. CANNON: I do not understand how the minister can come before this committee, ask the people's representatives to vote \$89,000,000 and not be in a position to give such elementary information as I ask for now. What was done with that \$25,000,000 last year?

Hon. Mr. REID: I have given the details of the \$89,000,000.

Mr. CANNON: It ought to be harder for the minister to give information as to what might be spent next year, or during the current year, than to tell me what was actually spent last year. I trust that the minister is not allowing these millions of dollars to be spent without any knowledge as to what disposition is made of all this money.

Hon. Mr. REID: I said I would give the information later on; I cannot do more than that.

Mr. CANNON: How much of the \$25,000,000, voted last year, was taken towards the payment of this \$47,000,000 which the minister has mentioned?

Hon. Mr. REID: None of it. This is all required this year, in addition to the \$25,000,000 voted last year.

Mr. CANNON: So that last year we voted \$25,000,000 to cover a deficit, and in addition to that there was a deficit of \$47,000,000?

Hon. Mr. REID: There was no deficit of that kind.

Mr. CANNON: It is obvious there was a deficit of \$72,000,000 last year, and the minister told us at that time that it was only \$25,000,000. This is a most extraordinary state of things. I do not know whether the Government supporters will be satisfied with the situation, but we, on this side, certainly are not; and so far as the country is concerned, my hon. friend, the Minister of Marine (Mr. Ballantyne), who is present, knows the feeling of Quebec since last Saturday. We have an actual deficit of \$72,000,000, and last year the minister told us it was \$25,000,000. That gives us an idea of what the true situation may be this year.

Hon. Mr. REID: We did not have a deficit of \$72,000,000. The amount ad-

vanced to the Grand Trunk Railway was not to meet a deficit last year.

Mr. CANNON: What was it for?

Hon. Mr. REID: It was to take care of liabilities that were falling due; it was not for a deficit at all.

Mr. CANNON: When a man cannot meet his liabilities, he has a deficit.

Hon. Mr. REID: The Grand Trunk system alone earned during the past year within \$4,000,000 or \$5,000,000 of the amount necessary to pay the interest on the debenture stock.

Mr. CANNON: What I want to know is very easily got at. Last year we voted \$25,000,000. What did we do with that? That is all I want to know, and it is not a hard question to answer.

Hon. Mr. REID: I must repeat what I said a few moments ago. My deputy has gone to get the information; he says he thinks he can get it in a few minutes. I cannot do more than that, and I shall have to ask the committee to let the question stand for a short while until the deputy minister returns.

Mr. CANNON: I do not want to be discourteous to the minister, but I think it is a most extraordinary spectacle for a minister of the Crown to ask the committee to vote \$89,000,000, and not to be in a position to tell us what was done with \$25,000,000 which was voted last year. If the minister cannot give us that information, he should not be entrusted with the expenditure of \$89,000,000 this year; there should be another minister.

Mr. VIEN: The minister will allow me to inform him that the Estimates contradict him to a great extent. Item 126 says that the \$89,000,000 is required for the following purposes:

(a) operating deficits; (b) acquisition of property, materials and supplies; (c) interest on notes, securities or obligations; (d) the principal and interest of maturing or matured loans, secured or unsecured; (e) construction and betterments; (f) guarantees by the said Grand Trunk Railway Company, etc.

The item contains two columns. In one column is found a sum of \$89,000,000 required by the Government this year. In the other column is an item of \$25,000,000 which was voted last year. So that when the minister tells the committee that the \$25,000,000 was not for the same purposes for which the \$89,000,000 is asked, he is not quite accurate. The amount of \$25,000,000, if I read the Estimates correctly, was asked

last year for the very same purposes for which the item of \$89,000,000 is asked this year. My hon. friend from Dorchester (Mr. Cannon) was right when he said to the minister: "You told us that we have to vote \$63,000,000 to cover deficits prior to our taking possession of the railway"—that is prior to the first of February, 1920. Therefore last year when we voted \$25,000,000 it was to cover the very same purposes for the very same period, since the minister has just told us that the \$63,000,000, which are to be considered by the arbitrators, are for expenditures prior to the first of February, 1920. I would like the minister to explain the contradiction between the two statements.

Hon. Mr. REID: I think the wording of the Estimate last year was practically the same as the wording of this year's Estimate. The hon. member has read out the items that this money would be used for. The \$25,000,000 were expended under some of the items he has just read.

Mr. CANNON: Has the minister the details?

Hon. Mr. REID: Well, as I stated, the details were given last year, but my deputy tells me he will have them here in a very few minutes.

Mr. VIEN: Will the minister give us the details as to the \$89,000,000, pending the receipt of the information for which he is waiting?

Hon. Mr. REID: The statement I gave a few minutes ago sets forth the details of how this \$89,000,000 is to be expended during the present year.

Mr. VIEN: Those are not the details I want. I would like the minister to tell us how much of the \$89,000,000 is required to cover the operating deficits, how much for the acquisition of property, materials and supplies, how much for item (c) "interest on notes, securities or obligations"; how much for item (d) "principal and interest of maturing or matured loans, secured or unsecured," and so on.

Hon. Mr. REID: I think the statement I read gives those details.

Mr. VIEN: No, it gave the total amounts in a different way. I would like the minister to give the details under the various classifications mentioned in the Estimates.

Mr. MURPHY: The hon. member for Lotbinière (Mr. Vien) is asking the minister to follow the order of the wording

which is adopted in the Estimates themselves.

Hon. Mr. REID: I see what the hon. member is asking for.

Mr. VIEN: The minister understands at last, does he?

Hon. Mr. REID: We have not the information worked out in that way. I have the details as to how the money is to be expended but to classify them under each heading would need the presence here of the Grand Trunk officials themselves. I think the details that I have read are perfectly plain and explain the whole matter, but I cannot at present take the different items, separate them and put them under the headings as the hon. gentleman asks.

Mr. VIEN: That is a great retreat from the boast the minister made a few minutes ago that he was ready to give the information as to the \$89,000,000. It is only fair and reasonable that we should ask the minister to tell us how much of the \$89,000,000, for example, is going to cover the operating deficits. I would like the minister to tell me what was the operating deficit of the railway for last year. He has just boasted that he could give the committee any information as to the \$89,000,000. Very well, let him begin with that item.

Hon. Mr. REID: In the statement which I presented on the railway situation earlier in the session I showed the deficits of each railway. They are all in that statement. Now as to how the \$89,000,000 is to be expended, let me just give some of the details again.

Mr. VIEN: No, I want the minister to understand we do not want any sidetracking.

Hon. Mr. REID: This is not sidetracking.

Mr. VIEN: We do not want any sidetracking; we want to stick to the main line, and it is this: of the \$89,000,000 how much goes to cover operating deficits? Will the minister please give us that information?

Hon. Mr. REID: Well, \$7,500,000 of the \$89,000,000 covers the operating deficits of the Grand Trunk Railway. Then there is the Grand Trunk Pacific.

Mr. VIEN: How much?

Mr. ARCHAMBAULT: Does that cover the lines in the United States?

[Mr. Murphy.]

Hon. Mr. REID: Then in the \$89,000,000 there are guarantees for the Grand Trunk Pacific which we must pay to the amount of \$22,071,080. That amount comes off the \$89,000,000.

Mr. CANNON: That is for the Grand Trunk Pacific?

Hon. Mr. REID: Yes.

Mr. VIEN: The minister tells us that \$7,500,000 out of the \$89,000,000 will go to cover the operating deficits of the Grand Trunk railway proper?

Hon. Mr. REID: That is right.

Mr. VIEN: Now we want to know what portion of the \$22,000,000 in connection with the Grand Trunk Pacific goes to cover the operating deficits on that line?

Hon. Mr. REID: Of these guarantees? Nothing. These are guarantees of the Grand Trunk Pacific that we must meet this year.

Mr. VIEN: I am not talking of guarantees at all, I am talking of operating deficits.

Hon. Mr. REID: Oh!

Mr. VIEN: The minister says "Oh". Is he finding out what I want to know. I have been talking about it for half an hour. I desire to know, I will repeat my question in order to make it plain and I will repeat it in French if I cannot make it clear to the minister in English. I would like to know how much of the \$89,000,000 will go to cover "operating deficits"? The minister told me that \$7,500,000 would cover the operating deficits of the Grand Trunk railway, but to that had to be added a certain portion of the \$22,000,000 to cover the operating deficit of the Grand Trunk Pacific?

Hon. Mr. REID: No. I understand the hon. gentleman wants to know what amount of the \$89,000,000 is for operating deficits? Well, \$7,500,000.

Mr. VIEN: That is all?

Mr. CANNON: I notice that the deputy minister is back. Has he with him the statement as to how the \$25,000,000 voted last year was spent?

Hon. Mr. REID: No. One of his officials is looking it up and will send the information in a few minutes.

Mr. CANNON: Another question I put to the minister, and to which I received no answer, is this: What is the total amount

of the moneys lent by this Government to the railways, and what is the total value of the guarantees given by the Government to them?

Hon. Mr. REID: Here is the investment in and assistance to the Grand Trunk:

1. Dominion investments not allocated as a charge against the railway company or contingency imposing such charge not matured Grand Trunk Railway of Canada.	\$25,729,133 18
Grand Trunk Pacific railway.	42,069,148 30

Total. . . . . \$67,798,281 48

Mr. CANNON: When was that advanced or guaranteed?

Hon. Mr. REID: Over different periods. Then:

2. Loan and accounts chargeable against the railway company due on demand: Grand Trunk Railway of Canada.	\$64,730,988 89
Grand Trunk Railway ofamth bam	
Grand Trunk Pacific Railway.	59,651,431 42
Grand Trunk Pacific branch lines.	1,520,000 00
Total.	\$125,902,420 31

3. Loans not matured, Grand Trunk Railway Company of Canada. . . . . \$15,000,000 00

Or a total in those three items of \$208,700,701.79.

In addition to the above there are unmatured liabilities of the Dominion of Canada existing under guarantee obligations as follows:

1. For the par value, maturing in 1962, of the portion of the Grand Trunk Pacific first mortgage bonds, not held by the Dominion. . . . .	\$35,040,000 00
2. For the par value, maturing in 1962, of the 4 per cent sterling bonds. . . . .	8,440,848 00
3. Interest on above bonds maturing annually as follows:	
On the 3 per cent bonds. . . . .	1,050,000 00
On the 4 per cent. . . . .	337,634 00
	\$ 1,387,634 00
4. Liability under the Grand Trunk Acquisition Act 1919 as follows (annually):	
(a) 4 per cent payable half yearly on the £12,500,000 sterling 4 per cent guaranteed stock of the Grand Trunk Railway Company, £500,000 at 4.86½. . . . .	2,433,333 33
(b) Interest of the following debenture stocks:	
5 per cent Grand Trunk £4,270,375. . . . .	£213,518
5 per cent Great Western £2,723,080. . . . .	135,436

Mr. CANNON: Will the minister allow me? He is quoting interest. Has the capital been included in that statement? We do not want the interest; we have enough in the way of capital liability.

Hon. Mr. REID: I have read the capital figures; these refer to interest.

Interest on	
4 per cent Grand Trunk railway	£984,976
£24,624,455. . . . .	
4 per cent Northern on £308,215.	10,173

Or a total of £31,926,125, and interest £1,344,103. The total annual interest at 4.86½ is \$6,551,301.25.

(c) Interest on the preference and common stocks to be determined by arbitration, but not to exceed annually at 4.86½. . . . .	\$ 2,566,666 67
5. Seven per cent gold bonds maturing 1940. . . . .	25,000,000 00
Annual interest on these. . . . .	1,750,000 00

Mr. CANNON: Making a grand total of how much?

Hon. Mr. REID: Some are guaranteed, some are loans and some are interest; they are not totalled.

Mr. CANNON: What is the total liability incurred by this country for the railway? That is what I want to know.

Hon. Mr. REID: I will have to add the figures up.

Mr. VIEN: While the minister is preparing that statement I should like to continue. Out of the \$89,000,000 how much will go for acquisition of property, materials and supplies mentioned in subparagraph (b)?

Hon. Mr. REID: \$12,150,073.

Mr. VIEN: And (c) interest on loans, securities and obligations?

Hon. Mr. REID: There is \$20,304,328.74 for interest and for rentals \$1,292,093.45.

Mr. VIEN: I do not follow the minister there. I was asking as to item (c), interest on loans, securities and obligations?

Hon. Mr. REID: \$20,304,328.74.

Mr. VIEN: Then (d) as to principal and interest of maturing or matured loans secured and unsecured?

Hon. Mr. REID: \$14,589,433.09 and \$24,765,713.31. Then there is another item: Grand Trunk Pacific guarantees, \$22,071,080.

Mr. VIEN: Is that all included in (d)?

Hon. Mr. REID: I think so.

Mr. VIEN: Then (e), construction and betterments?

Hon. Mr. REID: That is not separated. It is included in that capital expenditure of \$12,050,072.

Mr. VIEN: Included in (b), acquisition of property, materials and supplies?

Hon. Mr. REID: It is under the head of capital expenditure. Part might be in one and part might be in the other.

Mr. VIEN: But the minister is asking something for construction and betterments. I should like to know how much he is going to spend under that heading.

Hon. Mr. REID: Does the hon. member want to find out how much is being expended on betterments and construction in connection with operation, and so on?

Mr. VIEN: No. The minister is asking Parliament to vote him \$89,000,000 on account of (a), (b), (c), (d), (e) and (f). Out of that \$89,000,000 I want to know how much will go for construction and betterments.

Hon. Mr. REID: I quite understand what the hon. member wants but I cannot give him the details from the statement I have here. I will have to get that further information from the Grand Trunk.

Mr. CANNON: Mr. Chairman, before the minister came to the House to ask for \$89,000,000 he must have had some statement prepared by somebody who knew. Evidently the minister does not know much. I should like the minister to put that statement before the committee so that we will know exactly where we are. The officials who look after these railways must have told the minister that they wanted \$89,000,000, to be expended in such and such a way, and they must have submitted a detailed statement. If the minister has such a statement, why not lay it on the Table so that hon. members will have it?

Hon. Mr. REID: I have no objection to laying on the Table the statement which I have just read. But so far as the Grand Trunk is concerned, it is operated by the Board of Directors of the Grand Trunk Railway Company. I cannot go into the details, because I have not had anything to do with them. Mr. Kelley, the president, and Mr. Scott, the comptroller, came to Ottawa with the statement showing the requirements of the Grand Trunk, and that statement was given in detail.

[Hon. Mr. Reid.]

Mr. VIEN: Did they take it back with them or leave it with the minister?

Hon. Mr. REID: The statement was submitted first to the Minister of Railways and the Minister of Finance. We asked for a further statement signed by the officials of the company showing exactly what the requirements were. We then sent our auditors and other officials of the department to Montreal to examine the details carefully and confirm the statement of the requirements.

Mr. CANNON: Did the auditors make a report?

Hon. Mr. REID: They made an investigation and confirmed this report.

Mr. CANNON: They must have done it in writing, when it is a question of \$89,000,000. Therefore I would like the minister to put before the committee the memorandum prepared by the officials showing that their requirements were \$89,000,000 for the coming year, and also the written report of his own auditor showing that statement to be correct.

Hon. Mr. REID: The statement is signed by Mr. Scott himself, vice-president of the Grand Trunk Railway Company, I will put it on Hansard just as it is, if hon. members so desire.

Mr. CANNON: Put it on Hansard.

Hon. Mr. REID: The statement is as follows:

The Grand Trunk Railway System	
Estimated Cash Requirements, including Capital Expenditure, maturing obligation etc. January 1, 1921 to March 31, 1922	
Requirements	
"A" Current and overdue working liabilities net. . . . .	\$14,589,433 09
"B" Pay rolls. . . . .	4,773,726 25
"C" Rentals. . . . .	1,292,093 45
"D" Interest. . . . .	20,304,328 74
"E" Operating deficits of Subsidiary Lines. . . . .	3,029,658 75
"F" Sinking Fund. . . . .	500,000 00
"G" Retirement of Capital obligations. . . . .	24,765,713 31
"H" Bank overdrafts. . . . .	5,404,520 03
"I" Capital expenditure. . . . .	12,150,073 00
"J" Cash requirements of Grand Trunk in U.S. . . . .	4,235,370 55
"K" Discount on "F" Equipment Trust notes to be paid. . . . .	1,002,000 00
"L" Items paid out of Special Fund Dept. of Railways and Canals since first of year or to be paid not provided in above. . . . .	1,192,437 09
"M" Additions to Fuel Stocks. . . . .	2,500,000 00
"MM" Locomotives. . . . .	3,917,000 00
	\$99,656,354 26

Resources	
"N" Cash available at December 31, 1920 . . . . .	\$8,313,793 12
"O" Overdue traffic balances and accounts collectible	3,331,628 47
"P" Due on account from U.S. Government . . . .	5,000,000 00
"Q" Net return from operations less taxes . . . .	12,892,679 00
"R" Other income . . . .	2,501,700 28
	\$32,039,800 87
Grand Trunk Cash requirements	\$67,616,553 39
"S" G. T. Pacific guarantees . .	22,071,080 00
	\$89,687,633 39

FRANK SCOTT,  
Vice President.

Montreal, February 22, 1921.

Mr. VIEN: Has the minister in hand the written report of his own auditors showing that that statement is correct?

Hon. Mr. REID: No; there is no written report. The deputy minister and his officials took the matter up, examined into it, and reported that the statement was correct. Of course, it will be checked over as the money is paid out.

Mr. CANNON: I would like the minister to give us the total amount of liabilities incurred by Canada for the railways under the three items which he detailed a few minutes ago.

Hon. Mr. REID: There was the item of \$208,700,701.79. Then there is the total of principal on the other items of \$68,480,818, and of interest \$14,690,135.25. These are the three totals.

Mr. CANNON: Does the minister say that these three items include everything?

Hon. Mr. REID: That is the information I have with reference to the Grand Trunk.

Mr. CANNON: I was asking the minister to tell us exactly the amount of liabilities incurred by the country as regards railways, not only the Grand Trunk.

Hon. Mr. REID: Grand Trunk, Grand Trunk Pacific and Grand Trunk branch lines.

Mr. CANNON: What about the Canadian Northern?

Hon. Mr. REID: That is another item. We were talking about the Grand Trunk, and that is why I gave my hon. friend the amounts for the Grand Trunk, Grand Trunk Pacific and Grand Trunk branch lines.

Mr. CANNON: Will the minister give the committee the total amount as regards the Canadian Northern?

Hon. Mr. REID: That is in the Public Accounts, but it is not in one total amount.

Mr. CANNON: I do not want the Public Accounts. We have here the Minister of Railways who ought to know, and right next to him is a representative on the board. What is the amount of our liabilities as regards the Canadian Northern railway?

Hon. Mr. REID: The deputy does not have it here.

Mr. CANNON: Let the deputy go and get it. I hope when he comes back he will have the necessary information. When I ask for anything, the reply is that the deputy minister has to go and get it.

Mr. VIEN: How much of the \$89,000,000 goes to construction and betterments?

Hon. Mr. REID: What the hon. gentleman wants is the details of how the \$89,000,000 is to be expended. I cannot give that this evening. I shall have to get that from the Grand Trunk officials themselves.

Mr. VIEN: I take the answer of the minister to mean this: "You of the House of Commons, elected to check public expenditures, will vote me \$89,000,000; as to the details of how I am going to spend this \$89,000,000, do not ask me; I do not know anything about the matter. The only thing you have to do is to vote and vote and vote; as to how I spend that money, is none of your business; you are too inquisitive altogether." The minister at page 35 of the Estimates says: "I want \$89,000,000. Of this \$89,000,000 I will make the following expenditures: To cover operating deficits, to acquire property, materials and supplies, to pay interest on notes, to cover construction and betterments, and for guarantees." It is only a fair and reasonable question to ask the minister how much of that money is going into construction and betterments. If the minister wishes me to put the question in other words, let him give a detailed account of how he is going to expend the money, and how much of it will go into construction and betterments. If the minister is not ready, the item should stand until such time as he is prepared to give the committee the necessary information. Some time ago, in answer to the hon. member for Dorchester, he said: "As to this expenditure of \$25,000,000, I cannot give the information, but I am willing to give all possible infor-

mation as to the expenditure of the \$89,000,000. "This is in respect of the \$89,000,000. Let the minister give us the information. Surely, somewhere in his papers the minister must have some details or explanations from those people who came to him asking for \$89,000,000. The hon. gentleman is a responsible minister of the Crown, he would not come to Parliament and ask \$89,000,000 unless he was prepared to substantiate his request by the necessary details. It is the most elementary duty of the representatives of the people to check public expenditures, particularly in a period of monetary stringency such as we are now passing through. The minister should understand the situation in which the country is. I think the minister will be reasonable and will give us fair answers to fair questions. We do not wish to embarrass him, but we wish to get the proper information so as to be in a position to know if there is any possible way of checking the public expenditures and commitments which the country has taken in respect of railways. I for one would not be prepared to vote \$89,000,000 unless the minister is prepared to tell us how he is going to spend it.

Mr. CANNON: The contention of the hon. member for Lotbinière (Mr. Vien) that full details and particulars should be given to the committee is absolutely sound, and not even the Minister of Railways will consider that it is unsound. When we first started discussing this item, I asked the minister to explain why we were lending money to a company of which we were also owners. The legal proposition that I was putting up was: How could a Government be at one time a proprietor and also mortgagee creditor? But there is more than that. If we analyze the details as given in the Estimates, not only are we lending money to a company which we own, but we are lending money to buy part of the property. Are we going to give money to buy property which will be security for the loan? Is that the meaning of the item in the Estimates? The amount is so large that the minister ought to come before this committee with every bit of information required by the members, and the minister should give that information, not only when asked for, but even before he is requested to give it. There is an additional reason why we ought to be very careful over this matter. Last week, the Government of Canada appointed a new Grand Trunk board. The railway situation

[Mr. Vien.]

being as serious as everybody knows it to be, the people of Canada expected that that board would be composed of men whose reputations would be above any suspicion or even criticism. The people of Canada were entitled to have on this new board men who would give every possible guarantee of trying to make a success of the management of the railways, but although the situation was very grave, and although the public were anxious that the appointments should be the best that could possibly be made, to the surprise of many members of this House and of the country at large, the Government chose for the chairman of that board a man whose name is the most hated of all throughout our country—Sir Joseph Flavelle. During the war Mr. Flavelle gained for himself a very unsavoury reputation. He has been designated from the Atlantic to the Pacific as the Bacon King. He has made millions of dollars out of the war. He is to-day the greatest war profiteer we have in our country, and it shows that this Government has not in view the best interests of the people of this country when it chooses as the head of that board, instead of a man who will try to work in the public interest, a man who is the worst war profiteer we have in Canada. When we see that a man like Sir Joseph Flavelle, who is interested in many companies which have been supplying the Canadian National railways with many things, is to be chairman of the board, I say that it is time for the members of this House to ask for every possible guarantee from the department as to how this money is to be expended. The people of Canada are tired of the waste of money there has been, and, they expect that their representatives in this House, no matter on which side they sit, will see that \$89,000,000 are not passed into the hands of Sir Joseph Flavelle without proper guarantees having previously been given as to its expenditure. We have asked for particulars to which we are entitled, and we will have them. The Minister of Railways ought to have in hand every bit of information that is necessary. Before I resume my seat I would ask the minister to tell us if there is any possibility that the new directors will run the railway in a less expensive way, and that there will therefore be a reduction in this amount of \$89,000,000.

Hon. Mr. REID: Let me say first that I think the attack which the hon. member has made on Sir Joseph Flavelle is

unfair and unjust. I do not think there is a man in Canada with a higher reputation and standing than Sir Joseph Flavelle. This board has been appointed temporarily to carry on the operation of the Grand Trunk Railway system until we can bring all the railways together under the Canadian National Railways charter.

Mr. VIEN: Why do you not do that now?

Hon. Mr. REID: We will do it in a very short time. We have only had possession of the Grand Trunk a few days, since the appointment of the new board. I feel that I voice the opinion of the majority of the people of this country when I say that if the Government can succeed in getting Sir Joseph Flavelle to accept the chairmanship of the board, and assist in carrying on the operations of that road, it will be one of the best selections that could possibly be made in this Dominion.

Mr. CANNON: He will take the chairmanship and everything else.

Hon. Mr. REID: The hon. member for Dorchester (Mr. Cannon) asked for details as to how the \$25,000,000 was expended. I have the details here:

Appropriation under Vote 478 applied in discharge of	
Vouchers . . . . .	2,555,173.97
Special coal vouchers . . . . .	1,153,571.74
Short term notes . . . . .	2,356,220.88
Special short term notes . . . . .	100,000.00

Mr. CANNON: What is the difference between short term notes, and special short term notes?

Hon. Mr. REID: The short term notes for coal extended for a little longer time.

Mr. CANNON: There is a short term note, and a special short term note. Is there an extra special short term note?

Mr. VIEN: The minister has not completed his statement of how the \$25,000,000 is made up.

Hon. Mr. REID: I will tell the hon. member why. The hon. member for Dorchester had asked me for this statement, and when I was proceeding to give it I thought it was not fair that he should interrupt and not allow me to read it. As apparently he does not want the information, I shall not give it to him.

Mr. CANNON: I beg the minister's pardon. I have been asking for the information for an hour and a half. The minister ought to be delighted to be for once in a position to give information.

Hon. Mr. REID: I am prepared to give it if the hon. member is prepared to listen, but if he wishes to interrupt I shall not give it to him. In addition to the items I have read there are the following:

Fixed charges:	
London . . . . .	\$6,044,336.74
New York . . . . .	918,627.00
Montreal . . . . .	2,438,209.76
<hr/>	
Total . . . . .	\$9,401,173.50
Capital expenditures . . . . .	\$ 612,322.46
Equipment—Canadian Rolling Stock Ltd., . . . . .	3,409,678.72
Back Pay—Grand Trunk Western Railway . . . . .	831,140.00
Back Pay—Grand Trunk Railway . . . . .	2,925,461.45
Workmen's Compensation Board . . . . .	251,480.00
Traffic Balances due Erie R.R. . . . .	199,199.83
Pay rolls:	
Grand Trunk Western Railway . . . . .	\$ 250,000 00
Canadian Car Foundry, car repairs . . . . .	690,957 09
Deficiency in advances repaid with proceeds, \$25,000,000 . . . . .	255,694 59
7 per cent bonds . . . . .	
<hr/>	
	\$24,992,074 23
Cash on hand, February 15, 1921 . . . . .	7,925 77
<hr/>	
	\$25,000,000 00
Remitted to London . . . . .	6,300,031 33
Montreal . . . . .	17,781,341 67
New York . . . . .	918,627 00
<hr/>	
	\$25,000,000 00

Certificates 1 to 12 inclusive were given out by the Department.

Mr. CANNON: In the statement the minister has given, certain amounts are mentioned once or twice as being under pay rolls. Were those moneys expended in ordinary wages of employees on the line?

Hon. Mr. REID: That was for pay between May 1 and September 1, when they got the increase under the McAdoo Award. It was back pay; we had to pay the employees those amounts in addition to the pay they received between May 1 and September 1.

Mr. CANNON: I may be mistaken, but the minister, I think, stated concerning this \$89,000,000, that the money was given to the railway as being capital expenditure. I suppose the \$25,000,000 was also loaned to the company last year as capital expenditure. If so, how could you pay wages out of that \$25,000,000?

Hon. Mr. REID: The \$25,000,000 last year was expended under an item in the Estimates similar to this item. It was used to pay liabilities, and I have stated how it was expended.

Mr. CANNON: It was understood that these moneys were to be expended by the railways on capital expenditure. The company is in such a bad way—the Grand Trunk, the Grand Trunk Pacific, and the Canadian Northern—that the Government have to pay the wages of the employees out of loans.

Hon. Mr. REID: I have already dealt with the \$25,000,000. I have the details of the \$89,000,000. The first item is \$14,589,433.09 for current and overdue working liabilities. The amount of overdue vouchers dated prior to December 1, 1920, and unpaid as at December 31, 1920, is \$10,179,170.90.

Mr. CANNON: That was prior to when?

Hon. Mr. REID: Prior to December 1, 1920. The statement is as follows:

Unpaid, as at December 31, 1920. \$10,179,170 90  
Amount of voucher audited for account of month December, 1920, which were unpaid as at December 31, 1920. . . . . 4,644,664 08

Total vouchers. . . . . \$14,823,834 98

Amount of overdue traffic balances dated prior to December 1, 1920, and unpaid as at December 31, 1920. . . . . 2,690,248 73

Amount of traffic balances, audited for account of month December, 1920, which were unpaid as at December 31, 1920. . . . . 575,349 38

Total traffic balances. . . . . 3,265,598 11

Total vouchers of traffic balances amount to. . . . . \$18,089,433 09

From which we deduct working balance of amount of vouchers and traffic balances remaining unpaid. . . . . 3,500,000 00

Leaving net requirements of. \$14,589,433 09

That explains the first item.

Mr. CANNON: Would the minister prefer to read the whole statement first, before the committee asks him questions in regard to these figures?

Hon. Mr. REID: I have already given a statement of the \$89,000,000 which is on Hansard. Now I am taking each item and giving the explanation as I have them from the Grand Trunk. The next item is Pay-rolls, amounting to \$4,773,726.25, made up as follows:

December, 1920: Pay-rolls payable in January, 1921. . . . . \$4,056,265 06  
Back Pay estimated. . . . . 253,503 27  
Unclaimed wages. . . . . 116,266 26  
Discharged tickets. . . . . 10,653 66  
Telegraphers' decisions, No. 2, estimated. . . . . 337,038 00

Total pay-rolls between January 1, 1921, and March 31, 1921. \$4,773,726 25  
[Hon. Mr. Reid.]

The next item is rentals, \$1,292,093.45, as follows:

Payable for lease on roads:  
Atlantic-St. Lawrence Railroad. . . . . \$ 495,897 00  
Buffalo and Lake Huron. . . . . 510,999 97  
Central Counties Railway. . . . . 28,500 00  
Chicago-Detroit and Canada Grand Trunk Jct. Rly. . . . . 34,269 84  
Cincinnati, Saginaw and Mackinaw Railroad. . . . . \$ 43,224 00  
Lewiston and Auburn Railroad. . . . . 18,000 00  
Pembroke Southern Railway. . . . . 9,000 00  
Total payable for lease of roads. . . . . \$ 1,139,890 83  
Joint facility rentals. . . . . \$ 37,500 00  
Ottawa Terminal Railway. . . . . 15,067 38  
Sundries. . . . . 14,172 80

Total joint facility rentals. \$ 66,740 18

Total miscellaneous rentals. \$ 85,462 44

Total rentals. . . . . \$ 1,292,093 45

Estimated Cash Requirements.

D—Interest.

D-1—Mortgage Bonds—  
Canada Atlantic Railway. . . . . \$ 960,005 52  
Grand Trunk second equipment. . . . . 43,186 80  
Northern Railway, Third. . . . . 4,234 00  
Wellington Grey & Bruce. . . . . 25,550 01

Total mortgage bonds. . . . . \$ 1,032,976 33

D-2—Debenture Stocks—  
Grand Trunk, 4 per cent cons. \$ 5,991,950 70  
Grand Trunk, 5 per cent. . . . . 1,558,686 87  
Great Western 5 per cent. . . . . 993,924 21  
Northern Railway, 4 per cent. . . . . 89,998 77

Total debenture stocks. . . . . \$ 8,634,560 55

D-3—7 per cent Gold Bonds—  
Interest at 7 per cent on \$25,000,000 G.T. Railway. . . . . \$ 1,741,250 00

D-4—4 per cent Guaranteed Stock—  
Interest at 4 per cent on \$60,833,333.33 of Guaranteed Stock. . . . . \$ 3,923,333 34

D-5—Funds appropriated under vote 478—  
Interest at 6 per cent. . . . . \$ 1,802,640 22

D-6—Secured notes—  
Interest at 6 per cent on \$4,866,666.67 due January 14, 1921. . . . . \$ 146,000 00  
Interest at 6 per cent on \$14,600,000.00 due October 1921. . . . . 876,000 00

Total secured notes. . . . . \$ 1,022,000 00

D-7—Equipment Trust Notes—  
Grand Trunk Railway, Series "A". . . . . \$ 22,162 50  
Grand Trunk Railway, Series "B". . . . . 26,460 00  
Grand Trunk Railway, Series "C". . . . . 27,720 00  
Grand Trunk Railway, Series "D". . . . . 121,875 00  
Grand Trunk Railway, Series "E". . . . . 767,000 00  
Grand Trunk Railway, New England line. . . . . 77,271 00  
Grand Trunk Western Railway, Western lines. . . . . 260,322 00

Total Equipment Trust Notes. . . . . \$ 1,302,810 50

D-8—Other Interest—

Grand Trunk Western Rail- way Bonds.. . . . . \$	657,484 80
Grand Trunk Junction Rail- way Bonds.. . . . .	70,322 00
Portland Elevator Bonds.. . . .	4,900 00
New England Elevator Bonds.. . .	12,187 50
Government Loan \$593,733.34	35,624 00
Government Loan \$554,800.00.	33,288 00
Bank of Montreal, \$400,000.00	14,000 00
Grand Trunk Milwaukee Car Ferry Notes.. . . . .	337 50
Grand Trunk Milwaukee Car Ferry Bonds.. . . . .	2,070 00
Whipple Car Shop Bonds.. . . . .	4,544 00
Whipple Car Notes.. . . . .	10,000 00
<b>Total Other Interest.. . . . .</b>	<b>844,757 80</b>
<b>Grand Total Interest.. . . . .</b>	<b>\$20,304,328 74</b>

Mr. CANNON: We cannot follow the minister very well.

Hon. Mr. REID: I do not know that I can make the matter any plainer.

The CHAIRMAN: I think that hon. members other than those that are specially interested in this matter are perhaps to blame. There is altogether too much conversation not only on the floor of the chamber but in other parts of the House. It is a very difficult matter for the minister to read such a long list of figures. There are certain hon. gentlemen who desire to take those figures down and I hope that hon. gentlemen who are not interested will have recourse to the lobbies for conversational purposes.

Hon. Mr. REID: Does the hon. member want to hear the rest of the figures?

Mr. CANNON: Yes.

Hon. Mr. REID: All right. Now we will take operating deficits:

E—of Subsidiary lines—

Western lines—

Deficit from operations, Jan. 1, to Dec. 31, 1921.. . . . . \$	2,314,574 00
Deficit from operations Jan. 1, to Mar. 31, 1922.. . . . .	578,643 50
<b>Total.. . . . .</b>	<b>2,893,217 50</b>
Less, amount charged for interest, provision for which is made in Grand Trunk figures.. . . . .	2,494,010 00
<b>Total.. . . . .</b>	<b>\$ 399,207 50</b>

Mr. CAHILL: What is meant by western lines?

Hon. Mr. REID: Lines west of the Detroit river in the United States. I now continue with the statement:

New England Lines—

Deficit from operations, Jan. 1, to Dec. 31, 1921.. . . . . \$	1,781,000 00
Deficit from operations, Jan. 1, to Mar. 31, 1922.. . . . .	445,250 00
<b>Total.. . . . .</b>	<b>\$ 2,226,250 00</b>

Less: Amount charged for rental, provision for which is made in Grand Trunk figures.. . . . .

693,598 75
<b>\$ 1,532,651 25</b>

Central Vermont Railway—

Deficit from operations, Jan. 1, 1921, to Mar. 31, 1922. \$	1,097,800 00
<b>Total.. . . . .</b>	<b>\$ 3,029,658 75</b>

F—Sinking Funds:

Sinking fund to retire 7 per cent gold bonds.. . . . . \$	500,000 00
April 1921— 7 per cent Gold Bonds, April 1, 1921 to Mar. 31, 1922	250,000 00
October 1921— 7 per cent Gold Bonds.. . . .	250,000 00
<b>Total Sinking Funds.. . . .</b>	<b>\$ 500,000 00</b>

G—Retirement of Capital Obligations—

G-1—Bonds—

Grand Trunk, 2 Equipment Bonds.. . . . . \$	719,780 00
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G-2—Equipment Trust Notes

Grand Trunk Western Rail- way, western lines.. . . . . \$	403,600 00
Grand Trunk Railway New England lines.. . . . .	119,800 00
Grand Trunk Railway, Series "A" .. . . . .	394,000 00
Grand Trunk Railway, Series "B" .. . . . .	336,000 00
Grand Trunk Railway, Series "C" .. . . . .	224,000 00
Grand Trunk Railway, Series "D" .. . . . .	375,000 00
Grand Trunk Railway, Series "F" .. . . . .	800,000 00
<b>Total Equipment Trust Notes. \$</b>	<b>2,652,400 00</b>

G-3—Secured Notes—

Grand Trunk Railway 3 year 6 per cent.. . . . . \$	4,866,666 67
Grand Trunk Railway 5 year 5½ per cent.. . . . .	79,813 33
Grand Trunk Railway 5 year 5 per cent.. . . . .	15,573 32
Grand Trunk Railway 3 year 5½ per cent.. . . . .	1,946 65
Grand Trunk Railway 3 year 6 per cent.. . . . .	14,600,000 00
<b>Total secured notes.. . . . .</b>	<b>\$19,563,999 97</b>

G-4—Loans—

Government Loans.. . . . . \$	593,733 34
Government Loans.. . . . .	554,800 00
Bank of Montreal.. . . . .	400,000 00
<b>Total Loans.. . . . .</b>	<b>\$ 1,548,533 34</b>

G-5—Other items—

Whipple car notes.. . . . . \$	200,000 00
Portland Elevator Bonds.. . . .	10,000 00
Grand Trunk Milwaukee Ferry Notes.. . . . .	15,000 00
Grand Trunk Milwaukee Ferry Bonds.. . . . .	16,000 00
New England Elevator Bonds.. . .	10,000 00
Whipple Car Bonds.. . . . .	30,000 00
<b>Total other items.. . . . .</b>	<b>\$ 281,000 00</b>

<b>Grand Total.. . . . .</b>	<b>\$24,765,713 31</b>
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Mr. CANNON: Before the minister goes any further, I notice in his statement several items relating to loans by the Government. I understand those items would appear in the statement prepared by the Grand Trunk because they received the money from the Government, but surely we are not going to vote the same money again.

Hon. Mr. REID: My deputy tells me it is a book entry wiping it off. It was loaned and a new party included in the mortgage.

Mr. CANNON: If I understand the situation rightly, suppose the Government to have loaned to the Grand Trunk during the course of last year \$500,000, that sum would appear in the Grand Trunk books as a liability; but we are certainly not going to be called upon to vote that \$500,000 again to the Grand Trunk, otherwise the railway company will receive the amount twice.

Hon. Mr. REID: No. It was a loan to the Grand Trunk, but now we are going to take a mortgage for the total amount. It is really a book entry; it is kept back and credited to the amount loaned last year.

Mr. CANNON: Even if we do take a mortgage we need not loan the money again.

Hon. Mr. REID: No. We have to take a vote in the Estimates to repay it and make the book entry.

Mr. CANNON: Suppose I give the hon. minister \$5, later on when we settle he is not going to ask me to give him \$5 again so he may pay me back. It would mean the minister would be receiving \$10 to repay me \$5. That is exactly the transaction we are asked to approve here.

Mr. VIEN: I think we have sufficient figures to mix the question up very well. Would the minister try to clear up the point as to how much we are going to spend on construction and improvements?

Hon. Mr. REID: That item is \$12,150,000 odd. The information I have of that is as follows:

On the Grand Trunk proper..	\$7,496,754
On the Grand Trunk Western line..	3,750,222
On the Grand Trunk New England lines..	290,609
On the Central Vermont Railway..	612,485

Mr. VIEN: Are we going to spend money to construct new lines in the United States?

[Hon. Mr. Reid.]

Hon. Mr. REID: I will give the hon. member the details furnished to me in respect to the New England lines.

Rails, heavier weight, also rail anchors and ties, \$60,568.

For instance, when you lay a heavier rail, as 85-pound in the place of 60-pound, the extra weight is charged to capital account.

Bridges and culverts..	\$33,450
Passing tracks, yard tracks and other company facilities..	1,920
Engine house facilities..	2,000
Passenger and freight handling facilities..	36,700
Water service facilities..	1,380
Docks and wharves..	80,531
Automatic block signals, interlocked crossings, etc..	44,550
New buildings, company's employees and materials..	840
Expenditures authorized year 1920 unexpended, principally equipment..	28,720

Making the total of \$290,000 odd. The hon. member will see that it is simply for improvements.

Mr. VIEN: Is the Central Vermont expenditure for construction of new lines or only betterments?

Hon. Mr. REID: There are no new lines. It is simply items similar to those I have already read.

Mr. VIEN: Are we building new lines in the United States?

Hon. Mr. REID: No, none whatever.

Mr. CANNON: The minister told us that our total liability as regards the Grand Trunk, the Grand Trunk Pacific and the Grand Trunk subsidiary lines was \$290,000,000, and the deputy minister was to supply information as regards the Canadian Northern. Has the minister received that information?

Hon. Mr. REID: I will get that.

Mr. DAVIS: I understand that the figure of \$12,000,000 just given by the minister is for improvements upon existing lines?

Hon. Mr. REID: Yes.

Mr. DAVIS: Is it in the contemplation of the Government to acquire any other roads; and, if so, will that acquisition be submitted to the House before it is completed?

Hon. Mr. REID: It is not the intention, nor would the Government have power, to

acquire any other roads without getting the authority of Parliament.

Mr. DAVIS: It is quite conceivable that the railways acquired may be under contract to take over some other roads, and the Government, assuming their obligations, might acquire those other roads without coming back to the House for authority. I should like to have the pledge of the Government that before any such acquisitions are made they will be submitted to the judgment of this House.

Hon. Mr. REID: I stated a few minutes ago that the Grand Trunk Railway cannot go ahead with any construction work or borrow any money without the consent of the Government; and the Government have not power to advance moneys or guarantee bonds or anything of that kind without getting authority from the House. So I can give that assurance to the hon. member. There is no doubt at all that the Grand Trunk will not acquire any new roads. Of course, the arbitrators will have before them all the liabilities of the Grand Trunk and of any subsidiary companies, and they must take those liabilities into account when they make their award.

Mr. CANNON: In answer to my hon. friend, the minister stated that it was impossible for the Grand Trunk Railway to borrow any money without having the previous consent of the Government, and that it was impossible for the Government to guarantee any liability without having obtained the authority of Parliament. Would the minister be kind enough to state to this committee when consent was obtained from Parliament for the \$20,000,000 which we are guaranteeing out of this \$89,000,000?

Hon. Mr. REID: The first loan was made, as I understand, a number of years ago by authority of Parliament.

Mr. CANNON: I do not wish the minister to misunderstand my question. We are asked now to vote \$89,000,000, \$67,000,000 of which is for cash requirements, and \$22,000,000 for guarantees.

Hon. Mr. REID: Yes.

Mr. CANNON: When did Parliament give its consent to those guarantees?

Hon. Mr. REID: In 1909 the Government of that day loaned \$10,000,000, which fell due in 1919, and in 1911 there was another ten year loan for \$9,720,000, a total of \$19,720,000. There are five items of interest amounting to \$2,351,080. The

items of principal and interest together amounted to \$22,071,080. These are in respect of the Grand Trunk Pacific.

Mr. CANNON: If, then, this is money due to us, the company should be paying the country \$19,000,000, instead of our voting them that amount. The thing is absolutely absurd.

Hon. Mr. REID: It is really merely a book-keeping entry.

Mr. CANNON: The minister is not serious when he claims that this is only a book-keeping entry. He explains that this \$19,000,000 fell due in 1919 and 1921, and he says that we are giving \$19,000,000 to the company in order that they may pay it back to the Government. I say again that the thing is ridiculous.

Hon. Mr. REID: Ten years ago we loaned the Grand Trunk Pacific this amount. Now, the Minister of Finance insists that we should vote it and take a mortgage on the Grand Trunk, because we hold them liable for it. We are, therefore, cancelling it against the Grand Trunk Pacific and putting it against the Grand Trunk, and this is the only way in which it can be done.

Mr. CANNON: What security did we have for the moneys loaned in 1909 and 1911?

Hon. Mr. REID: A mortgage on the Grand Trunk Pacific, a subsidiary company of the Grand Trunk.

Mr. CANNON: Do we still hold that security?

Hon. Mr. REID: Yes, but we are now going to take a mortgage on the Grand Trunk for the amount. It should be better on the parent company.

Mr. CANNON: Two or three years ago the minister explained that the Grand Trunk Pacific was being placed in the hands of a receiver, the minister himself being the receiver, because of the refusal of the Grand Trunk to take over the liabilities of the Grand Trunk Pacific. Am I to understand now that the Grand Trunk has consented to assume the liabilities of the Grand Trunk Pacific?

Hon. Mr. REID: When we take over the Grand Trunk we take over all the subsidiary companies, and we are merely cancelling this debt of a subsidiary company, the Grand Trunk Pacific, and taking instead a mortgage on the Grand Trunk, the parent company.

Mr. CANNON: Does the minister mean that this Government is going to reduce by \$19,000,000 the assets of the Grand Trunk by adding on liabilities which really belong to the Grand Trunk Pacific, and at the very moment when this country is taking over the Grand Trunk? That is worse than ridiculous.

Mr. BOYS: We have to pay a certain sum to the Grand Trunk, to be fixed by arbitration. If this is regarded as a liability of the Grand Trunk, as it should be, we shall have that much less to pay for the system and the country will get the benefit.

Mr. CANNON: I am pleased to hear my hon. friend come to the rescue of the Minister of Railways.

Mr. BOYS: It is not a case of rescue. It is the facts we want.

Mr. CANNON: When we started to discuss this matter this evening one of the first questions I put to the minister was this: Will the \$89,000,000 that we are voting to-night be deducted from the award made by the arbitrators with respect to the Grand Trunk? The minister said: No, only the amounts which were expended prior to the first of February, 1920 will be considered.

Mr. BOYS: My hon. friend must know that the obligations of the Grand Trunk are to be taken into consideration in fixing the amount to be paid by the country for the system. Surely if this is a liability—and there is no doubt that it is—it will be deducted from the amount which would otherwise be given to the shareholders.

Mr. CANNON: I am quite of that view myself, but I repeat that the Minister of Railways told me that that was not so; that whatever moneys were voted last year and will be voted this year to help the Grand Trunk or the Grand Trunk Pacific would not be considered as liabilities of the company to the Government of Canada unless they were amounts which had been expended prior to the first of February, 1920. The minister said that out of this amount of \$89,000,000 no more than \$42,000,000 could be deducted. He will correct me if I am wrong.

Hon. Mr. REID: The items in the \$89,000,000 that were expended prior to 1920 would be taken into account, but not anything expended since that. The award will be as of the date when we took the road over.

[Hon. Mr. Reid.]

Mr. CANNON: Of this \$22,000,000 the minister said that one amount of \$10,000,000 had been loaned in 1909 and became payable in 1919. Will that be considered?

Hon. Mr. REID: Certainly.

Mr. CANNON: Then the loan of 1911, \$9,720,000, due in 1921 will not be considered because it was not expended prior to February, 1920?

Hon. Mr. REID: 1911 is previous to 1920.

Mr. CANNON: But it became due in 1921.

Hon. Mr. REID: These are liabilities against the Grand Trunk Pacific, and the arbitrators will take them into consideration in making their award.

Mr. CANNON: Then the minister's contention is that this \$19,000,000 loaned by the Government to the Grand Trunk Pacific will be charged up to the Grand Trunk and deducted as a liability of the company when the final award is made?

Hon. Mr. REID: Yes, that is it exactly.

Mr. VIEN: If I understand aright, the transaction is this, if the statement of the minister is correct, that the Grand Trunk at present owes to the Government of Canada \$19,000,000.

Hon. Mr. REID: The Grand Trunk Pacific.

Mr. VIEN: But the Grand Trunk Pacific Railway Company is a subsidiary of the Grand Trunk Railway Company, and the Grand Trunk Railway proper is responsible to the Government for the obligations of the Grand Trunk Pacific Railway.

Hon. Mr. REID: That is it exactly.

Mr. VIEN: Therefore, the Grand Trunk to-day is responsible to the Government for the \$19,000,000 which becomes due, \$10,000,000 for a loan in 1909 or 1910, and \$9,000,000 in 1911 or since. If I understand the vote and the book-keeping entry correctly, this means that we are going to lend to the Grand Trunk Railway \$19,000,000 for the Grand Trunk Railway Company to pay to the Government. Will the Government receive in one pocket what they disburse from the other?

Hon. Mr. REID: That is it exactly. It is a book entry. The \$19,000,000 was against the Grand Trunk Pacific which is in the hands of the receiver, and the Government have to pay that amount. We have to pay

it to meet obligations against the Grand Trunk Pacific which is in the hands of the receiver and the Government say: "Having to pay this amount, we are going to take a mortgage on the Grand Trunk road to cover the payment."

Mr. VIEN: Are these bonds for \$19,000,000 in the hands of the Government or outstanding?

Hon. Mr. REID: In the hands of the Government.

Mr. VIEN: Therefore, the Government will advance \$19,000,000 to the Grand Trunk Railway Company to get it back from them in payment of obligations guaranteed by the Grand Trunk Railway on behalf of the Grand Trunk Pacific Railway?

Hon. Mr. REID: That is it exactly.

Mr. VIEN: But in this way, that we are lending to the Grand Trunk Railway Company \$19,000,000 to cover up loans which mature this year.

Hon. Mr. REID: That is it.

Mr. VIEN: Another question as to what the minister said a minute ago as to deductions which are going to be made from the amount awarded by the arbitrators. I understand that in estimating the value of the common stock of the Grand Trunk Railway, the arbitrators will take into account the liabilities of the company in respect of the Grand Trunk Pacific Railway, and that item of \$19,000,000 will be taken into account as well.

Hon. Mr. REID: As a liability, yes.

Mr. VIEN: As a liability of the Grand Trunk Railway?

Hon. Mr. REID: Yes, because they guaranteed it.

Mr. VIEN: And the fact of the Government taking over the Grand Trunk Pacific Railway and putting it into the hands of a receiver under the Minister of Railways will not affect the liabilities of the Grand Trunk Railway Company in respect of the Grand Trunk Pacific?

Hon. Mr. REID: Not at all.

Mr. VIEN: The minister said a minute ago that the amount was to be secured by a mortgage on the property. We lend to the Grand Trunk Railway \$89,000,000, and the Grand Trunk issues bonds which come as a mortgage, of course, after the present issues. It will be a new issue of bonds taking rank as a subsequent mortgage. The minister said to the committee that this

amount was fully secured because the amount of money going into the treasury for betterments or extensions or capital expenditures was really an investment. I beg to draw the attention of the minister to the inaccuracy of the statement. Quite a large amount of the money voted, comprising the \$89,000,000, will not go into capital account. Some of it will go into paying operating deficits; another portion of it will go into repaying loans; another portion will go into buying rolling stock which should have been provided for, but which has not been provided for. Therefore, a considerable amount of the item of \$89,000,000 will really not be secured by the investment. Quite a considerable amount of that item will be eaten up by operating deficits, repairs, interest on notes or redemption of bonds maturing this year.

Hon. Mr. REID: I cannot agree with the hon. member that the amounts are all eaten up by deficits.

Mr. VIEN: Not the whole of it, but a considerable portion.

Hon. Mr. REID: The deficit last year amounted to only \$7,500,000. It is true that we are not handing over \$89,000,000 to the Grand Trunk Railway. We are making a loan to, and taking a mortgage against, the road to settle up liabilities such as I have mentioned; for instance, the \$22,000,000. Parliament gave authority to lend the Grand Trunk Pacific a certain amount. That is due. We want to renew that loan on the Grand Trunk because they guaranteed it. We have to get an appropriation. True, that amounts to \$22,000,000 out of the \$89,000,000. Some of the items as well—

Mr. VIEN: \$7,500,000.

Hon. Mr. REID: Yes. Then there are other liabilities, accounts due and so on. This is to get the liabilities together and settle those liabilities that must be settled so that the operation of the road may be carried on, but it does not increase the liabilities against the company other than the \$7,500,000 of deficits. The Government assume them and takes a mortgage. But the arbitrators, when they are considering the whole situation, will take into account the liabilities prior to the time when the Government took over the road. The \$22,000,000 guarantee by the Grand Trunk Railway must be taken into consideration, and the award reduced by that amount, or whatever is the value of that in the opinion of the arbitrators.

Mr. VIEN: It would not be a deduction of \$19,000,000, but a deduction on the value of the stock as determined, taking into account the indebtedness of the Grand Trunk for an amount of \$19,000,000.

Hon. Mr. REID: That is right.

Mr. VIEN: That means that the value of the stock of a company that owes \$19,000,000 is so much less than it would be if the company did not owe \$19,000,000. Therefore, that amount will be taken into account in respect of the value. In answer to the hon. member for Dorchester a minute ago, the minister said that the bonds were fully secured and that the position of the company is not rendered any worse by the issuing of those bonds. Those bonds which the Government are issuing on the property are not of a par value, because, while you issue \$89,000,000 worth of bonds, a considerable portion of that goes to pay deficits, so that you do not increase the value of the railway by \$89,000,000.

Hon. Mr. REID: No.

Mr. VIEN: If it were an issue of \$89,000,000 worth of bonds to the public, what would it mean? It would mean that \$89,000,000 would fall into the treasury of the Grand Trunk. You have bonds issued and you have \$89,000,000 of cash on hand, but in this case it is different. Instead of having \$89,000,000 cash, you have a lot of that eaten up already by the deficit of \$22,000,000 on the Grand Trunk Pacific. You have also an operating deficit of \$7,500,000 on the Grand Trunk last year, and at least \$500,000 over due for back pay. So at least \$40,000,000 of that \$89,000,000 will go to pay the deficits and arrears of the Grand Trunk railway, and therefore the bonds have no real value behind them. The \$89,000,000 that the Government is going to pour into the treasury of the company is not really shown as a capital expenditure. At least half of it will be eaten up by the deficits, and that is why I stated a moment ago that the bonds which the Government is going to receive in exchange would not represent real value.

As we are the sole owners of the railway I do not know that it is absolutely a sound principle to issue bonds against the railway. The advances that we make to the treasury of the company are just as good as the bonds issued on our own property. It may be that the Finance Minister can finance on easier terms by this system of accounting, but the fact remains that the treasury bonds of the Canadian

[Hon. Mr. Reid.]

Government should be just as good as the treasury bonds of the railway company guaranteed by the Government. This method which the Government is following seems to mix things up and make them more difficult to understand. We are the sole owners of the railway, and it is immaterial whether the money that we advance to the company is covered by bonds or not, for the whole thing is our property. I would like the minister to explain the real reason why we cause a company which we own in its entirety to issue bonds for money that we advance to it.

Hon. Mr. REID: The Grand Trunk Railway Company is a private corporation. We own the stock.

Mr. VIEN: But the stock is the whole thing.

Hon. Mr. REID: There are other liabilities against the company, and it is certainly in the interests of the Government and of the country that any advances, expenditures or liabilities in connection with the operation or construction of any of our railways should be charged up against that particular railway so that we shall know just how each one stands. To borrow money on Government bonds and loan it, as my hon. friend suggests, is not the best way in my judgment.

Mr. VIEN: The present method may be better for accounting purposes. Were bonds not issued in New York last year for the Canadian National railways?

Hon. Mr. REID: Yes.

Mr. VIEN: For what amount?

Hon. Mr. REID: \$25,000,000 for the Canadian National, and \$25,000,000 for the Grand Trunk.

Mr. VIEN: I thought the total was something like \$75,000,000 for all the national railways?

Hon. Mr. REID: We issued \$25,000,000 for the maturing obligations of the Canadian Northern, \$25,000,000 for the Grand Trunk, and \$20,000,000 or \$21,000,000 for equipment bonds. That would be about \$75,000,000.

Mr. VIEN: Were the equipment bonds in connection with the Grand Trunk?

Hon. Mr. REID: Some of the equipment was passed over to the Grand Trunk and used by them. The \$25,000,000 for the Canadian Northern was to retire securities falling due.

Mr. VIEN: Was the \$25,000,000 for the Grand Trunk also to redeem maturing securities?

Hon. Mr. REID: Yes.

Mr. CANNON: I am not quite satisfied with the explanation given by the minister. I would be very happy if I could understand it. The Government of Canada advanced in 1910 and 1911 \$19,000,000 to the Grand Trunk Pacific. The Grand Trunk is responsible for the liabilities of the Grand Trunk Pacific. The Grand Trunk Pacific is now in the hands of a receiver; therefore, the Grand Trunk is responsible to the Government. In 1919 and in 1921 the Grand Trunk owed the Government of Canada \$19,000,000, plus interest, amounting in all to \$22,000,000. We have a claim against the Grand Trunk for that amount, and the Grand Trunk has a liability towards the Canadian Government for a like amount. Now to-day the Minister of Railways comes to this committee and asks it to vote \$22,000,000 to give to the Grand Trunk to meet the liability incurred by the Grand Trunk towards the Canadian Government. It means—I see the Minister of Finance is here and perhaps he could give a more lucid explanation, and if he can it will be welcome—that ten years ago this country advanced \$19,000,000, and this year we are going to advance \$22,000,000, making \$41,000,000 in all. Now if we are going to pay to the Grand Trunk the money necessary to enable them to pay their debts to the Canadian Government, this Government is going to expend twice the amount of money that should be expended.

Hon. Mr. REID: I do not know that I can make it any clearer, but I will try again. In 1910 there was a loan made by the Government of that day of \$10,000,000 to the Grand Trunk Pacific, which fell due in 1919.

Mr. CAHILL: Was that guaranteed by the Grand Trunk?

Hon. Mr. REID: Yes. Then in 1911 there was a loan of \$9,720,000, making \$19,720,000 in all.

Mr. CANNON: The second loan was also guaranteed by the Grand Trunk?

Hon. Mr. REID: Yes. The Grand Trunk is liable for the Grand Trunk Pacific, and that \$22,000,000 is over-due and against the Grand Trunk Pacific, the subsidiary company. The books of the Government show that amount as due, and it should be paid, and the Government are holding the

parent company, the Grand Trunk, liable for that amount. The Government want to take a new mortgage on the Grand Trunk for the \$22,000,000, payable on demand, but we have not power or authority to discharge the \$22,000,000 shown in the books of the Finance Department as overdue until we get authority from Parliament to loan that amount to the parent company, the Grand Trunk. When this goes through, we shall be able to take a mortgage on the Grand Trunk for \$22,000,000, credit that to the Grand Trunk Pacific, and wipe off the amount. It is a book entry altogether.

Mr. CANNON: We took over the Grand Trunk; the whole company is ours, in the hands of the minister as receiver. We turn around now and say to the Grand Trunk: "We will give you \$22,000,000, and you will give us a mortgage for that." Well, we are only mortgaging our own property, and to secure that mortgage it will cost the country \$22,000,000 additional.

Mr. CAHILL: The minister said that the loan was guaranteed by the Grand Trunk Company, so that he has absolutely the same security to-day that he will have after advancing the \$22,000,000. He will have a mortgage on his own property to help him out. I move, Mr. Chairman, that item No. 126 be reduced by \$22,000,000. This vote simply means that the money will be turned over to the parent company and the Government will have to get it from them again. It is safer in the treasury than in the hands of the parent company with Sir Joseph Flavelle in charge.

Hon. Mr. REID: The hon. member does not understand the situation correctly. We have the security of the Grand Trunk Pacific, and in addition we have the guarantee of the Grand Trunk. I do not think I can explain the matter any more fully than I have done already.

Mr. VIEN: In 1910-11, when the loans were made to the Grand Trunk Pacific, and guaranteed by the Grand Trunk to the Government, were any securities issued by the Grand Trunk to the Government?

Hon. Mr. REID: Only the guarantee on the bonds.

Mr. VIEN: Was that secured on the Grand Trunk railway proper? Does that guarantee give to the Government, for their claim, any rank which would put them in a privileged position in respect of the bonds issued by the Grand Trunk, posterior to that date?

Hon. Mr. REID: No; it simply gives the endorsement, and whatever that would be worth at the time.

Mr. VIEN: That means that we loaned money to the Grand Trunk Pacific, on bonds issued by the Grand Trunk Pacific, and endorsed by the Grand Trunk, and now we take the bonds of the Grand Trunk railway proper.

Hon. Mr. REID: A mortgage on the Grand Trunk.

Mr. VIEN: It is a bond secured by a trust deed covering a mortgage. The situation is this: The Grand Trunk Company receives \$22,000,000; the Grand Trunk owes the Government \$22,000,000. Will that be simply a book-keeping entry?

Hon. Mr. REID: That is all; no money changes at all. We say to the Grand Trunk Railway: "Give us a mortgage on your railway to settle your guarantee, and when you sign that mortgage and it is duly recorded, we will credit the Grand Trunk Pacific and wipe it out."

Mr. CANNON: Why vote the money at all?

Hon. Mr. REID: We have to vote this in order to pay the mortgage on the Grand Trunk.

Mr. CANNON: The Grand Trunk belongs to the Government. This year we have passed additional legislation to have absolute control of the Grand Trunk, and besides that the Government have appointed a new board. As I said before, the choice of the chairman, Sir Joseph Flavelle, was a very bad one.

Mr. CASGRAIN: The worst one.

Mr. CANNON: The vice-president is the former president of the Grand Trunk, Mr. Kelley. Now, if he is a good man, he should have made a success of the Grand Trunk, and if he is bad he should not be on the board. Another member of the board, Mr. Mitchell, is financial expert of the Canadian Northern. His performance on the Canadian Northern is not a great recommendation for placing him on the Grand Trunk. All that aside, however, the Grand Trunk is ours, and I do not see why the Government should come and ask us to vote \$22,000,000, and take a mortgage on our own property. Why should they obtain from a company which is ours a mortgage which, according to the minister himself, has absolutely no value, because it ranks after all other mortgages, seeing [Mr. Vien.]

that the Grand Trunk cannot meet their liabilities. If it is simply a book-keeping matter, why should not the Government arrange it with the company instead of coming and asking Parliament to vote millions which are not needed. Do not let the country be called upon to vote \$22,000,000 if this is only a book-keeping matter.

The CHAIRMAN (Mr. Steele): Mr. Cahill moves that item 126 be reduced by \$22,000,000. Is the committee ready for the question?

Mr. McKENZIE: There is no hurry about putting that question, Mr. Chairman. We are assuming, for the sake of argument, that, by reason of the award of the arbitrators, there will be some money coming to the Grand Trunk Railway. It would be interesting to know what the submission says about the deductions that are to be made in the award. The member for South Simcoe (Mr. Boys) came bravely to the assistance of the minister, and I do not think he came a minute too soon. He tells us that there is no need to worry about this matter because everything will come out of the award. If the Minister of Finance (Sir Henry Drayton) is within my hearing, he will remember that a former Minister of Finance promised us, as can be found in Hansard, that all the liabilities of the Grand Trunk, either by reason of direct loans or guarantees, would be deducted from the award if there should be enough to meet those deductions. For myself, I should like to see that submission. The paper by which this matter was submitted to the Board of Arbitrators would be interesting to the committee because the whole award will be governed by the language of that submission. The Grand Trunk people may sell that award before it is made; it is quite possible for them to sell it to any one who might want to buy it as a matter of speculation. If it is sold, it will be bought on the terms of the arbitration deed, so I think it would shorten the discussion and settle the doubts in the minds of a good many members on this side if we saw the submission, to know what control the Government has over the award as to deductions. If that submission provides that the Government, in meeting the terms of the award, have the right to cut out of it the amount the Grand Trunk Railway owes them, we need not worry about this book-keeping, and there will be no sense in voting this money. If the money goes to the Government

through this award they can credit the company with it on their books and square it up; it is not such a very difficult thing to have done. It seems to me that it is a very peculiar transaction to advance \$22,000,000 to ourselves—because it is to ourselves—and take a mortgage from ourselves so as to square it in some fanciful manner of book-keeping upon the books of the country. I do not understand it. I would say to the minister that we should see this submission deed of arbitration. No doubt a copy of it is in his department because it is through his department this whole business is being handled. Possibly the Department of Justice has something to do with it but the Minister of Railways is no doubt, kept apprised of what is being done. I think therefore it is a reasonable proposition to ask for a copy of the submission deed so that we will know what provision the Government made to protect themselves in connection with this award.

Hon. Mr. REID: All the papers in connection with the award were submitted to Parliament and laid on the Table. The very document the hon. gentleman refers to has been laid on the table of the House. I am sure hon. gentlemen will agree with me that one object is to have this claim established against the Grand Trunk itself.

Mr. CAHILL: Did you not get the guarantee of the Grand Trunk?

Hon. Mr. REID: We have the guarantee of the Grand Trunk, but this is a liability against the Grand Trunk Pacific.

Mr. CAHILL: Who will sign this deed?

Hon. Mr. REID: Which deed?

Mr. CAHILL: This mortgage.

Hon. Mr. REID: It will be signed by the proper officers of the Grand Trunk Railway system.

Mr. CAHILL: Who will sign the deed of mortgage, Sir Joseph Flavell and the new board?

Hon. Mr. REID: The hon. gentleman asked who will sign the deed! The president and secretary generally sign it after being authorized by the board of directors. To-day the president is, I understand, Mr. Kelley. He will sign the mortgage and will do so after being duly authorized by the board of directors. That is done in the case of every company.

Mr. McKENZIE: The minister will pardon me. He gave us to understand that

we have to deal with the Grand Trunk as we found it on the first of February 1920 when we took it over.

Hon. Mr. REID: Yes.

Mr. McKENZIE: We have to deal with the company up to that time and on that date.

Hon. Mr. REID: Yes.

Mr. McKENZIE: Very well. Does any sane person think that we can make the old company or the company that existed before the first of February 1920, pay for a mortgage we are going to put on since then and for which we are going to hold the value of the road before that date good?

Hon. Mr. REID: The Grand Trunk guaranteed this \$22,000,000 in 1910 and 1911, and the position counsel will take is that it is a liability which they assumed, in regard to which there has been a default, and which they are called upon to pay. Even if the mortgage was put on afterwards they only acknowledge by the mortgage that they were liable for it at that time.

Mr. McKENZIE: That is not their mortgage, it is our mortgage that we put on our own property. If the officials of the Grand Trunk, as the company existed before the first of February, 1920, came forward by authority of their board and signed that mortgage there would be some argument in what my hon. friend says. But they did not sign it, they will not sign it, they will have nothing to do with it. Now we are going to fix things so that we are forgiving them for the old obligation of nineteen millions, and its interest, and we are taking a new mortgage as security for it. That is what we are doing. We are foregoing the old claim entirely, and we are saying "Give us a new mortgage which will be a substitute for the old obligation". That substitute comes in as a claim against the Grand Trunk Railway property after we took it over. Does anybody think they are going to allow us to charge that against the award? Not at all, and no court would hold them liable to that extent. That is why I want to see the submission deed and see what things we can charge and deduct from the award.

Mr. BOYS: Does the hon. gentleman expect for a moment to make any deductions after the award is made? The only way to proceed would be to present evidence before the court of arbitration, and then have the deductions made. When the award is

once made no right will exist to reduce it; my hon. friend will find nothing in the submission deed which warrants any reduction from the amount of the award.

Mr. McKENZIE: We are not talking about reducing the award at all. The hon. member who comes so bravely to the rescue of the Department of Railways—

Mr. BOYS: Do not be sarcastic.

Mr. McKENZIE: I am not sarcastic at all. The hon. member is mixing two things. The first thing is to determine the amount of the award, whether ten millions, twenty millions, or one hundred millions.

Mr. BOYS: That is the last thing.

Mr. McKENZIE: That is what the Board of Arbitration has to say. We have to pay it. It is quite open to the arbitrators to say that the Government shall have the power, authority, and right, when they come to pay this award, to keep out of it what this company owes them. That would be a plain and simple transaction.

Mr. BOYS: What I have endeavoured to contend is that the right to present claims exists before the amount of the award is fixed, and when the award is made it is final.

Mr. McKENZIE: The arbitrators are not fixing what the Grand Trunk have to pay; they are fixing the value.

Mr. BOYS: Quite so.

Mr. McKENZIE: Is that not what they are doing?

Mr. BOYS: Fixing the value of the stock after taking into consideration all the assets and liabilities.

Mr. McKENZIE: If that is the language of the document—

Mr. BOYS: It certainly is.

Mr. McKENZIE: Very well, let us see it. If it authorizes them to take into consideration the moneys that this company has to pay and if these moneys—among them the liabilities of the Grand Trunk Pacific and moneys advanced them—can be kept out of the value of the stock, then, although to that extent it is being done in an indirect way, still it is being done. If that provision is in the submission I am satisfied, but the hon. gentleman shakes his head which leads me to believe it is not. Very well, how are we going to get this money after the award is made?

[Mr. Boys.]

Mr. BOYS: How are the arbitrators going to ascertain the value of the system? By first taking into consideration all the assets and all the liabilities, of which this is one. When that liability is subtracted, if there is any value left they fix the award and that is the final step in the whole proceedings.

Mr. McKENZIE: Very well, what have we before us to-night to show the arbitrators what the liabilities of the Grand Trunk are? Are they mentioned anywhere?

Mr. BOYS: As it is the legislation of this House we are supposed to know it.

Mr. McKENZIE: I did not quite catch the hon. gentleman.

Mr. BOYS: I said, as it is the legislation of this House we are supposed to know it.

Mr. McKENZIE: But it is not the legislation of this House. The hon. gentleman knows very well that this House only authorized the making of an agreement of submission, that is all. The details of the submission are not in the Act, they are in the agreement itself. That my hon. friend knew as a lawyer, and as a member of this House, when the legislation went through. I know it but I never saw the submission, we never had an opportunity of seeing it. As far as I know it was never on the table of the House. If it was I never saw it.

Mr. BOYS: It was in a schedule to the Act.

Mr. McKENZIE: If it was in a schedule to the Act there should be no trouble in getting it. But I venture to say that the submission as signed by the company and the Government is not in any Act.

Mr. BOYS: Suppose a county judge has to fix the value of the property to be expropriated by a railway, would my hon. friend suggest that there should be a clause in the submission to arbitration to entitle the judge to take into consideration any mortgage that may be existing against the property? Surely his duty is first to ascertain the value of the property, next to subtract any mortgage there may be against it, and finally to give the net result. That is what is done here in regard to the Grand Trunk—the arbitrators take all the assets and liabilities and ascertain the value of the stock.

Mr. McKENZIE: And the man who holds that mortgage need not care a snap of

the finger whether the judge takes it into consideration or not if the value is there. He can foreclose the mortgage, and if the judge does anything else the mortgagee is not concerned about it; the man who takes the property subject to the mortgage should do the worrying. We have no such security at all. At no stage of the proceedings as far as I know have the Grand Trunk admitted that they were going to pay those guarantees. I never heard of anybody saying it on their behalf. They are simply saying, "You took the Grand Trunk Pacific yourselves, and for better or worse you have taken it with its obligations. We are not going to pay anything." That has been their attitude throughout, and if any member of the Government will take the responsibility of standing up here and saying that the Grand Trunk have acknowledged their liability upon those guarantees and are willing that the arbitrators shall consider that liability, I should like to hear him, whether it be the Minister of Railways, the Minister of Justice or the Minister of Finance all of whom are perhaps more directly concerned in this matter than any of their colleagues. Now, if my hon. friend from South Simcoe has that information, well and good, but I would not wish him to be put forward as the goat in this matter to take a responsibility which the ministers themselves do not care to assume.

Mr. BOYS: I did not say that at all.

Mr. McKENZIE: I thought my hon. friend would back out when it came to the real responsibility.

Mr. BOYS: I am giving it up as useless.

Mr. McKENZIE: I think the position I take, Mr. Chairman, is absolutely clear. If we have some undertaking that the company is willing to pay those liabilities, one of which is this \$22,000,000, perhaps the minister will tell us, and also advise us how much we are claiming against the Grand Trunk altogether.

Hon. Mr. REID: We are claiming the \$22,000,000 in this item, and also in the arbitration we are claiming the Grand Trunk Pacific bonds guaranteed by the Grand Trunk Railway Company. We say that the parent company are responsible for those bonds as well, and they

11 p.m. have not taken issue in so far as that is concerned. The hon. member knows that if the Grand Trunk could have got out of their guarantees in

connection with the Grand Trunk Pacific, it is very doubtful if we could have ever acquired the Grand Trunk railway.

Mr. McKENZIE: Has the minister any acknowledgment in writing or otherwise from the Grand Trunk officials admitting that the company is liable on those guarantees and regard them as a debt against the company?

Hon. Mr. REID: I think the hon. member heard me read a statement a short time ago of what went to make up the \$89,000,000 and in that total was the \$22,000,000 that we are now discussing. That statement was signed by Mr. Scott as vice-president of and representing the Grand Trunk Railway. There is one document acknowledging officially their liability for the \$22,000,000 in connection with the Grand Trunk Pacific, which is now in the hands of a receiver.

Mr. McKENZIE: I presume the minister gave Mr. Scott the very same explanation he is giving to us—there is no money to pass. Does it mean anything at all except a matter of book-keeping? Mr. Scott is no longer an officer of the old company, and that company has not been doing business since the 1st of February, 1920. We took the company over, and if the minister and his officials told Mr. Scott, "Well, we want you just as a matter of form to put this in a statement, because it is a cross entry in our books," why would he not oblige them? But he could only do that sort of thing under the direction of his board; otherwise he would have no authority to make any acknowledgment for the company. It is rather simple to say that the only thing you have got is a statement made long after the fact by some official who was not authorized to make that statement.

Hon. Mr. REID: That is hardly correct. The Grand Trunk Pacific is in liquidation. The Government had to pay the \$22,000,000, and make a demand on the Grand Trunk Railway Company in 1919. The Grand Trunk Company was asked to compile a statement of all the moneys they would require to pay their liabilities, and Mr. Kelly and Mr. Scott together said it would take \$89,000,000, and in the statement they submitted was the \$22,000,000 they admitted they owned and that it should be paid. The Finance Department had to advance that to the Grand Trunk Pacific, a company in liquidation, and the Grand Trunk Railway Company having acknowledged its liability, the

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only way we could get security from the parent company is to ask Parliament to allow us to loan to the Grand Trunk Railway Company \$89,000,000. When we have that authority we can credit to the Grand Trunk Pacific the \$22,000,000 and wipe that off against the Grand Trunk Pacific. The liability is then against the Grand Trunk Railway Company. They have admitted that.

Mr. McKENZIE: Supposing we accept this whole story, I am sorry to be wasting time on something that does not need anything to be done with it—

Some hon. MEMBERS: Hear, hear.

Mr. McKENZIE: Hon. gentlemen say "Hear, hear". They care not one whistle what becomes of the country. Twenty million dollars, forty million dollars, three hundred million dollars is nothing at all to them. If a member says anything about it he is laughed at. I venture to think that not one-tenth of one per cent of hon. gentlemen opposite understand the situation at all. Suppose we take a mortgage for this \$22,000,000 for ten years. By the time the mortgage expires we shall have acquired entire ownership of the system; the old shareholders will be sitting back clipping their coupons and having a good time with our money. Now, what is going to be the term of the mortgage, and when it comes due where is the minister going to get his money?

Hon. Mr. REID: It will be payable on demand, and we will demand it when we know they are able to pay.

Mr. McKENZIE: But the Grand Trunk will be going out of existence in a few days. If the minister comes to foreclose the mortgage upon whom will he make the demand? Upon whom will he serve the papers—himself?

Hon. Mr. REID: The Grand Trunk as a corporation will not go entirely out of existence. These companies will be subsidiary companies of the Canadian National. The Canadian Pacific for instance, when they purchase a line do not allow the identity of the purchased railway company to go out of existence; they issue bonds and so on against it as a subsidiary company. The Grand Trunk itself has a number of subsidiary companies, and they are all kept alive; they do not disappear. If the mortgage is to be foreclosed, the papers will be served on the officers of the Grand Trunk Company.

Mr. McKENZIE: Does the minister say that after we assume ownership and control

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of all these companies we are going to keep them going as separate concerns, notwithstanding the fact that we have scooped out of them everything they had and placed them under the management of another company? Why not put all these stocks or bonds under the control of one company and have simply one concern, thus avoiding these frightful complications which seem to be resulting? I think I may say that members of the House have the average share of intelligence—more than the average, I am sure, all of us, why should we be called upon to follow a frightful muddle of this kind in trying to protect the interests of the people? If your property is to go into the hands of one company let us deal with that company and have no more complications of this kind. I repeat that I am not satisfied that we are getting anything for this \$22,000,000. When we forced the Grand Trunk Pacific into the hands of a receiver and took possession of it, we assumed all its liabilities, and we should not now bother any one else about them. If there is anybody sitting on that Grand Trunk board or any lawyer appearing before it on behalf of the interests concerned who acknowledge this liability, I have not heard of it. I would rather think they still adhere to their old position, that they claim to have nothing to do with the Grand Trunk Pacific and that having taken it over we must assume all its obligations. Until I am assured that the arbitrators are taking these matters into consideration and that the value of the property will be reduced to the extent of this liability, I would contend strenuously against voting any more money along that line.

Mr. CAHILL: The hon. member for South Simcoe (Mr. Boys) pointed out that the Government in this way get an acknowledgment of account from the Grand Trunk Company. As I understand the matter, in 1910 and 1911 loans were made to the Grand Trunk Pacific by the Government of Canada. The Government of Canada of that day got a guarantee of the Grand Trunk Railway Company. The Grand Trunk Railway Company acknowledged their responsibility in the matter when they guaranteed the return of the loan. The minister now tells us that Mr. Kelley and Mr. Scott, I think, two officers of the old Grand Trunk Company, have recently acknowledged their liability as regards that guarantee. There are other guarantees or obligations of the Grand Trunk which they do not acknowledge. For instance, they undertook to operate

the Transcontinental railway system; but on account of some changes made by the present Government in the construction or completion of the line, the Grand Trunk people took the ground that they were not obliged to carry out their contract with the Government. To that extent there is a dispute between the Grand Trunk proper and the Government. But as regards this guarantee, there is absolutely no dispute. The Grand Trunk parent company acknowledge owing \$22,000,000, and they say that they are willing to pay it if they had the money. The security which the Government have to-day is a mortgage on the Grand Trunk Pacific secured by a guarantee of the Grand Trunk Company. But in the interval, the Grand Trunk Company have made an agreement with the Government whereby the Government have appointed their own directors. Now we propose to release the Grand Trunk Pacific and to take the new directors which the Government themselves have appointed, to sign this new mortgage. In my opinion, the new mortgage will not be nearly as valid as the old mortgage, because the holders of the stocks that are now being arbitrated, the minority stockholders, may take the ground that the Grand Trunk Pacific have \$22,000,000 less of liabilities. It is true that the Grand Trunk have this, but they may take the ground: "You have appointed your own officers; this is a loan that you made yourselves; we are not responsible." And the position of the Government is worse if anything, but certainly not better, with this important difference, as regards the country, that if you vote this \$22,000,000, if it is passed in this Estimate, the Government have the right to spend it; it is not earmarked for any particular purpose. The minister tells us that it is to make a loan to the Grand Trunk proper, with which loan they are to pay off a loan; but if in the interval the Grand Trunk find themselves short of an additional \$22,000,000, the Government will be in a position to advance them this money during the year without coming to Parliament for an additional sum of money. The country have no better and, perhaps, not as good, security, but the Government have \$22,000,000 that they can push around the checker board and use as it suits them for their purposes. That is the only important difference that I see in this appropriation and, therefore, there is absolutely no reason why this \$22,000,000 should be voted in this fashion. It is not required by the Government. All that the Government have to do is to extend the time of payment to the Grand Trunk Pacific and

still hold the Grand Trunk responsible on their guarantee. The argument that they are to take a mortgage on the Grand Trunk does not get us anywhere because the mortgage is no better than the guarantee. The property is the property of the people of the Dominion, and the arbitrators will not take into very serious consideration this \$25,000,000 or \$50,000,000 or whatever the amount may be. The shareholders have a certain amount of stock; they have been paid certain dividends at times, and they claim there is a value in their securities. The arbitrators are bound to award an amount not to exceed \$3,600,000 or \$5,000,000 a year, I am not sure which. The amount was originally \$3,600,000, and I think the Senate increased it a little. The interest charges will be so much per annum. The Government will not get one cent from the present shareholders, and it does not make much difference about these guarantees, because if the arbitrators take the ground that the Grand Trunk Company are responsible for their contract with the Government on account of the Transcontinental and their guarantee on the Grand Trunk Pacific, there is no equity in any of the stocks and the award will be nil, because not only are the parent company producing a deficit on their operation, but the subsidiary companies are having huge deficits. If you held the Grand Trunk proper responsible for the deficits of the Grand Trunk Pacific and for their agreement to operate the Transcontinental, it goes without saying that they are insolvent and the stock under arbitration would be worth nothing. Therefore, there is no need for this \$22,000,000 loan, and it should be struck from the Estimates.

Mr. BOYS: I want to put myself right with the hon. member for Cape Breton North and Victoria (Mr. McKenzie). A few moments ago he was very anxious to see the submission in a statute, and he did not think it was in any statute. It is in chapter 13 of the Statutes of 1920. I made the statement that the arbitrators would have the right to consider and deduct any liability on the part of the Grand Trunk. I went further, and in that, I was in error. I am glad I was. I said that after the award was once made, there would not be the right to make further deductions; but I find provision in this submission and I should not have forgotten it because I quite recall it now when I read it again. This provision is very unusual, and it affords the Government of this country great protection. It shows that the Government have been very careful in completing this

agreement. Under section 6, the right to consider obligations and liabilities exists. Section 10, which I am going to read, contains an unusual provision which, I think my hon. friend will agree, affords this country exceptional protection as regards this very matter. It is headed: "Undisclosed liabilities" and reads:

Should the Government, within three months after the making of the award, claim that there existed any liabilities of the Grand Trunk, or of any company comprised in the Grand Trunk system, which were not disclosed to the Board of Arbitrators prior to the making of their award, the Government may, within such period of three months, apply to the Board of Arbitrators to amend their award, and the board may thereupon decide whether such liabilities existed and were disclosed to them, whether the amount of their award would or would not have been affected thereby, and the amount of the deduction, if any, to be made in respect thereof; and may amend their award accordingly.

Mr. McKENZIE: Does my hon friend think that this obligation of \$22,000,000 would be an undisclosed liability?

Mr. BOYS: I do not know whether he and I agree as to what that means. As I understand, it means, that if counsel representing the Government on the arbitration gave evidence of that liability, it is a disclosed liability and is considered by the arbitrators and deducted from their award. If, perchance, that is not done, at any time within three months after the making of the award, the Government may still raise the question as to this obligation, which was an undisclosed obligation, and have it deducted. Therefore, not only under this submission has the Government, through its counsel, the right to present obligations and liabilities of the Grand Trunk at the hearing in the ordinary way; but if by any chance they overlook obligations, they have a further period of three months in which to present them. I think if my hon. friend will be good enough to look at the statute which I have before me now, he will come to the conclusion that the Government is pretty well protected.

Mr. McKENZIE: I do not think so at all. I very well remember the Act going through; I was in the House at that time, and if my hon. friend finds any safeguards in the Act, no matter how weak they may be, they are there because of the strenuous efforts of the Opposition. If the Act had gone through in its original form it would have been a very weak milk-and-water affair. I do say that it was never thought at the time that any of these matters that were public property when the arbitration was entered into were to be regarded as

[Mr. Boys.]

undiscovered indebtedness. This Government knew every dollar they were claiming against the Grand Trunk before the arbitration was entered upon, and they signed the deed of arbitration with a full knowledge of every dollar they were claiming. They could never come now and say: Something has been discovered that we knew nothing about. They could not say that because they are dealing with their own business. The object of that provision was to protect ourselves if within three months there should turn up a debt which the Grand Trunk people owed down in the United States or somewhere in Canada which they had said nothing about at the time. That is what the provision was for. We could not plead for one minute that we did not know what our claims were. We knew all our claims and all the guarantees; they were not undiscovered at all, and I am surprised that a keen capable lawyer like the hon. member for South Simcoe (Mr. Boys) should take shelter under such a flimsy structure as that, trying to make a gourd out of it for which it was never intended. I am afraid he will find a worm in it which will cause it to fall down upon him.

Mr. JACOBS: Referring to the arbitration, in view of the fact that Mr. Taft is about to be appointed Chief Justice of the United States Supreme Court, I should like to know whether we will require to have a new arbitration. Will the proceedings have to be recommenced?

The CHAIRMAN: I suppose the committee will allow the minister to answer by unanimous consent, but I must say that the question is not relevant to the item under consideration. We have not yet reached the item dealing with the arbitration.

Mr. JACOBS: May I point out that we are discussing the arbitration now, and I thought that this was the proper time to put the question. It is very important that we should know what is going to happen in that respect. We have already incurred a heavy bill of costs, and if the proceedings are to be commenced all over again, we know what that means.

Hon. Mr. REID: I have no reason to believe that Mr. Taft will not continue as arbitrator. As I understand, it will not be necessary to have a new arbitration. I think the proceedings will be continued.

Mr. JACOBS: The minister knows that Mr. Taft's name has already gone before the Senate of the United States for approval.

Hon. Mr. REID: That is a newspaper item, but I understand that he is going to continue.

Mr. JACOBS: The newspapers are right sometimes.

Mr. DENIS: I have listened with a great deal of interest to the debate tonight, and I think the trouble is in a great part due to the Government not taking Parliament and the country sufficiently into their confidence. This vote, No. 126, of \$167,000,000, comprises an item of \$89,000,000 another of \$50,000,000, and another of \$26,000,000, and after hearing all that has been said by the minister and by hon. members, I cannot for the life of me understand exactly what this vote is for. I think it was the duty of the Government to place in the hands of every member a statement other than that which is to be found in the Estimates. That statement, in fact, is no statement at all. I submit, further, that it would take a juggler of more than ordinary dexterity to be able to extract anything out of this muddle. Questions come from this side of the House, and the minister answers, but Parliament and the country are none the wiser. How can the Government expect that Parliament can intelligently vote this item without having in their possession a statement or summary of the book-keeping corresponding to the figures before the committee? The minister comes along and says that this \$89,000,000 is required for the reasons which are shown in the Estimates. I submit that no man in the world can have any appreciation whatever from reading these Estimates what this vote of \$89,000,000 is for. It is all very well to say that we are voting this money to pay the debts of the Grand Trunk, to pay their deficits, to help them out and so on, but that is not a reasonable explanation to be placed before the members of the committee. We are called upon to vote this item blindly. For my part, if the details necessary to make the item intelligible had been given to the committee, I would not rise to discuss it, because I know it is going to pass anyway, and we are perhaps simply losing time in discussing it. The Government are asking Parliament to vote \$167,000,000, and they will not give us the necessary information. I will go further than my hon. friend from North Cape Breton and Victoria (Mr. McKenzie), and say that there will not be five per cent of the members of this House who will know what they are voting for. It is absolutely impossible from the information before us. No accountant in the country

could make anything out of this statement, or of what the minister has told us tonight, or of what is to be found in the Estimates. Of course, we understand it in a general way, but not sufficiently to render a reasonable judgment upon it, and that is why I say that the Government are not taking Parliament and the country sufficiently into their confidence. The minister says that of this \$89,000,000, \$22,000,000 is due by the Grand Trunk. Before I go any further, I would like to ask the minister if the sum of \$22,000,000 is the only amount of money that was due by the Grand Trunk to the Government of Canada, directly or indirectly, on the 1st of February, 1920.

Hon. Mr. REID: There were other items due by the Grand Trunk. There was an item of \$3,917,000 for locomotives that were purchased, and rented to the Grand Trunk. They are paying rental for them, and we want them to buy them. We would take security on the equipment, and on the railway itself. We purchased these engines when the war was on, and the Grand Trunk are using them.

Mr. DENIS: I do not want all the details. I just wanted to know whether or not there were other amounts than this \$22,000,000 owing by the Grand Trunk to the Government on the 1st of February, 1920. How can a member of this House take a statement, submitted by the minister ex abrupto, and make anything intelligible out of a mass of intricate figures? This statement should have been printed and placed in the hands of the members at an earlier stage, because it is absolutely impossible for us to follow the figures now. If this had been done, many of the questions asked now would have been unnecessary. Now, if the Grand Trunk owes the Government more than \$22,000,000, what is the total amount of their indebtedness? And if we are lending them money to pay us that \$22,000,000, why should we not lend them money to pay us everything they owe?

Hon. Mr. REID: There is \$22,000,000 owing by the subsidiary company; that amount is in the books, owed by a company in liquidation. The Finance Department, and the Department of Justice say that we should take security from the parent company, and we are doing so. The Government owes \$3,900,000 for locomotives, purchased when the war was on, and they have been paying rental regularly, as any railway would pay for engines. Those accounts should be closed out; the parent company

will assume them, and we will take a mortgage on the road.

Mr. DENIS: Are there any other obligations besides this \$22,000,000?

Hon. Mr. REID: The Grand Trunk have guaranteed others which the Government will have to assume, but they are not due yet. One of these loans was made in 1909 for ten years, and is due; the other was made in 1911, and is also due, and we have to pay them now. When the others fall due, we shall have to pay them, and it strikes me as good business that we should renew them with the parent company.

Some hon. MEMBERS: Question.

Mr. DENIS: My hon. friends will get nowhere by shouting "question." This is an important matter, and if they are not interested in it, I am. What is the amount due by the Grand Trunk to the Government, and what will be due later on?

Hon. Mr. REID: That information has been furnished already.

Mr. DENIS: I must once more protest against the placing of a solid mass of figures before the committee, without any previous opportunity for members to digest them. It is a bad practice, and the Government is to be censured for it. If I understand rightly, this \$22,000,000 was due on or before February 1, 1920.

Hon. Mr. REID: The first \$10,000,000 was due in 1919, and the second \$10,000,000 in March, 1921.

Mr. DENIS: When the Grand Trunk Acquisition Bill was before Parliament, it was repeatedly stated that the arbitrators would take into account all the moneys due by the Grand Trunk to the Government, and deduct them from the award, and that the country would be called upon to pay the balance, the equity. This was stated a hundred times in the House, and I think the minister now stands by that statement. Now that the arbitration is going on; therefore, I do not see what purpose is to be served by manipulating the figures and changing the nature of the debt. The debt is due directly by the Grand Trunk to the Government, and the Government is going to lend money to the Grand Trunk. The Grand Trunk will pay the Government, and do what else? Will it give them a note to renew their obligation? I do not know. Up to the time of the arbitration, the Grand Trunk was not the same entity as it is now. It has

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the same name, it is true, but it is not the same company. In the first instance, the proprietors were the old stock owners, now the proprietors are the Government of Canada. It is hard for me, I say once again, to make anything satisfactory out of these figures without previous study. It seems to me that if we had done what was stated when the Bill for the acquisition of the Grand Trunk was before Parliament, and what is done in every transaction, that is, to ascertain what the Grand Trunk was worth and then deduct therefrom what the Grand Trunk owed the Government, we should have been taking the proper course. If the Grand Trunk, let us say, is worth \$50,000,000, outside of all liabilities, and it owes us \$22,000,000, we deduct the \$22,000,000 and that leaves \$28,000,000 to be paid by the Government to the Grand Trunk. That is the way an ordinary business man would do it. But now the Government comes along with an intricate mass of figures which it is absolutely impossible for members to fathom on the spur of the moment, and that is why we have had such a lengthy discussion, largely obscure and unintelligible. The minister, who is very able in these matters, should tell us once for all why he has changed the nature of the debt. It has been said time and again that whatever amount the Grand Trunk owes the Government will be deducted from the assets, or from the amount of equity in the stock of the company, and the balance will be paid by the Government. I would like to know why this method is now being pursued, and why we are going through this process of manipulation which is absolutely obscure to me, and the reason for which I cannot discover?

The CHAIRMAN: Is the committee ready for the question.

Mr. DENIS: Not yet, Mr. Chairman.

Hon. Mr. REID: In answer to the hon. member I would say that I should think the first security on a property is better.

Mr. DENIS: That is what we have, the first security.

Hon. Mr. REID: No, we have not. We have it on the Grand Trunk Pacific but that is a company that is in liquidation.

Mr. DENIS: But guaranteed by the Grand Trunk.

Hon. Mr. REID: Guaranteed by the Grand Trunk. It is not on the Grand Trunk property directly, it is on one of the sub-

subsidiary companies. But if you have a loan charged to the Grand Trunk Company, the parent company, it is really against all the subsidiary companies as well. The others would be liable as well. In the other case we simply have the guarantee. In order to collect the debt we would have to sue the Grand Trunk. Is it not better that we should have a mortgage on the property of the parent company and thus have a claim against one of the subsidiary companies cleared up.

Mr. DENIS: Before we go any further, may I ask the minister if this sum of \$22,000,000 is for the whole amount of the debt of the Grand Trunk Pacific guaranteed by the Grand Trunk? As I understand, it is only for part of the amount.

Hon. Mr. REID: Will the hon. member repeat his question?

Mr. DENIS: I want to know if this sum of \$22,000,000 is the whole amount of the debt of the Grand Trunk Pacific guaranteed by the Grand Trunk?

Hon. Mr. REID: Oh, no, the others are not due. When they become due—

Mr. DENIS: What is due?

Hon. Mr. REID: The \$22,000,000. That has been paid. That is the reason it is due by the Grand Trunk Railway Company, they having failed to meet the obligation in 1919. So in March, 1921, the Government had to come to the rescue.

Mr. DENIS: The minister has just stated that it is much better to have a debt directly against the parent company. The parent company in this case is the Grand Trunk which guaranteed the obligations of the Grand Trunk Pacific. The minister has stated that this refers to an item of \$22,000,000. Is the whole of the \$22,000,000 a debt of the Grand Trunk Pacific guaranteed by the Grand Trunk? In other words is it for the entire amount an indirect debt of the Grand Trunk, through their guarantee of the Grand Trunk Pacific?

Hon. Mr. REID: Now let me see if I understand the hon. member. The Grand Trunk guaranteed these bonds on the Grand Trunk Pacific, and the money was expended on the latter system. These two amounts that have been paid form part of the guarantee of the bonds. Therefore the Grand Trunk were indirectly responsible because they guaranteed the amount. Now that the Grand Trunk Pacific has failed the Grand Trunk are directly liable for the amount,

and we must make them pay it or take security on the company.

Mr. DENIS: I will put the question in another way: Is it not a fact that the Grand Trunk Company owe the Government of Canada moneys which have been directly loaned by the latter to the former?

Hon. Mr. REID: Yes, of course, they do, and this will come after.

Mr. DENIS: This is not due now then?

Hon. Mr. REID: Which?

Mr. DENIS: The moneys which were loaned by the Government of Canada to the Grand Trunk. Are they due?

Hon. Mr. REID: No, they are not due. If they were we would have to get the authority of Parliament to renew them again. Supposing the Government loaned the Grand Trunk \$10,000,000 and took security, we would have to renew it again—at least we would have to get authority from Parliament if we wished to renew it.

Mr. DENIS: What is the entire amount of money loaned by the Government of Canada to the Grand Trunk and owed directly by the company to the Government?

Hon. Mr. REID: I read that statement a few minutes ago. It is quite a lengthy statement and it has gone on Hansard.

Mr. DENIS: To-night?

Hon. Mr. REID: Yes.

Mr. DENIS: That is what I am complaining about. Nobody could listen to such a statement, retain the figures in his head, and discuss them intelligently a few minutes afterwards.

Hon. Mr. REID: The hon. gentleman knows the only way a minister can do is to bring down his statement and give the details as requested.

Mr. DENIS: The only way to do—although I am not suggesting that course should be followed—is to prevent these Estimates from being passed, and then in a day or two the minister will come along with the required statement and read it.

Hon. Mr. REID: I have the statements here and have been giving them to the House from time to time. I am satisfied that if hon. gentlemen will read those statements they will realize that very full information has been given. In the case of a large item like this I must admit that

there are many details that hon. members want and are entitled to. It is altogether likely that a good deal of the discussion we have to-night will be saved another session if the special committee appointed by the House continues its sittings, takes evidence and acquires information regarding the whole National railway system. These Estimates were prepared when the impression prevailed that we would not be taking the Grand Trunk over at the present time. Otherwise all these matters would have come before the committee, and a good deal of this discussion might have been prevented.

Mr. SINCLAIR (Guysborough): Is this amount of \$22,000,000 a liability against the stock of the Grand Trunk?

Hon. Mr. REID: Of course every mortgage you put against a road depreciates the stock of that road. I should think it is a liability against the road; that is what it is.

Mr. SINCLAIR (Guysborough): I think I can make myself understood. As I understand it, this guarantee was given ten years ago, long before anything in the way of handing over the road took place. It is a guarantee by the Grand Trunk Company to pay the debt of the Grand Trunk Pacific is it not?

Hon. Mr. REID: Yes.

Mr. SINCLAIR (Guysborough): Then it is a liability against the Grand Trunk itself?

Hon. Mr. REID: Yes, that is right.

Mr. SINCLAIR (Guysborough): Now an arbitration is going on at the present time to find out what the value of the Grand Trunk stock is, and this guarantee hangs over it. Consequently it ought to reduce the value of the Grand Trunk stock by that amount?

Hon. Mr. REID: Yes.

Mr. SINCLAIR (Guysborough): That is the logic of my hon. friend.

Hon. Mr. REID: That is right.

Mr. SINCLAIR (Guysborough): Then why does my hon. friend not prove before the arbitrators that a guarantee was given by the Grand Trunk ten years ago of \$22,000,000 which ought to be paid by the company? Why does not my hon. friend prove his case in regard to this \$22,000,000 before the arbitrators, in place of asking us to vote the money again and going through

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this manœuvre of mortgaging our own property to square his books? It seems to me a very simple proposition to go before the arbitrators, if this is a legal obligation, prove the case, and settle the business there. How does my hon. friend explain his failure to pursue that course?

Hon. Mr. REID: The directors of the Grand Trunk admit this liability. It is before the arbitrators now, and the arbitrators will consider this liability. The Grand Trunk admit their liability and they will have to settle the matter in so far as we are concerned.

Mr. SINCLAIR (Guysborough): If it is charged up against the Grand Trunk stock that settles it.

Hon. Mr. REID: We want to have a mortgage against the road.

Mr. SINCLAIR (Guysborough): We want to know what we ought to pay for the stock of the Grand Trunk Pacific, and the less we pay for that stock the better it will be for us; and if we can charge this \$22,000,000 against the Grand Trunk Pacific, we will have that much less to pay. Mortgaging the road is no good to us, because it is our own road, and in the end we will have to pay the mortgage ourselves. That is the point I want my hon. friend to make clear. It is very simply to me that if he the minister has a valid claim he should prove it before the arbitrators, and if he succeeds that is the end of it, because we get the stock of the Grand Trunk for that much less.

Hon. Mr. REID: The Grand Trunk have acknowledged this indebtedness. I put on Hansard this evening a statement signed by the Grand Trunk admitting this liability of \$22,000,000.

Mr. SINCLAIR (Guysborough): The document signed by the Grand Trunk was signed by officers appointed by ourselves, not by the Grand Trunk prior to the time that this transaction took place.

Hon. Mr. REID: No, Mr. Kelley was president of the Grand Trunk, and Mr. Frank Scott was comptroller for many years.

Mr. SINCLAIR (Guysborough): Then if that is so the liability is all the easier to prove.

Hon. Mr. REID: I say Mr. Scott sent in a statement some months ago showing the liabilities of the Grand Trunk that should be straightened out, and among them is this \$22,000,000 paid by the Government

on account of the Grand Trunk Pacific and guaranteed by the Grand Trunk. Now then, that stands in the books of the Government as owing by the Grand Trunk Pacific but guaranteed by the Grand Trunk. The arbitrators in making their award will take all that into account. Therefore, in view of all that, I cannot see where it is not in the interest of the railway, the Government and everybody else that we should have the debt against the company that owes it and should pay it.

Mr. DENIS: But the company belongs to us.

Hon. Mr. REID: It does not make any difference.

Mr. DENIS: It makes all the difference.

Hon. Mr. REID: Suppose the hon. gentleman purchased a farm, and he put it in the name of the company of which he owned all the stock, if there was a liability against that farm would he not think it would be well, if he has other interests, that any loans he makes in the operation of that farm would not be placed against it; or would he rather charge it up to himself and pay it out of his own pocket?

Mr. SINCLAIR (Guysborough): There is something very bewildering about my hon. friend's statement. He tells us that this liability of \$22,000,000 is before the arbitrators, and that he expects to collect it from the Grand Trunk, or to reduce the value of the stock of the Grand Trunk by that amount. Surely my hon. friend does not want to be paid twice?

Hon. Mr. REID: I will be satisfied with once. I wish I could get the money now.

Some hon. MEMBERS: Question.

Mr. McKENZIE: We are not ready for the question. The Minister of Railways cannot blow hot and cold. He tells us that he has put evidence before the Board of

Arbitrators of the existence of this indebtedness of \$22,000,000, but I am not so sure that he can tell us who testified as to this claim before the Arbitration Board. But he says that is being considered by the board and he expects them to do justice in regard to it, and to cut down the value of the Grand Trunk stock to that extent. If that is so, what are we taking a mortgage for? But the real fact of the case is that if after this goes through the Government attempted to argue before the board that this \$22,000,000 is still a liability against

the old company, the company's lawyer would claim that the old obligation of \$22,000,000 is paid by this new mortgage and the old company is not responsible at all. That is the situation, whether hon. gentleman opposite understand it or not. If a man has a note outstanding, and he gives a new note, that pays off the old one although no money passes. In this case there was an old liability of the Grand Trunk by way of guarantee. Now they have given a mortgage for that old liability. Is that not equivalent to paying that liability? If not, does it mean anything at all? I should like to hear from the minister whom he sent down to Montreal to testify as to our claims against the Grand Trunk Pacific, and in what shape the evidence was put before the arbitrators. It would be interesting to get a copy of his testimony.

Hon. Mr. REID: The hon. member would not expect me to have that evidence here this evening. But in discussing the matter with counsel for the Government there was no question about the Grand Trunk admitting their liability. The solicitors never took issue on the liability of the company in regard to the guaranteeing of the bonds of the Grand Trunk Pacific. They did take issue, of course, as was stated in the House, as to the Grand Trunk assuming the operation of the Transcontinental, although that is one of the claims of the Government that will be put before the arbitrators as well as the liabilities in respect of the Grand Trunk Pacific and other subsidiary companies.

Mr. McKENZIE: Does the minister say, then, that he has no confidence in the arbitrators, that he does not believe they will give us credit for these amounts? If he does, why not leave the matter with them? I shall be satisfied if he says that the board will give us credit for these amounts; that it will take them into consideration in arriving at the award. If the Government is assured that the board will do that, there is no sense in taking this mortgage, we have no business to take it.

Hon. Mr. REID: I have every confidence in the arbitrators; they will take this into consideration. The only difference between the hon. member and myself is as to whether we should let our security remain as against the subsidiary company or hold it against the Grand Trunk itself. We say that the parent company, which is liable for this debt through its guarantee, should now furnish the security.

Mr. McKENZIE: If we are satisfied that this sum will be included in the judgment, why should we take a mortgage? I assume that enough money will be found to be due to the company to cover these liabilities. By proceeding in this way we are simply jeopardizing our position. We should hold on to the original security. We are simply cancelling the old security and taking this new one; one wipes the other out. We are endangering our position, if we ever had anything but a dangerous position in this matter. If our old security was any good we are simply destroying it by taking this new security on our own property. We have the old claim or guarantee clearly and indisputably against the old company, but with this new security the officers of the company have nothing to do. They will say to us: You can pile mortgages on your own property as high as the tower of Babel; we don't care anything about it; we are not affected in the slightest degree. If the minister is satisfied in regard to the manner in which the matter will be dealt with in the arbitration, then I think he should leave it as it is.

Mr. SINCLAIR (Guysborough): There is only one source from which we can get one dollar out of these liabilities, and that is the stock of the Grand Trunk. The shareholders are not liable; the road is our own; the only course we can draw from is the stock itself. If the debt of \$22,000,000 as against that stock is recognized by the arbitrators, we do not need any mortgage, because we shall have that much less to pay for the stock. The minister has not satisfied me that we are going to gain anything by what he proposes to do. It is quite clear that if we make our own property liable for this debt before the arbitrators have made their decision we are only complicating matters and probably destroying any claim that we have.

Hon. Mr. REID: We are not destroying any claim. Our legal advisers think this is the way we should proceed. The Grand Trunk itself is liable for these amounts and we want to have them responsible, because they are the ones from whom we should collect if necessary. Hon. members may laugh, but I want to say that if it was not for the liabilities of the Grand Trunk Pacific the Grand Trunk Railway would not be for sale to-day. That is where the trouble is, and we want to have this claim against the parent company.

Mr. McKENZIE: How is it then, that the Grand Trunk, quite apart from the

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Grand Trunk Pacific, is hopelessly and helplessly insolvent? We were told a moment ago that \$69,000,000 was the deficit on their road, in addition to the \$25,000,000 announced by the minister in his statement made earlier in the session. In other words, The Grand Trunk was \$60,000,000 or \$70,000,000 in default last year, entirely apart from the Grand Trunk Pacific.

Mr. SINCLAIR (Guysborough): The minister has told us that the operating deficit on the Grand Trunk for the current year was about \$7,000,000. When he forced Parliament to take over the Grand Trunk he told us that it was going to be a paying venture; that it would be the one part of the whole system that would make the other parts solvent; that if we had the Grand Trunk with its terminal facilities and all its other advantages we would be in a position to make the other roads pay. That was the statement on which he secured the vote of the House to take over the Grand Trunk. It did not take us long to find that the statement was incorrect. He comes now before Parliament and tells us that the Grand Trunk itself has a deficit in operation this year of \$7,000,000. How in the face of that can the minister say that it is the Grand Trunk Pacific which has been pulling down the Grand Trunk?

Hon. Mr. REID: I said that the Grand Trunk had lost some \$6,000,000 or \$7,000,000, but when I made that statement I was not referring to operating expenses. The Grand Trunk outside of its Grand Trunk Pacific made its operating charges and two or three or four millions on the fixed charges last year. It failed by \$6,000,000 or \$7,000,000 to earn sufficient to pay its fixed charges. The reason for the deficit on operation last year was that between the first of May and the first of September last year they had to meet this back pay and they had no chance to make larger earnings, owing to the fact that the freight rates had not been increased. This year the Grand Trunk itself will earn its operating expenses and part at least, perhaps all, of the amount necessary to pay fixed charges. Of course, it may fall short on account of abnormal conditions—the high cost of fuel and of materials. That is the position of the Grand Trunk. It is not a deficit, as the hon. member stated a few minutes ago. The other amounts are not deficits; they are amounts that should have been borrowed from time to time as charges against the railway.

But the Grand Trunk for the last two or three years, while all these litigation troubles were going on, could not borrow money, and these amounts had to stand and be borrowed temporarily, as was done. I said then, and I repeat now that I have no doubt that the old Grand Trunk Railway company will meet its fixed charges; I go further; I feel satisfied that the Canadian Northern Railway system will also earn its fixed charges within a few years. I am not at all pessimistic about the situation. I feel that we have a great asset in this railway system if it is allowed to continue in operation for a few years.

Mr. McKENZIE: In a statement made earlier this session the minister told us that in the year 1921-22 he would likely have a deficit of \$100,000,000. He will find that in his statement he said that the deficit last year was \$48,000,000; this year it was \$70,000,000, and he told us he would not be surprised if in all it would reach \$100,000,000 for the ensuing year. If the amount of \$100,000,000 is correct, will he tell us how he divides that between the different railway systems, and how much, it is anticipated, would fall to the Grand Trunk?

Hon. Mr. REID: I have not the figures just at hand; but if I remember rightly, when I made that statement, the deficit on what we call the present Canadian National Railway system, that would be the Canadian Northern, Intercolonial, Transcontinental, what we are operating now, was estimated at about \$60,000,000; then the deficit on the Grand Trunk Pacific was estimated at some \$20,000,000, and as regards the Grand Trunk, I think the estimate was about \$6,000,000 or \$7,000,000. As far as I can remember, that would be the estimated loss during the fiscal year, January 1, 1921, to December 31, 1921.

Mr. McKENZIE: Since we took over the road on February 1, 1920, we are liable for the operation in all its details. Why do we not pay that debt as we pay a debt in connection with the Intercolonial, without going through the circumlocution of borrowing money in the name of the Grand Trunk, giving it to somebody in the name of the Grand Trunk and paying our money out in that way? When we go into the money markets in the name of any company to borrow money, we do not get the same rate that we would get if we were borrowing directly. I had no end of fun with the Minister of Finance (Sir Henry Drayton) on the Budget in connection with his borrowings. Some of the bonds of this

company, after we took it over, were selling at 91 point something—that was the lowest, 91 point something for another issue, and 96.20 was the highest.

Mr. SINCLAIR: What rate of interest?

Mr. McKENZIE: Seven per cent. Six and a half per cent, I think, was the lowest. This company was getting only 91, 95 and 96 because we were borrowing in the names of these old companies. Anybody who has any knowledge of financing knows that, no matter how good a guarantee may be, a bond that is merely guaranteed will not sell at as high a rate as the direct liability. If we were selling the securities of the Dominion, surely they would sell at their face value. I showed in the discussion on that occasion that bonds of the Nova Scotia Government sold in one case at 101 point something and in another at 102 point something. Surely the bonds of the Dominion should sell as high as those of any of the provinces. But about the same time Nova Scotia was getting 102 for her securities at 6 per cent we were selling 7 per cent bonds, with the guarantee of the Dominion of Canada, for about 91.20 simply because we were taking this frightful way of borrowing in the names of those old concerns, instead of going to the market with our own securities and paying our own bills. If the minister was trying to plan out the most difficult way of doing business and getting money, while destroying our credit, I do not see how he could do it better than he has been doing it for the last year or so in connection with these bonds. I can see no reason on earth why, when we have this road on our hands, we should not pay these bills like men directly and not borrow in the name of the Grand Trunk in order to pay bills of the Dominion Government.

Sir HENRY DRAYTON: I do not want to take issue with my hon. friend.

Mr. McKENZIE: My hon. friend had better not.

Sir HENRY DRAYTON: I am afraid of him; he is a great long-distance worker, but he could not tell me when we were talking about these bonds, what market he was getting his quotations from. He could not say whether they were Canadian or New York funds. I have looked up the matter since. He has mixed up quotations in both markets, and when he claimed that the issue in Nova Scotia was higher than the railway issue, he took Canadian quotations in one instance and American

quotations in the other. I find the truth to be that, on the same market and taking the same quotations, the railway financing has been well done; that those bonds stood higher than did any other bonds of any government on that market, not excepting the British Government, and several points higher than the bonds of Nova Scotia.

Mr. McKENZIE: I certainly join issue with my hon. friend. I quoted and put on Hansard the letter of the deputy Provincial Secretary of Nova Scotia and I stand behind him. I saw in the press the report of the loan and I wrote to him. He did not know that I was going to use this in the House nor what I wanted it for. He told me that the bonds sold for 101 in one case and 102 in the other. I pledge my word of honour that I am sure that Mr. Barnstead gave me the facts. The letter is in my possession, and I shall be glad to produce it if the minister has any doubt about my word. He knows that Mr. Barnstead is deputy Provincial Secretary of Nova Scotia and assistant treasurer of the province, and he will get word from Mr. Barnstead very quickly that those are the quotations which he gave me, and I am sure he gave me the exact facts.

Sir HENRY DRAYTON: No doubt my hon. friend is perfectly sincere, but the trouble is that he does not distinguish between New York and Canadian funds. He does not distinguish between a premium and a discount, and unfortunately a premium on one side and a discount on the other make all the difference in the world. A low quotation relatively with a discount in New York, when converted into Canadian currency, which the Nova Scotia treasurer got because he was getting his money from New York, becomes a premium.

Mr. McKENZIE: The company through whom the Nova Scotia Government negotiated their loan had an office in Toronto. I have no doubt in the world that the Nova Scotia Government did their business with the Toronto office, and surely when doing business with the Toronto office, doing Toronto business, they were not going to accept at a discount Canadian money in Toronto. There is not a scintilla of evidence that Toronto or Nova Scotia got anything but the full face value of the 101 or 102 stated in the letter. I rather think, from what I know of Mr. Barnstead, that if there was any quibble of that kind he would have told me. He would have been deceiving me if he had told me they got the full face value if they actually got anything less.

Mr. CAHILL: When the Minister of Railways first proposed this loan of \$22,000,000 to retire the Grand Trunk Pacific loan, I understood him to say that it was the wish of the Minister of Finance that the transaction should be put through in this way. I see the Minister of Finance in his seat now, and perhaps he might explain to us why he wants a mortgage on our own property in lieu of a mortgage on another property which is guaranteed by the Grand Trunk. The Minister of Railways did not seem to be very clear in his own mind as to why it should be done in this way, but seemed to hope that the Minister of Finance would come in and help him out. Perhaps he would explain the reason now.

Sir HENRY DRAYTON: In view of the lateness of the hour, and after having heard the lucid explanation given by the Minister of Railways, I feel that I cannot usefully add to the discussion.

Mr. CAHILL: Does the Minister of Finance agree with the statement of the Minister of Railways?

Sir HENRY DRAYTON: I do not know the one to which the hon. gentleman is referring.

Mr. CASGRAIN: The Minister of Railways has also referred very often to the Minister of Justice in this debate. He has told us that he has sought advice from both the Minister of Finance and the Minister of Justice, and that this is a question both of accounting and of law. We have all respect for the Minister of Justice. We know that he gives a very good opinion on many occasions. Since the beginning of the session he gave as the opinion one day that the then member for Leeds (Sir Thomas White) had the right to keep his seat, although that hon. member later on chose to resign. Perhaps he was not satisfied with the opinion of the Minister of Justice. I think that as the Minister of Railways has so often mentioned the name of the Minister of Justice in this debate, and has said that he was acting upon his advice, it is only fair that we should have the legal aspect put before the committee.

Hon. Mr. REID: I did not make any such statement.

Mr. McCREA: I understood the minister to say that the loss on operation last year on the Grand Trunk was \$7,000,000. A little earlier in the evening he stated that \$5,000,000 was owing to the Grand Trunk

by the United States Government, under the arrangement whereby the United States took over the operation of all the roads and agreed to pay a certain percentage of the earnings which the railways had had on an average for the preceding three years. Does that \$5,000,000 that is due by the United States represent the loss on operation on the United States end of the road for the year which has just passed, and does the \$7,000,000 represent the loss on the Canadian end, or does the \$7,000,000 represent the loss on both ends?

Hon. Mr. REID: On the whole Grand Trunk Railway system, including all the American roads and subsidiary companies, except the Grand Trunk Pacific Railway. As I understand it, the Grand Trunk earned its operating expenses, but was short some \$6,000,000 or \$7,000,000 in meeting its fixed charges.

Amendment (Mr. Cahill) negatived.

Mr. COPP: Before the main motion carries, I would like a little information. I thought I had a reasonably fair grasp of the situation after the time I had spent in the Railway Committee studying this question, but the Minister of Railways this evening has led me through such paths of distress that I am absolutely in the dark again in regard to railway financing and the general railway jumble my hon. friend has got into. We had before the railway committee expert witnesses who gave us information that, in some parts, at least, was fairly clear, but the minister has befogged the whole situation, and I do not wonder that my hon. friend from Joliette (Mr. Denis) said that it was absolutely impossible for any ordinary individual after listening to this discussion for three or four hours, and with figures presented for the first time running into the hundreds of millions of dollars, to cast an intelligent vote. This mortgage of \$22,000,000 which my hon. friend is anxious to get from the Grand Trunk Railway as security for a loan to the Grand Trunk Pacific is a new thing to me. In regard to the terms of the mortgage on the property of the Grand Trunk, how long does the minister propose that the mortgage should run?

Hon. Mr. REID: I stated a few moments ago that it would be a demand mortgage, but, of course, the Minister of Finance may decide to change the terms. At all events, it will be a mortgage against the road, either on demand, or for a definite

period, and I would suggest a demand mortgage.

Mr. COPP: If that is correct, and if it is also correct, as has been argued by my hon. friend from Antigonish and Guysborough (Mr. Sinclair), and by my hon. friend from Cape Breton North and Victoria (Mr. McKenzie), that this \$22,000,000 is a direct charge, or offset, call it what you will against the amount of the arbitration award for the stock of the Grand Trunk, and if that arbitration is to be completed in the 'course of a few months, it does seem to me that the mortgage is unnecessary.

Suppose the arbitrators allowed \$50,000,000 for the stock of the Grand Trunk Railway: as the Government would hold \$22,000,000 of a mortgage, instead of paying that \$50,000,000, they would pay \$28,000,000. I can see no particular disadvantage in taking a mortgage, along with any other security you have, provided the Government has assumed all the liabilities of the Grand Trunk. If you assume all the liabilities, and there is no one who can come in with a first mortgage, ahead of the \$2,000,000, while it will do no good, I do not see that it will do any harm. Now, Mr. Chairman, the minister has a number of items to put through, and I do not think it is the intention of any one unnecessarily to prolong the discussion; but members of Parliament owe it as a duty to the people to obtain all the information possible in regard to this important matter, and to give it the greatest degree of attention. We realize that we are in an unfortunate position in regard to our railways, and it should be the one resolute desire of every member of Parliament to work out the best possible solution of the problem. I suggest to the minister that as we have had a lengthy discussion to-night on this particular item, and as a great deal of information has been placed on Hansard, which, as my hon. friend from Joliette (Mr. Denis) has truly remarked, cannot be digested in the course of an hour, this item be allowed to stand so that we may have an opportunity of reading Hansard and studying the whole question. I do not suggest that we should stop altogether now, if my hon. friend wants to go on with other items.

Hon. Mr. REID: I agree that the item is a large and important one, and I do not wish to rush it unduly. If hon. members desire to discuss it at further length, I have no objection; I want to give them all

the time possible to study it. The railway problem to-day is one of the most important matters that have been before any government. Before I leave this item, however, I want to move an amendment so that hon. members may have it to study before they approach the consideration of the matter at the next sitting. When these Estimates were prepared, we did not know that the arbitration would end, and the language of the item was prepared under those circumstances.

I beg to move, in connection with the wording of the item for \$89,687,633.39, the following:

Insert after the word "the," in the sixth line, the words "Canadian National Railway Company, the."

Insert after the word "the," in the eighth line, the words "Canadian National Railway system or the."

Insert after the word "system," in the ninth line, the words "or any of them."

Insert after the word "of," in the twenty-first line, the words "the Canadian National Railway Company or."

Insert between the words "the" and "Grand," in the twenty-ninth line, the words "Canadian National Railway Company or the."

I may state that His Excellency the Governor General has been informed of the proposed change and recommends it to the House. The reason the change is made, is that when the Estimates were printed we were not sure that the Grand Trunk would become part of the Canadian National system. Since that time legislation has been introduced providing for the acquiring immediately of the Grand Trunk system. It, therefore, becomes necessary to make the changes which I have proposed, in order to permit of the appropriation being used after the Grand Trunk Railway system is merged in the Canadian National Railway system.

This means that the vote is to meet the expenditures made, or indebtedness incurred, at any time by or on behalf of the Canadian National Railway Company, the Grand Trunk Railway Company of Canada or any company comprised in the Grand Trunk system. It simply adds the Canadian National Railway Company.

Mr. BUREAU: Will the item as amended be printed in Hansard?

Hon. Mr. REID: I was going to suggest that, instead of reading the item as amended, which is rather lengthy, I might hand it to Hansard to be published.

Mr. McKENZIE: Before the minister does that, I notice that at the end of the motion which he has made, provision is

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made for the payment of debts of the various companies. We are only liable for the debt of the Grand Trunk since we took it over. He should put something in to show that we are liable for those debts since the company has become the property of the Government. Some date should be fixed.

Hon. Mr. REID: We have to assume responsibility for the debts of the company as at the date decided upon by the arbitrators. However, when we are next in committee, I shall consider any suggestions hon. members have to make.

Item as proposed reads:

Loan not exceeding \$89,687,633.39 repayable on demand with interest at the rate of six per cent per annum, payable half-yearly, to be used (where amounts available from net operating earnings may be insufficient) to meet expenditures made or indebtedness incurred at any time by or on behalf of the Canadian National Railway Company, the Grand Trunk Railway Company of Canada or any company comprised in the Canadian National Railway system or the Grand Trunk Railway system, or any of them (excluding herefrom, however, expenditures or indebtedness incurred by or on behalf of the Grand Trunk Pacific Railway Company except as specifically provided in item (f) hereof) on any of the following accounts: (a) operating deficits, (b) acquisition of property, materials and supplies, (c) interest on notes, securities or obligations, (d) the principle and interest of maturing or matured loans, secured or unsecured, (e) construction and betterments, (f) guarantees by the said Grand Trunk Railway Company of securities of the Grand Trunk Pacific Railway Company, such loan to be secured by mortgage or mortgages upon the undertaking of the Canadian National Railway Company or the Grand Trunk Railway Company of Canada on such terms and conditions as the Governor in Council may approve. The loan or assistance herein authorized may be made in cash or by way of guarantee, or partly in cash and partly by guarantee, in the discretion of the Governor in Council. Any guarantee from time to time given under the authority herein may be of the principle and interest of the notes, obligations or securities of the Canadian National Railway Company or the Grand Trunk Railway Company of Canada, and may be signed by the Minister of Finance, on behalf of His Majesty, in such form and on such terms and conditions as the Governor in Council may approve, \$89,687,633.39.

Mr. CAHILL: I would suggest to the minister that he ask the leave of the committee to hand in to Hansard the statements which he has read appertaining to the Grand Trunk Pacific, and the information he has in regard to the Grand Trunk, so that we may be in a better position to study the matter.

Hon. Mr. REID: I think all the statements I read are on Hansard.

Mr. CANNON: I would like to ask the minister if he has obtained the consent of the Governor General to his amendment.

Hon. Mr. REID: Yes, I made that announcement.

The CHAIRMAN: Before this matter goes any further I may say that the minister did point out to the committee that His Excellency the Governor General had been informed of the proposed change and recommended it to the House. I have accepted the amendment for the time being but subject to further decision by the Chair. I am not absolutely sure that an announcement by a minister in committee that the recommendation of His Excellency has been obtained is quite sufficient. The question which arises here is whether there is really a change in destination of the amount. That will be looked into before the amendment is formally put to the committee for a vote, and the Chairman will announce the decision thereon at the next sitting.

Hon. Mr. REID: I want to give notice of another amendment. I beg to move, in connection with the wording of the item for \$26,000,000, the following:

Insert after the word "the," in the sixth line, the words "Canadian National Railway Company or the."

Insert after the word "the," in the eighth line, the words "Canadian National Railway System or in."

Insert after the word "System," in the ninth line, the words "or any of them."

Strike out the word "vote," in the twelfth line, and insert instead the word "item."

Insert after the word "the," in the nineteenth line, the words "Canadian National Railway Company or of the."

Insert after the word "the," in the twenty-seventh line, the words "Canadian National Railway Company or the."

I may state that His Excellency the Governor General has been informed of the proposed change and recommends it to the House. The same reasons that I have given for the change in the previous item apply to the changes in this item.

The item as proposed reads:

Loan not exceeding \$26,000,000, repayable on demand with interest at the rate of six per cent per annum, payable half-yearly, to be used (where amounts available from net operating earnings may be insufficient) to meet expenditures made or indebtedness incurred at any time by or on behalf of the Canadian National Railway Company or the Grand Trunk Pacific Railway Company or any company comprised in the Canadian National system or in the Grand Trunk Pacific Railway system, or any of them, (excluding herefrom, however, guarantees by the Grand Trunk Railway Company which are provided for in item (f) of the next preceding item), on any of

the following accounts: (a) operating deficits, (b) acquisition of property, materials and supplies, (c) interest on notes, securities or obligations, (d) the principal and interest of maturing or matured loans, secured or unsecured, (e) construction and betterments; such loan to be secured by mortgage or mortgages upon the undertaking of the Canadian National Railway Company or of the Grand Trunk Pacific Railway Company on such terms and conditions as the Governor in Council may approve. The loan or assistance herein authorized may be made in cash or by way of guarantee, or partly in cash and partly by guarantee, in the discretion of the Governor in Council. Any guarantee from time to time given under the authority herein may be of the principal and interest of the notes, obligations or securities of the Canadian National Railway Company or the Grand Trunk Pacific Railway Company, and may be signed by the Minister of Finance, on behalf of His Majesty in such form and on such terms and conditions as the Governor in Council may approve \$26,000,000.

Mr. CANNON: You have not given your decision, Mr. Chairman, but I think in a case of this kind, whenever the minister wishes to change an item in the Estimates, he should bring in an entirely new resolution, approved by the Governor General, and not simply an amendment. The Governor General cannot give consent to an amendment, but he can approve of a resolution.

Hon. Mr. REID: Perhaps we can take the balance of the items in connection with this item No. 126. They are to be found on the next page.

Mr. McKENZIE: I would like the minister to produce the submission deed in connection with the arbitration so that we might have an opportunity of seeing it. I have not seen it myself and I would like to have it on Hansard.

Hon. Mr. REID: It is in the statute. It is the agreement that was attached to the Bill.

Mr. McKENZIE: Does not the minister think we might adjourn now; it is past one o'clock.

Hon. Mr. REID: We have not made any progress at all.

Mr. McKENZIE: We have made very extensive progress. We have got through a lot of matters that will not bother us again. Nothing is gained by these late sittings which exhaust our vitality for the next day. We might as well go home and get a good sleep, then we shall be able to do some work to-morrow.

Miscellaneous works not provided for, \$2,000.

Hon. Mr. REID: There are only four or five items. Perhaps we could pass them and then close up.

Mr. SINCLAIR (Guysborough): I think the committee should rise because there are a few questions in regard to railway matters that hon. members on this side will want to have something to say about. I do not think we should put these items through to-night.

Hon. Mr. REID: We have not made any progress with any of these items. However, I have no objection to letting the railway Estimates stand so that we might go on with the labour Estimates.

Mr. CAHILL: It is too late to start now. We had better take them up to-morrow.

Labour—Salaries, \$171,640; contingencies, \$35,000.

The CHAIRMAN: Shall the item carry?

Mr. BUREAU: It is pretty late and the committee seems more or less indisposed to work longer to-night. The Prime Minister ought to let us go to bed and we shall be in better humor to-morrow.

Mr. MEIGHEN: I will be content if the committee passes this one item. Then we can adjourn. I want to point out that we really are not getting on very fast.

Mr. BUREAU: I know there are a good many members who desire to speak on this item.

Right hon. Mr. MEIGHEN: There are no changes in connection with this item.

Mr. CANNON: There is an increase of \$4,983. What is the reason for it?

Mr. MEIGHEN: That is accounted for by the statutory increases, and there have been as well 54 clerks recommended for transfer from the temporary to the permanent list. That accounts not only for the \$4,900 but for a great deal more, but what it accounts for more is made up in the saving.

Mr. CASGRAIN: What is the reason for the increase?

Mr. MEIGHEN: I have just explained. It is due to the statutory increases and the transfer of certain temporary employees to the permanent list, and having them therefore paid out of civil government for the first time.

Mr. McKENZIE: If this item goes through, it is understood that any person not here now who might want to say anything about it may do so on the others that are to stand?

Mr. MEIGHEN: There is no objection. Item agreed to.

Progress reported.

[Mr. J. D. Reid.]

#### FURTHER SUPPLEMENTARY ESTIMATES

A message from His Excellency the Governor General transmitting further Supplementary Estimates for the year ending March 21, 1922, was presented by Sir Henry Drayton (Minister of Finance), read by Mr. Speaker to the House, and referred to the Committee of Supply.

On motion of Right Hon. Arthur Meighen the House adjourned at 1 a.m. Tuesday.

Tuesday, May 31, 1921.

The House met at Two o'clock.

#### LAKE OF THE WOODS AND OTHER WATERS—CORRESPONDENCE

Right Hon. ARTHUR MEIGHEN (Prime Minister): I beg to lay on the Table a further telegram from the Prime Minister of Ontario, and my reply, relating to the Lake of the Woods Regulations Bill.

#### BANKRUPTCY ACT AMENDMENT

Hon. HUGH GUTHRIE (Acting Solicitor General) moved:

That a message be sent to the Senate to inform Their Honours that this House agrees to the request of the Senate to give leave to the proper officer of the Senate to make the necessary correction as desired in their message of the 23rd instant, respecting Bill No. 118, an Act to amend the Bankruptcy Act.

Motion agreed to.

#### ALLEGED CASES OF TYPHUS FEVER

On the Orders of the Day:

Mr. S. W. JACOBS (George Etienne Cartier): A despatch in the Journal of yesterday declares that three British seamen are being detained at Grosse Isle, said to be suffering from typhus fever. Is the Government able to give the House any information on the matter?

Right Hon. ARTHUR MEIGHEN (Prime Minister): The Minister of Immigration and Colonization has not yet arrived. I have not heard of the matter myself, but I shall ask him to deal with the question, if opportunity is given, when he does arrive.

#### HEARST PUBLICATIONS IN CANADA

On the Orders of the Day:

Mr. J. W. EDWARDS (Frontenac): A resolution was passed by the Ontario Legislature at its last session, introduced by the

hon. member for Lennox county, petitioning this Government to ban the Hearst publications from entrance to the Dominion of Canada. I wish to ask the Minister of Justice if that resolution has been received by the Government, and if so, what action if any, it is proposed to take?

Right Hon. C. J. DOHERTY (Minister of Justice): I have just come in and did not hear the beginning of my hon. friend's remarks. Did I understand him to say that the resolution had been passed by the legislature of Ontario?

Mr. EDWARDS: Yes.

Mr. DOHERTY: I am strongly under the impression that it has not come to my knowledge; I think I would have recalled it if it had. I will look into the matter.

#### DOMINION LANDS ACT AMENDMENT

On the motion of Right Hon. Arthur Meighen (Prime Minister) Bill No. 212, to amend the Dominion Lands Act, was read the third time, and passed.

#### LAKE OF THE WOODS AND OTHER WATERS

Right Hon. ARTHUR MEIGHEN (Prime Minister) moved the second reading of Bill No. 216, respecting the lake of the Woods and other waters.

Mr. JACQUES BUREAU (Three Rivers and St. Maurice): There is a resolution on the Order Paper with reference to this Bill, which has come from the Senate with one clause blank. As we have not yet discussed the resolution would it not be better to deal with that first and then go on with the Bill?

Mr. MEIGHEN: I think the hon. member is right. I think it would be better to take up the resolution first, and then go on with the Bill.

Motion withdrawn.

House in committee on the following proposed resolution—Mr. Boivin in the Chair:

Resolved, That the following provision be inserted as clause eight in Bill A6 from the Senate, entitled "An Act respecting the Lake of the Woods and other Waters," now before this House:—

"8. The expense of administering this Act and the regulations made thereunder may be paid out of any unappropriated moneys of Canada."

Mr. BUREAU: To expedite matters, we will reserve all criticism and discussion until the Bill is in committee.

Resolution reported.

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Mr. MEIGHEN: I move that the resolution be referred to the Committee of the Whole, to be considered in connection with Bill No. 216, respecting the lake of the Woods and other waters.

Motion agreed to.

Right Hon. ARTHUR MEIGHEN (Prime Minister) thereupon moved the second reading of Bill No. 216, respecting the lake of the Woods and other waters. He said:

I would prefer to make a statement when the Bill is in committee, but if hon. gentlemen prefer, I can make it now.

Mr. JACQUES BUREAU: We can go into committee providing we can then discuss the Bill as if on the second reading.

Motion agreed to, Bill read the second time, and the House went into committee thereon—Mr. Boivin in the Chair.

On section 2—Declaration that certain works are for the general advantage of Canada:

Mr. MEIGHEN: This Bill succeeds a Bill previously passed by both this House and the Senate intituled, "The Lake of the Woods Control Act." The present Bill is intituled, "The Lake of the Woods Regulation Act." On the second reading of the Lake of the Woods Control Act, I made a fairly complete statement to the House of the purpose sought to be attained by that legislation. The purpose sought to be attained by this legislation is, in effect, the same as that which was in view in the previous Bill. It is different, however, in this important particular. The previous Bill was the federal portion of concurrent legislation to be submitted to this Parliament and also to the Legislature of Ontario.

The Bill was submitted in identical form to each House, having been agreed to by the governments concerned. These Bills looked to the installation of a board to be known as the Lake of the Woods Control Board, which would have and exercise the power and authority intended to be vested in a corresponding board by this legislation. Had the concurrent legislation passed, that board would have been a joint board, two members being appointed by the Government of Canada, and two members by the Government of Ontario. That joint board would have been empowered to make regulations to secure the ends set out in the Bill, such regulations to be confirmed by the Government of Ontario, and, as well, by the Government of Canada. Unfortunately, that concurrent legislation, while it passed this Par-

liament, did not pass the Legislature of Ontario. The Premier of Ontario, who introduced it, I think, on March 2,—it having been introduced here on March 1—on the second reading of the Bill, some objection being raised on the part of the Opposition, immediately withdrew the measure. I received from him shortly afterwards, a telegram, and made reply thereto. Further correspondence followed, and the entire correspondence was tabled in this House very shortly after it took place. There have been two communications since that which are tabled to-day, but which contain little, if any, new matter, and one of which I believe, on the part of the Premier of Ontario, was given to the press at the time he sent it to me. The effect of the statement of the Premier of Ontario was that he had withdrawn the legislation in view of opposition to it from across the floor. He held out the hope, however, that he might re-introduce it the following session, and that in the meantime we would arrange for the continuance of a Lake of the Woods Control Board which, under the authority of joint Orders in Council, had been in existence since January, 1919. That brings me to the point of reviewing the circumstances leading up to the appointment of the Lake of the Woods Control Board by these joint Orders in Council of January, 1919.

The lake of the Woods, as we all know, is an international body of water of considerable magnitude in the far western portion of the province of Ontario. The waters leading into the lake of the Woods are, in great length, international streams, being the border between Canada and the United States. The outlet of the lake of the Woods is on the northern extremity. There are three outlets, the chief one being the central, known as the Norman outlet, controlled at the present time, or alleged to be controlled, by what is called the Norman dam. There are two others, one at Keewatin, on the west, and the other at Kenora power-house on the east. The main one, however, is the central, the Norman outlet. All these outlets converge into the Winnipeg river which, a stream of very considerable flow, flows into lake Winnipeg through the province of Manitoba. There is, almost at the junction of the province of Manitoba and the province of Ontario, a river flowing into the Winnipeg river known as the English river, which takes its rise in lac Seul, in the province of Ontario. It joins the Winnipeg river just below the White Dog falls. The

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lake of the Woods, ever since we had a population in Canada, has been utilized in more or less degree for navigation and fishing purposes, and as well, although this might be included in navigation, for the transport of lumber and logs. The lake of the Woods is, of course, well known also as a Canadian summer resort of the first importance. However, that fact does not necessarily enter into the merits of this legislation at all.

Now, in the waters composing the inlet to the lake of the Woods some power plants are established; I believe that the proportion of power developed to the developable power is large. At the outlet at the Norman dam, there is also a power developed, or rather a possibility of it in embryo at present, in the dam itself. Further down, in the province of Ontario, at White Dog, there is a potential power development of about 100,000 horse-power. At the inlet of the English river, that is to say, in the province of Manitoba, there is such a fall, at so many points, that the chief power properties of Winnipeg river there subsist. The developable power in Manitoba is some 500,000 horse-power; that is, if the river is controlled on the principle which I shall later on describe. There is no development at the present time at White Dog; but in the province of Manitoba, particularly at lake du Bonnet and Point du Bois, there has been very useful, and, indeed, very important construction. What is now, and will be for many years to come, virtually the source of power, and all that power means to the province of Manitoba, is to be found in the waters of Winnipeg river after they reach the province of Manitoba.

I have said enough to indicate that in this water basin there may be said to reside four important factors or responsibilities: first of all, it is an international body of water; secondly, having included in it the outlets, it is also interprovincial; thirdly, it is a navigation basin; and fourthly, it is the source of very large power possibilities. Because of that variety of properties in the lake of the Woods water area, the question of the control of that area arose comparatively early. Difficulty was naturally involved in it because, chiefly, of the fact that it was an international stream, and also because of the fact that along with its navigation uses there were its power possibilities, and along with its uses for the one province, were its uses for the other. There finally evolved a reference to the International Joint Com-

mission in so far, of course, as its international features were concerned—a reference to the commission for the purpose of determining what was the proper principle of control of those waters, and how that principle could be implemented by proper authority. Canada was represented at the hearing of the case before the commission by the Lake of the Woods Technical Board which took the whole subject in hand, very thoroughly prepared the case for this country, and presented it to the court. The United States was also ably represented; but in this technical board all interests—interprovincial and otherwise, power and navigation—were gathered together, and consequently the whole Canadian case was put before the tribunal from every aspect and as a harmonious appeal. The findings of the commission were given, and the findings took care of the uses of the water basin for all purposes. That is to say, the commission fixed a principle of control. The commission recommended how a body should be created to take charge of the control, what powers should be vested in that body, within what limits it should exercise those powers, and how the different classes of damages that might ensue on either side of the boundary, or in the United States or Canada, should be discharged. That report was very satisfactory to this country, and the Government of Canada, by Order in Council, accepted it in full. The Government of the United States communicated with this Government, I think, in November last. Their communication embodied a virtual acceptance of the report as well—that is to say there was nothing in principle in the report, as we interpreted their communication, which was unacceptable to them. There were, however, certain details and certain recommendations included in the communication, but I do not think it would be pertinent to go further into those at the present time. Their communication has been replied to by the Government of Canada, and we have urged that it would not be in the interest of either country to seek to modify the report, and have pressed that it be accepted with the least possible delay.

In the meantime, however, after the report was made, there were certain enterprises that were contemplated, and indeed in some measure commenced, by private interests having to do with control of the outlets of this lake. Mr. E. W. Backus had secured control of what is called the Norman dam. He had also secured from the Government of Ontario certain rights—whether sufficiently

guarded or not I am not going to discuss at the moment—as respects White Dog falls farther down the river. He also has secured, by agreement with the town of Kenora, rights in respect of the Kenora dam. These acquirements by him—or what would be more accurately described as the Backus interests—if carried through to the point of actual construction, and if carried through to the extent that quite evidently was in the mind of Mr. Backus, would, before there could be such a thing as the acceptance of the report of the Joint Commission by the two countries, and the establishment of the board provided for by the report, lodge such vested rights in him and his interests as would put it out of the power of this country—without at least very, very great expense—to carry out its international obligations in respect of the findings of the International Joint Commission, and, as well, would have the actual effect of placing in his hands the control of levels, the control of outflow, in such degree that there would be affected interests for which alone the Government of Canada was responsible, for which alone the necessary power and authority rested in the Government of Canada to do what could be done having regard only to Canadian interests. On that account, concern was expressed on the part not only of this Government but of the Government of Ontario, and a method was devised, by concert between the two administrations, in January, 1919, for the appointment in the meantime of a Lake of the Woods Control Board in a sort of *locum tenens* position—a board appointed by the two governments, two members by each, a board to be given authority to exercise, in the meantime, such control as would conserve the situation and not allow any one to acquire rights that would afterwards make it embarrassing either for the Ontario Government or, more especially for the Government of Canada upon whom alone international responsibilities rest—such control as would not make it embarrassing for these governments to carry out their obligations, and also discharge their inherent primary responsibilities as respects those waters. The Orders in Council appointing that board recited the difficulties inherent in the position of affairs as they then stood. They recited the purposes for which the board should be appointed, and in the recitals reviewed historically the various events that have led up to that position. The Order in Council passed by this Government was acquiesced in by the Government of Ontario. They appointed their members and helped to

form in that way a joint board in order to achieve the end sought by the Government of Canada. That board assumed its duties and has since sought to discharge them; but in the pursuit of its duties it found that it had no statutory or solid footing, and was not clothed with powers that would enable it to conserve the interests, either of Ontario or of Canada, as those interests should be conserved; and it unanimously appealed to the two governments to place it on a statutory basis, to arm it with such weapons as would enable it to do what it was originally created to perform. I should say in this connection, that the appeal of the board in this regard was not only well founded but was acquiesced in by the two administrations. The appeal, I said before, was unanimously made by all four members of the board, and perhaps at this point it would be of interest to know who they were. The Dominion representatives were Mr. W. J. Stewart, of the Department of External Affairs, and Mr. J. B. Challies, of the Water Powers Branch of the Interior Department. The Ontario representatives were Mr. L. B. Rorke—whose office I do not recollect—and Mr. H. G. Acres, chief engineer of the Hydro-Electric Commission.

Mr. BUREAU: I did not catch exactly what the Prime Minister said about the attitude of the board in regard to the appeal that was taken.

Mr. MEIGHEN: No; I said the members appealed to their respective governments to clothe them with statutory authority so that they could actually do what they were designed to do by the Orders in Council. I might say in this connection that in the course of their work they sought to exercise, by virtue of the authority of legislation of Ontario, certain control over the waters of the Winnipeg river. They thought that under the Rivers and Streams Act of Ontario there was lodged in the Government of Ontario the power—which, of course, if it had it could devolve upon this board—so to control the flow of the Winnipeg river at the Norman dam and farther down as would effect their purpose. They appealed to the Government of Ontario to clothe them with power under the authority of that Act. The Government of Ontario, however, upon investigation, and, I believe, upon inquiry of eminent counsel—and I know that inquiry was made by the Dominion's representatives upon the board—were advised that the Ontario Rivers and Streams Act, in so far as it was

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designed to enable the Government of Ontario to control the levels of the Norman dam and the Winnipeg river, was ultra vires of the province of Ontario, for the reason manifestly that the control of levels having to do with navigation was a function of the Parliament of Canada.

Having sought to get authority there, and having failed, they then appealed to each government to clothe them with authority by concurrent legislation that would enable them to do their work, because in the meantime applications were being made for certain construction works involving necessarily a measure of control, and for certain diversions involving necessarily also a measure of control, and generally very pushing enterprises were being launched which only needed to be advanced very little to embarrass seriously the control which was so desirable, indeed, so essential. The appeal, as I said, met with a favourable response on the part of both governments. It was recognized on the part of the Government of Canada that while international responsibilities were ours, and ours alone,—that while for example, if those in control of the Norman dam should raise the level of the lake of the Woods, and thereby cause damage in the state of Minnesota, it was no sufficient answer for us to say to the people of Minnesota, that those damages were incurred by Mr. Backus or his interests; we were answerable because that was an international obligation. The Government of Canada recognized also that its responsibility had not only that foundation, but as well had the foundation of navigation—that undoubtedly the lake of the Woods was a navigable water used as such continuously, that undoubtedly also the Winnipeg river was a navigable stream, declared so, indeed, by the Court of Appeal of the province of Ontario; and that undoubtedly as well a third factor in our responsibility was that this country was the custodian and, indeed, the owner of the water-powers of the Winnipeg river below the boundary of the province of Ontario.

The Government of Ontario recognized those truths. And the Government of Canada recognized as well that it could not deny the proprietary rights of the Government of Ontario in respect of water-powers in the river in the province of Ontario. I am not saying that that right is wholly impregnable by virtue of judicial decisions, but for the purpose of discussing the merits of this Bill it may just as well be

assumed. That being one of the responsibilities of Ontario, it was felt that the interests of all could be served by means of a joint board on a solid, permanent and unassailable foundation. Therefore the legislation that passed this House, and that failed concurrently to pass the Legislature of Ontario, was introduced. Had it passed the Legislature of Ontario, we would now have had a joint board deriving its powers concurrently from the Dominion and province, its regulations subject to the approval of the two governments, exercising that degree of control over the levels and outlets of the lake of the Woods water area that essentially must be exercised publicly in the interest of this country. That legislation failed. Consequently there is no board, nor is there anybody in a position to exercise that control on behalf of the public that is so essential.

Now, in this connection I am not seeking in any way to minimize the importance of power development. The proportion that that importance bears to the entire problem is very great indeed. But in that connection we must not forget that in the province of Manitoba by far the major degree of development exists; and the development there is, I might say, infinitely more vital to that province than it is to any similar development in Ontario. While I say that, I do not suggest that we can in the least degree ignore the rights of Ontario in respect of development there. Indeed, what we seek to do by this legislation, and what we sought to do, but abortively, by the concurrent legislation that preceded it, was so to control the waters as to achieve both for Ontario and for Manitoba their maximum use.

That being the case, I want at this point to discuss in a little detail the principle of control that is embodied in this legislation and that was embodied in the last. The International Joint Commission said, in its findings in respect of navigation, that the waters of the lake of the Woods should, if possible, be kept always between two certain levels, namely, 1061.5 geodetic sea level datum, and 1056; that while it was so kept the interests of navigation would be fully conserved; and that between those levels it would be serving to the maximum the interests of power. However, the commission's findings also took account of the possibility that there might be times when the waters could not be kept below the higher level nor above the lower level, and while the interest of the United States in

respect of those levels was an interest derived from navigation alone, they sought to keep it between that maximum and that minimum, and then were satisfied, to say, in effect: We will allow your board to be in control, but when the level gets above on the one hand or below on the other, then navigation is so affected that a joint board, on which the United States is represented, must be in charge of affairs.

Mr. EULER: May I ask the Prime Minister a question? Would not the individual states adjoining the boundary have power rights so far as the level was concerned?

Mr. MEIGHEN: They have no power rights after the waters reach the lake of the Woods; but there are power rights in the international waters flowing into the lake of the Woods in which course they have rights and responsibilities.

So the International Joint Commission, having disposed of that matter, which appertained both to power and navigation, but primarily to navigation, went on to define, after the most thorough inquiry, upon what principle the outflow of the lake of the Woods should be controlled. They said: Keep it within those levels, and in keeping it there allow the water to flow out in such measure and at such a rate as to secure what is known to engineers as the highest dependable flow. The commission also considered another principle, the principle of intermittent flow. But after, I say, the most thorough investigation and after receipt of all the evidence the commission determined that the correct and sound principle to adopt, having regard to all considerations of every kind, was the principle of the highest dependable flow. Now, the Government of Canada have adhered to that report and that finding. Unless, therefore it wants to express an opinion antagonistic to the report, it is the duty of the Government and of the Parliament of Canada to see that everything is done that can be done toward putting us in a position to maintain for all time the finding of the commission adopting the principle of the highest dependable flow. Consequently there is embodied in the Bill this direction to the Lake of the Woods Control Board to be created under it: You are commissioned to maintain the levels on those waters as found to be best by the International Joint Commission. You are commissioned as well to control the outflow of those waters according to the principle upon which the International Joint Commission has placed its imprimatur. Now,

the legislation failing in Ontario, the position of the Government of Canada was this: Until the findings of the commission were accepted by the government of the United States and legislation was passed on either side ratifying the treaty to be based thereon; until that time should come—and it might come at no very early day—we were faced with the question whether we would ourselves step in and hold the situation in the meantime—having the right to do so by reason of our responsibility, internationally and in respect of navigation, and as well in respect of the rights of the province of Manitoba—or whether we should quietly walk away and leave the matter to be taken care of by Mr. Backus on the one hand and the tender mercies of such an agreement as the province of Ontario might make, on the other. I do not know what agreements might be made. I do not know how far he might go, or how far he might be permitted to go. I do not know what might be done, but I know what legally could be done, and in respect of which, without legislation, we could not interfere. Knowing that, it was my judgment—in this the Government concurred and we now submit it to Parliament for its ratification—that we could not abandon the situation; that we should be armed with the authority of Parliament to take care of and to control the levels of the lake of the Woods and the outflow of the lake in the meantime, basing the principles of that control upon the findings of the International Joint Commission. That it is our duty so to control there can be no doubt; as to how we should control there may be some question. But I do submit that as we have accepted the findings of the commission—findings which, having regard to all interests, we believe to be right—then while we are controlling we ought to adopt the principles that the commission recommended; we could not very well justify any variation of them. Therefore this Bill is introduced.

It may be asked: Why does the Bill place the board in control of the waters of the English river to the extent that it does? Now, I said a while ago that the findings of the commission provided that the waters constituting the outflow of the lake of the Woods should be controlled on the dependable flow principle. But if the dependable flow principle is best, as undoubtedly it is, and should prevail, it can only prevail if the waters of the English river are controlled on that principle as well. It would be futile, it would be

[Mr. Meighen.]

abortive, to seek to apply the dependable flow principle to the waters of the Winnipeg river and then abandon the waters of the English river to the control, say, of some board or some authority which might adopt the intermittent flow principle. If that were done it would be useless to seek to apply the findings of the International Joint Commission to the Winnipeg river. That is to say—and I think it is not very hard to understand—while we might have the highest dependable flow in the Winnipeg river flowing out of the lake of the Woods, if the waters of the English river, an immense stream, are to be controlled upon any other principle, then immediately they reach the waters of the Winnipeg river, the principle of the dependable flow is destroyed and the water-powers below are virtually in the position of the water-powers of the English river. If the dependable flow principle were abandoned the effect would be that instead of having a 500,000 horse-power development on the Winnipeg river below the province of Ontario, there would be a reduction to 250,000 horse-power, an amount wholly inadequate even for the purpose at this moment in view. It would, in a word simply knock from under the province of Manitoba the whole basis of its power development. I do not think that anything more need be said to justify the course pursued, save this: there can be no doubt that the waters of lac Seul—which, indeed, have been so for many years—and also the waters of the English river, are undoubtedly navigable waters. There is the same reason for holding them to be navigable waters that there is for holding the waters of the Winnipeg river to be navigable waters, and those waters have been so held by the Court of Appeal of the province of Ontario. Therefore the basis of our authority is undoubted. We do not, though, for a moment dispute that the powers on the Winnipeg river are powers in the province of Ontario, and we regret indeed that Ontario has abandoned the situation for the time being and has refused to join with us in joint control so that all interests might be conserved. We regret that very much, but because it is our desire that there be joint control rather than a single control on the part of this Parliament or of any body created by this Parliament, we place in the Bill a clause which provides in effect that when Ontario passes the legislation introduced this year, or legislation to that effect, the Governor in Council may, when the two measures

go into effect and the board is created thereon, repeal or suspend the legislation that we now submit to Parliament. That is to say, this legislation is intended to take care of responsibilities pending the concurrence of Ontario in the principle of joint control. The clause providing for such repeal or suspension—and I hope I shall be pardoned if I anticipate that clause and pass in review the entire Bill—provides also that notwithstanding that repeal or suspension any works constructed in the English river or in the Winnipeg river or at the point of outflow of either shall be continued as works for the general advantage of Canada pursuant to the declaration embodied in this Bill. The reason for that is this: the waters of the English river are substantially interprovincial waters. It is true that the river ceases to be called the English river when it reaches the Winnipeg river, but its waters flow right on into lake Winnipeg. In fact, it is an interprovincial stream in every sense, no matter how you describe it. Being an interprovincial stream upon which large water-powers exist, the works upon it require to be works in which the whole people of Canada—or at least the people of the two provinces—are concerned. Now, as to the purpose of inserting in the British North America Act a provision authorizing the Parliament of Canada to declare works to be for the general advantage of Canada and making that authority entirely unrestrained—the purpose of that provision applicable to works in one province in which another province necessarily had an interest, in the control and operation of which another province was vitally concerned, was to enable the joint interests of both to be no longer the subject of disputes or controversies between the two but to be taken care of by an authority that had an equal interest in both. On account of that we feel that we are basing our request upon the undoubtedly common interest of both parties, when we ask that these works, being works in which both are concerned and over which both should have authority, should continuously remain works for the general advantage of Canada.

I have given at some considerable length the reasons for this legislation that is now before the committee; I have gone over it virtually clause by clause, and I submit the Bill to the committee and to the House with this last word. There is not, on the part of the Government of Canada, the least

desire to invade the rights of any province of this country. No better evidence could be given of reluctance on the part of this Government or of this Parliament to invade provincial rights, than the evidence that, while we had paramount authority in the first place to go in and control, because international obligation is the first basic responsibility and navigation rights are the next responsibility and both are paramount to provincial rights, we did not do so. We recognized the rights of Ontario and Manitoba, very important rights, perhaps, in point of commercial magnitude greater than the other two rights, though in point of law inferior to both, and we sought by joint action to take them with us in this control. It is only because, through no fault of ours, but entirely through the fault of the Government or the Legislature of Ontario—I do not care where the blame is placed, but I think it is chiefly on the shoulders of the Premier of Ontario by reason of his failure to carry through the joint legislation—we are compelled to take the position which we are taking now to ask that Parliament vest us with authority to serve the interests of both provinces and the whole country until we are able to effect the joint legislation for which we strove in the first place.

Mr. PARDEE: I have listened, as I always do, with great respect to the remarks of the Prime Minister (Mr. Meighen). There is much legislation brought down in this House, some of it more important than others, some affecting great interests, some of more or less local character; but I think that a question such as this should have been brought down at an earlier period of the session. I contend, and I think most hon. members on this side will contend, that though the Prime Minister may disclaim any intention of this legislation being a direct blow at provincial rights, that will certainly be the effect of this measure. Taking into consideration the fact that Parliament was almost ready to prorogue last Saturday and that from day to day it is looking for prorogation almost at any time, let me repeat again, that it is a most remarkable thing to bring down at the present time such legislation as is set forth in this Bill. As the Prime Minister said, Bill D was brought down first in the Senate and then in 3 p.m. introduced in this House as Bill No. 23. That Bill provided certain things, but it had nothing ulterior about it in any way; it was founded only and solely upon the fact that there was

to be joint control of certain water-powers by the province of Ontario and the Dominion of Canada. If the province of Ontario, in its wisdom, saw fit to accept and to pass concurrent legislation in the terms of that Bill, well and good, because I contend that the province of Ontario is a law unto itself as regards the water-powers and other natural resources of that province. Bill D covered practically the same waters as Bill A-6 of the Senate does; but Bill A-6 is as utterly different from Bill D as night is from day. Because Bill A-6 states—and this is the gist of the whole matter—that all these works and the control of the waters in these lakes are declared to be for the general advantage of Canada, or, in plain English, the Dominion of Canada owns them.

Let us see how far this legislation is necessary at the moment. As was said by the Prime Minister, some time in 1918 correspondence and conferences took place between the Ontario Government and the Dominion Government regarding these waters. In their wisdom what did they do? They appointed a joint Board of Control, two men appointed by the Ontario Government and two appointed by the Dominion Government, who were to control the flow of water in these lakes. That joint Board of Control has acted and is acting satisfactorily to all who are concerned in this matter, as I think I shall be able to show before I sit down. Why then is it necessary that the drastic legislation contained in Bill A-6 should be brought down as it is today? I want to read to the committee the clauses of this Bill, so that they may go on Hansard, and I ask hon. gentlemen on both sides to consider the clauses of the Bill carefully and to satisfy themselves whether anything could be more drastic:

1. This Act may be cited as the Lake of the Woods Regulation Act of 1921.

2. All dams, structures and other works of whatsoever description which have heretofore been or may hereafter be constructed in, upon, over, about or across—

(a) any outlet of the lake of the Woods,  
(b) the Winnipeg river at or above its junction with English river, or

(c) English river at the outlet of and below lac Seul, which do or may or can in anywise control, regulate or affect the outflow of water from the said lakes, or either of them, or the natural levels of the water in the said lakes, or either of them, at any time, or the natural flow of the water in the Winnipeg river or in English river, at any time, are and each of them is declared to be for the general advantage of Canada.

Clause 3 reads:

(a) to secure at all times the most dependable flow and the most advantageous and beneficial

[Mr. Pardee.]

use of the waters of the Winnipeg river and of the English river severally;

(b) to regulate and control the outflow of the waters of the lake of the Woods so as to maintain the level of the said lake between the elevations recommended by the report of the International Joint Commission of 12th June, 1917, or between such elevations as may be agreed upon—

And so on. Then it goes on to describe the waters. Then clause 4 reads:

Any person who owns, controls, or has in possession any of the dams, structures or works aforesaid, or who directs the construction, operation, repair, alteration or management thereof, shall if he contravene or fail, neglect or refuse to obey or comply with any of the regulations aforesaid, or any order, direction or requirement—

and so forth. Then we come to section 9, which reads:

Nothing in this Act shall be deemed to legalize or to recognize any right to maintain or the legality of any dam, structure or other work heretofore constructed, or within the description of the works to which the regulating power of the Governor in Council by this Act extends; and, notwithstanding this Act or anything herein or in any regulation hereunder contained, any dam, work or other structure to which this Act applies and for which approval of the Governor in Council was requisite under the Navigable Waters Protection Act, and which has not been so approved—

Mark what follows:

—may under the authority of the latter Act, or otherwise as by law provided, be abated, removed or destroyed as if this Act had not been passed.

And then we come to clause 10, which the Prime Minister has mentioned. He says: Ah, all things are well, because what we do in clause 10 is to propose to legislate that in the event of Ontario and the Dominion coming to an agreement we may go back to the old order of things. Clause 10 provides:

If the necessary legislation of Ontario referred to in the preamble of The Lake of the Woods Control Board Act, 1921, be enacted by the legislature, the Governor in Council may—

It is quite permissive, not imperative in any way whatsoever:

—by proclamation published in The Canada Gazette, repeal or suspend this Act and the regulations made thereunder at any time when or after The Lake of the Woods Control Board Act, 1921, shall come into force: Provided that notwithstanding any repeal or suspension of this Act in the manner provided by this section the works and each of them hereby declared to be for the general advantage of Canada shall remain and continue to be works for the general advantage of Canada.

So you give something, although only to a small extent, and then in the very next clause you immediately and absolutely take it away, at the will of the Government.

The Prime Minister has laid stress upon the fact that this legislation is brought in because navigation rights need to be taken care of. So far as navigation rights on these waters are concerned, they do not amount to anything very considerable, for the boats are small, and draw very little water. I just want to read what the commission say in their final report as to the navigation rights:

Navigation on the lake of the Woods consists principally of the towing of logs and the transportation of freight and passengers by steam and gasoline boats. Most of the gasoline boats are of relatively light draft, requiring from 2½ to 4 feet of water. Most of the steam-boats vary in draft from about 4 to 6 feet, a few of the larger boats being reported as drawing from 8 to 10 feet of water.

Let us see how that is borne out by the list of boats which is given as now navigating on the lake of the Woods. The commission say that in the year 1872 the first steam tug operated on the lake of the Woods, and drew from 3 to 3½ feet. In 1873 there was a boat known as the Lady of the Lake, drawing 5 feet. In 1876 a privately owned boat called the Speedwell was built, drawing 4 feet. The Lily of the West, in 1879, drew 4 feet. The Lily McAuley, a side-wheeler, drew 7 feet. In 1881 there was a tow boat drawing 5 feet, and so on. The Shamrock, a passenger boat running from Fort Francis to Rat Portage, had a draft of 5 feet and a tonnage of 80. The other boats had a tonnage running from 20 to 40 and 60 tons. It is obvious that the boats are small, and require very little water, and I therefore submit that so far as navigation goes, this cannot properly be called a navigable stream. So much as to the navigation rights that are being imperilled, as the Prime Minister says, necessitating this legislation.

Now I wish to give a few figures as to the physical conditions, the area in miles, and so forth, of the lake of the Woods, so as to show what area will be affected by this Bill. The lake of the Woods has an area of 1,485 square miles. It receives 62 per cent of all its waters from Rainy lake, through Rainy river. The dam at Fort Frances and International Falls and its use for manufacturing purposes has, for more than ten years past, been a great and very valuable regulator of the levels of the lake of the Woods and the flow of the water in Winnipeg river. This regulation is augmented by a dam at Kettle Falls, immediately above Rainy lake, which controls the outlet of lake Namakan with an area of

approximately 100 miles, from which Rainy lake receives more than 50 per cent of its waters. Rainy lake has an area of about 345 square miles.

The Norman dam was constructed in 1894 by the Keewatin Power Company, and at its own expense. It has never been put to any use by its owners, but since 1898 has been handled by the Ontario Government for the purpose of regulating the levels of lake of the Woods, and, consequently, the flow of Winnipeg river. The combination of the two dams, the one at Fort Frances and International Falls, the other at Kenora, has been of great advantage to the navigation of Rainy lake, Rainy river, lake of the Woods, and to the users of water-power on the Winnipeg river, and with no expense to these interests, and with only nominal expense, if any, to either the Government of Ontario or the Government of Canada.

Prior to 1912 the riparian owners in Minnesota on the south shore of the lake of the Woods, complained that the waters of the lake were artificially high, and that they had suffered damage in consequence. At about the same time the hydro-electric plants on the lower Winnipeg river became conscious of a future shortage of water, if not indeed of a present shortage. The result was a reference by the Government of Canada and the Government of the United States to the International Joint Commission to investigate and determine whether further artificial regulation of the waters of the lake of the Woods was feasible, and if so, to recommend the means of such regulation. The commission caused extensive surveys to be made, and in the winter of 1915-16 took voluminous evidence. In June, 1917, it filed its final report.

The commission found that for nearly thirty years the waters had been held above their natural level and that the riparian owners were entitled to damages. The commission also recommended further artificial regulation, and, among other things, recommended that the waters of the lake of the Woods be maintained at an ordinary maximum stage of 1,061.25 sea level datum, with a range of from 1,056 to 1,062.50 as the extreme low level and the extreme high level. So that the report of the International Waterways Commission shows that for many years the flow of waters—I am not including the lower Winnipeg river—has been entirely satisfactory to everybody concerned. The report goes on to say:

The average controlled level of the lake of the Woods between 1892 and 1916, was 1,059.82.

The average level which would have prevailed during the same period of years, if the outlets had remained as in a state of nature, is 1,056.77, or practically three feet lower.

If that is correct, there is no very particular need at this time for the Dominion Government to take the step it proposes. I submit that navigation rights are not being interfered with, and it has not been shown by anything the Prime Minister (Mr. Meighen), has said that in the near future, within any reasonable time after the agreement might be made between the two Governments, navigation would be any greater than it has been since 1876. I therefore think that there is no necessity for this legislation. Everything points to the fact that the rights of all parties concerned have been safeguarded, and that things as they are at present have been absolutely satisfactory to those people who are most interested. The present Board of Control was appointed under an agreement between the two Governments, and the facts and figures submitted by the International Waterways Commission prove beyond doubt that this board has been amply sufficient to take care of every need that might exist. Consequently there is not such tremendous hurry for this drastic legislation that it could not stand for another year until the meeting of the Ontario legislature, when concurrent legislation could be passed. The report of the International Waterways Commission, I submit, absolutely shows that the water is being properly taken care of. What, then, is the necessity for this legislation? I do not personally believe, and I doubt whether the people of the province of Ontario believe, that it arises from international complications, or that it is needed to meet navigation necessities. After all, the waters with which this Bill is concerned eventually flow into and become part of the Winnipeg river, the lower part of which flows into lake Winnipeg. From lake Winnipeg the power developed is taken to the city of Winnipeg. Now, the whole milk in the coconut appears to me to be altogether different from what the Prime Minister would have us believe, and I cannot divest my mind of this belief, no matter how sincere the Prime Minister may be. This legislation is not due to any international complications, and it is not for marine or navigation purposes. Perhaps we cannot blame the Prime Minister altogether for the purpose which prompts this Bill. He is only human, but you have to be more than

[Mr. Pardee.]

human to be Prime Minister of a great Dominion like this; you must be so entirely inhuman as to be impartial to your own province and must legislate for all the provinces of the country according to their rights. I contend that the whole purpose of this Bill—I say this with all respect—in spite of any arguments which the Prime Minister may advance to the contrary, the whole sum and substance, the whole aim and object of the Bill, is to furnish power to Winnipeg and the large interests in Winnipeg which demand it of the Prime Minister.

Why do I say that? Let me refer again to the report. This document says that there is a fall of 20 feet at the Norman dam, which is the one mentioned by the Prime Minister as the governing factor in this matter; and a fall of 291 feet in the Winnipeg river. There is also a fall in the White Dog rapids of 45 feet. Let me say, in passing, that the Norman dam and the White Dog rapids are situated entirely within the province of Ontario. So that if there is a fall of 291 feet in the Winnipeg river, and a fall of 45 feet in the White Dog rapids, which is in Ontario, subtract the fall in the White Dog rapids from the fall in the Winnipeg river, and you have a fall in the Winnipeg river of 246 feet. Now, 246 feet I think everyone will agree, is quite sufficient to develop an enormous water-power. That being so—and I am taking the word of the commission for it—I want to know why the province of Manitoba and the city of Winnipeg, do not, at their own expense, develop their own water-power on this 246 feet on the Winnipeg river, and leave the province of Ontario with its own water-powers intact? But the city of Winnipeg is interested; the Winnipeg Electric are interested. The Winnipeg Electric want the most dependable flow, and they are, let me say, very strong friends of the present Government, and must be attended to. When you come down to the last analysis of the situation therefore, you find that there is sufficient water-power on the Winnipeg river for development to satisfy all the needs of the province of Manitoba and the city of Winnipeg, and I contend strongly that the reason they do not develop it is purely and simply the fact that they desire to be rid of the enormous cost that would be entailed in the development of that water-power, and want to take advantage of the moneys that have been spent by private interests in Ontario in developing the

water-power which they now seek to control. No matter what the right hon. the Prime Minister may say to the contrary, I venture to assert that you could not go to any place in Ontario and convince the people that the fact is otherwise than as I have stated.

Why, Sir, in the early days there was an issue between the province of Ontario and the Dominion Government in what is known as the Boundary Award, which was fought out to the bitter end and by that doughty old patriot, Sir Oliver Mowat, who opposed Sir John Macdonald tooth and nail. The Dominion Government has been casting envious eyes upon the great hinterland of the province of Ontario, rich beyond all dreams, in minerals, timber and water powers, and Sir John Macdonald made one of the most determined attempts he ever made in his life to get possession of that territory for the Dominion. The Ontario Government rightly contended that the ownership was vested in the province. The fight was waged in the courts, and the issue finally went to the Privy Council, who upheld absolutely the contention of the province, and as a result the title to those minerals, timber and water powers was vested in Ontario. To-day we see repeated an attempt by this Government to get something which does not rightfully belong to them, thus acting in accordance with the old Tory tradition. To-day we see being re-enacted, as vividly and as realistically as in former times, the struggle between the Dominion and the province of Ontario. Once more the fight which was waged at the time of the Boundary Award is being fought over again. No matter what amount of camouflage and sweet words may be used in order to try and disguise the issue, this is an absolute attempt on the part of the Federal Government to try and filch from the province of Ontario what rightfully and lawfully belongs to it. This Bill is not merely a measure for the regulation of water-powers, it is more than that. The fundamental purpose of the Bill is to abrogate the common law right of property in provincial waters and create a new and artificial right. Its purpose is to subtract from the value of certain waters and to add to the value of other waters by the direct and simple process of statutory enactment. This is being done, not in the interest of Canada, not in the interest of the province of Ontario, but with an eye solely to the watershed of the Winnipeg river. The entire injury would be wrought to water-powers in Ontario, and to riparian rights

therein; the benefit would result to the province of Manitoba. I maintain that by this legislation you are taking away from the province of Ontario the common law right to control her waters and her water powers, a thing which this Parliament has no right to do under the British North America Act. Sir, the Prime Minister of Canada seems to have a bogey in the person of Mr. Backus constantly before him. I am not here to hold any brief for that gentleman; I fancy from all that I have read he seems able to take care of himself. Be that as it may, I am not championing his cause or otherwise, but I say this: Even though you admit—which I do not—that Mr. Backus may be a menace to the province of Ontario and perhaps may do something that will not be wholly in its interests, the Premier's argument as to the interests which are at stake here is utterly and absolutely fallacious. The question involved is one with which the province of Manitoba has absolutely nothing to do. The Dominion Government has not given to Manitoba its natural resources, therefore this is not a squabble between Ontario and Manitoba; it is a dispute solely between the Dominion and Ontario.

The Prime Minister of Canada has said that concurrent legislation was not passed by the province of Ontario. That is very true. What was the reason for that? I do not know. It is a fact, however, that concurrent legislation was not passed by the provincial legislature as was contemplated under Bill D. Since 1918 there has been a Board of Control appointed by both Governments, two members from each, taking care of and regulating the flow of water in Rainy river, lake of the Woods, and the waters adjacent thereto. That board has been absolutely satisfactory to all concerned. There have been conferences and a good deal of correspondence between the present Premier of Ontario and the leader of the Dominion Government, with regard to the question at issue, and at least one gentleman came here representing the Government of Manitoba. During the whole of the correspondence which took place the province of Ontario never at any time abandoned one jot or tittle of any right it may have. So far as the Government of Ontario were concerned they sedulously maintained the fact that they were the paramount authority to be reckoned with. It was very plainly evident to my mind that even if this concurrent legislation was not passed by the Ontario Legislature there was in the mind of the Dominion Premier

an idea that he might still come to some conclusion which would be satisfactory to all parties either by conferences or correspondence with the Premier of Ontario. Even as late as April 28, last, we find in the correspondence which has been brought down this letter:

Right Hon. ARTHUR MEIGHEN,  
Prime Minister,  
Ottawa, Ont.

In view of the fact that the Lake of the Woods Control Bill was opposed last night in the House by the Liberal Opposition and the Conservative opposition as well as from the Government side it was found inadvisable to press second reading under circumstances that pointed to the probable defeat of the measure.

In withdrawing the Bill I made the announcement that if then desired it would be reintroduced next session. I respectfully urge that in the meantime the present control arrangement be continued and assure you of the thorough co-operation of this Government to ensure the best results for all the interests involved.

E. C. DRURY.

In answer to that on April 29 the Prime Minister wrote the following letter:

Dear Mr. DRURY,

I have your telegram of yesterday. I regret very much indeed that the Lake of the Woods Control Bill is not to be passed by the Ontario Legislature this session. It has already passed both Houses of the Federal Parliament.

Now I ask the committee to listen to this:

I will take up the matter of continuing the present Control Board with the Minister of the Interior and can assure you that we will endeavour to do so if same can be effectively done.

Faithfully yours,  
ARTHUR MEIGHEN.

The very position that the right hon. gentleman would in all fairness have taken, and I have not the slightest doubt that it is the very position he did take until the pressure became too great. Then we have later on—showing the efforts to come to some compromise—a telegram from the Hon. Mr. Drury, which reads as follows:

Newspapers report the introduction of Government legislation declaring all structures in the Lake of the Woods waters to be for the general advantage of Canada and bringing them under Federal control. I gathered from your letter of April 29th that you proposed to continue the present control board and therefore do not understand proposed action. Any effort to take control of the waters and water-powers of this province further than is necessary for the purposes of navigation will be strongly resisted by our people and will be considered by them to be an unwarranted invasion of the provincial domains by the Federal authorities.

So far as Mr. Drury is concerned he has, at least up to the present, taken it for granted that the Prime Minister would do as was practically done some considerable [Mr. Pardee.]

time ago, would carry on the same arrangement under the same circumstances and would allow the present Board of Control to act and not introduce this present legislation.

Then Mr. Hudson made a report—

Mr. MEIGHEN: Perhaps the hon. gentleman should read my reply to that telegram.

Mr. PARDEE: What date is that?

Mr. MEIGHEN: May 26.

Mr. PARDEE: I have not the right hon. gentleman's telegram of the 26th. I do not intend to take advantage of that at all, and if he will send it across I shall be glad to read it, it is only fair that it should also go on record. Here is the telegram, dated Ottawa, May 26, 1921, in these words:

Hon. E. C. DRURY,  
Premier of Ontario,  
Toronto.

The Bill respecting the Lake of the Woods referred to in your telegram of May 25th proposes no more than to take power to exercise the undoubted jurisdiction of the Dominion in respect both of navigation and of our international obligations. Further there is a clause providing that if the Ontario legislature enacts the legislation referred to in the Lake of the Woods Control Board Act passed earlier this Session the force of the present Bill may be suspended. Unless we adopt this Bill the position resulting from failure of Ontario legislature to adopt the legislation agreed upon this year is that there may be no means effectively to protect great public interests and that the responsibilities of Dominion Government in respect of a great navigable water system and of our international engagements may be at the mercy of purely private interests. This is a position for which we are not prepared to take responsibility.

ARTHUR MEIGHEN.

That is exactly what the right hon. gentleman said to-day. I contend that nothing could be more fallacious than the statement that if the Ontario Legislature enacts certain legislation we will go back to the old status quo. Section 10 of this Bill provides:

If the necessary legislation of Ontario referred to in the preamble of the Lake of the Woods Control Board Act, 1921, be enacted by the legislature, the Governor in Council may, by proclamation published in the Canada Gazette repeal or suspend this Act and the regulations made thereunder—

That is absolutely permissive and may or may not be done as suits the Government which may be in power at that time. That section also provides:

Provided that notwithstanding any repeal or suspension of this Act in the manner provided by this section the works and each of them hereby declared to be for the general advantage

of Canada shall remain and continue to be works for the general advantage of Canada.

In other words, Sir, you give with one hand and you take back with the other, and you leave the donee absolutely nothing.

Now let me continue my argument as to what efforts had or had not been made by the province of Ontario and the Dominion, but more especially by the province of Ontario, in order that this matter might be amicably settled without any prejudice to the rights of the province of Ontario. In that connection I will read the letter of May 27, 1921, from Mr. E. C. Drury to the Right Hon. Mr. Meighen:

With reference to your telegram of yesterday re Lake of the Woods I feel it my duty to remind you again of your promise contained in your letter to me of April 29th as follows: "I will take up the matter of continuing the present Control Board with the Minister of the Interior and can assure you that we will endeavour to do so if the same can be effectively done." There is absolutely no reason to believe that the present control cannot be effectively continued. This Government is in a position to assure you that—pending the execution of the White Dog lease under the terms of which the control of the Norman Dam will be permanently established—it has an undertaking that the present control will not be disturbed by the private interests involved.

That is pretty strong. Premier Drury lays it down on his responsibility as the head of that great province that they have assurance that the present control will not be disturbed by the private interests involved.

In view of your undertaking and the firm position we have taken regarding control of the Lake of the Woods, the contention now advanced that control is in jeopardy is unwarranted and is, I submit, no justification of your proposed legislation which attempts to dispossess this province of its constitutional authority over its water-powers. I draw your attention to the fact that this Government has not been consulted in the matter of this drastic action, that we have had no opportunity to see the proposed Bill and that we are prepared to co-operate with the Dominion, as we have been doing to ensure that the interests of navigation will be amply safeguarded.

Could anything be more absolutely explicit in asserting that Premier Drury, on his responsibility as Premier of Ontario, is willing to give every undertaking that so far as the waters in that region are concerned to-day things will go on as they have done in the past, that the waters will remain at the same level as they have remained at for the last ten or fourteen years, and that as a consequence no person who requires the use of those waters will be in the slightest degree prejudiced. I submit that nothing could be stronger or more explicit than that. Then, what further does he say?

Your contention that failing your legislation international engagements will be at the mercy of private interests is, I submit, lacking in frankness because no such engagements have yet been ratified and because there are means of controlling the private interests involved. I am therefore compelled to ask you not to proceed with the Bill which is unnecessary and unjustifiable invasion of the rights of Ontario.

I ask again, could language be stronger or more explicit than this language used by one holding the responsible position of Premier of the province of Ontario? Then there is a telegram—I am sorry to have to detain the committee, but I wish to put these things on record—from the right hon. Prime Minister to E. C. Drury, dated May 28, 1921. I quote:

Your telegram May 27th respecting Lake of the Woods. My statement of April 29th that we would endeavour continue present means of control was, as your telegram itself shows, conditional upon question whether such means would be effective.

I submit with all deference that that is a rather far-fetched conclusion.

As I have already pointed out we regard their effectiveness as being so doubtful that we cannot take responsibility of relying upon them.

They have been quite effective for many years.

I pointed out before, and your telegram now confirms it, that the only existing basis upon which control can be founded is some engagement with private interests to which the Dominion is not even a party.

Why should the Dominion be a party, I want to know? When shall it be said that a province may not deal with its own natural resources as it sees fit—in this case, so long as the flow of water below the dam is not interfered with?

Even if it were a party we could not regard this, in view of all the circumstances and importance of interests at stake, as a satisfactory basis upon which to rest our responsibility in respect of navigation and our international engagements. Your own agreement earlier this year to concurrent legislation constitutes in itself recognition of inadequacy of existing basis and of necessity of remedy.

Not necessarily, I argue. They were quite ready and quite willing to pass enabling and concurrent legislation. The only reason why there should be concurrent and enabling legislation was the fact that the commission did not have the power to carry its decrees into effect. I will admit all that, if it is any comfort to my right hon. friend. But I want to point out further that there was absolutely no reason to doubt the wisdom of what they were doing.

Mr. MEIGHEN: They could not do anything.

Mr. PARDEE: But they did.

Mr. MEIGHEN: Very little.

Mr. PARDEE: The right hon. gentleman may say that it is very little, but so far as that is concerned there was very little to be done. The great point made by my right hon. friend is that the commission contemplated by this Bill is necessary to keep the levels as they ought to be kept. The fact remains that the present board, which was appointed in 1918, has acted and is acting satisfactorily.

Mr. CRERAR: May I ask my hon. friend a question, there, just for information? The Norman dam has now passed into the hands of private interests. Suppose those private interests determine to raise or to lower the Norman dam, has the commission to which my hon. friend has just referred any power to control that? What penalties could they impose, for instance, on the present owner of the Norman dam if he raised or lowered the level of the lake?

Mr. PARDEE: Well, I take it that if the level of the Norman dam were raised or lowered to such an extent as to be detrimental to the water-powers lower down, they would have the right to proceed against the person responsible.

Mr. CRERAR: What right would they have?

Mr. PARDEE: They would have the right of action.

Mr. KEEFER: The Norman dam could not be raised or lowered at will as my hon. friend suggests. There is power in chapter 115 of the Revised Statutes of Canada to control that dam.

Mr. PARDEE: The Protection of Navigable Waters Act, Part 1, section 4, says:

No bridge, boom, dam or aboiteau shall be constructed so as to interfere with navigation, unless the site thereof has been approved by the Governor in Council, nor unless such bridge, boom, dam or aboiteau is built and maintained in accordance with plans approved by the Governor in Council.

Now, S'r, I continue the reading of this telegram. It says:

In view of the results and of fact that we can expect no further co-operation from your Government—

In view of the correspondence which passed surely the Prime Minister could not reasonably say that he could hope for no further co-operation. Every line and every syllable of the correspondence so far as the province of Ontario is concerned indicates

[Mr. Meighen.]

a willingness to co-operate in the fullest possible manner.

—now that the Ontario Legislature has prorogued, it is impossible to understand what useful purpose could have been served by further consultation on the present situation. Your concluding observation that my telegram was lacking in frankness is sufficiently surprising in itself. It is the more so in that its context discloses a complete misconception of the nature of the international obligations here involved. Under the existing Treaty of January 11, 1909, the Dominion has obligations in respect of freedom of navigation, maintenance of levels, and the prevention of injury on the other side of boundary waters. That is a responsibility solely of Dominion and purpose of present Bill is to make it quite certain that Dominion Government shall not be powerless to exercise that responsibility. In this and other respects we have proceeded throughout on the advice of law officers of the Crown. In the circumstances we have no other course than to proceed with the Bill which invades no rights of the province and which is essential to adequate exercise of Dominion jurisdiction.

ARTHUR MEIGHEN.

I leave this phase of the matter, Mr. Chairman, at that; I do not propose to labour it further. But in this connection I wish to read the following paragraph from the report of the International Joint Commission:

The average controlled level of the lake of the Woods between 1892 and 1916 was 1,059.82. The average level which would have prevailed during the same period of years, if the outlets had remained as in a state of nature is 1,056.77 or practically 3 feet lower. Ordinary high water from the viewpoint of the rights of the riparian owners, is dependent upon the level which prevails during the planting, growing and harvesting season. For the purpose of this report, we have adopted the mean of all levels above the average summer level prevailing between June 1 and September 30 as mean or ordinary high water. On the basis of comparison of ordinary high water the recommended level of 1,061.25 is 2.23 feet higher than the computed natural level of the lake.

It will be seen, therefore, from the report itself that the level of the lake has not been so interfered with as to prejudice international rights in any way; the navigation of these waters has not been prejudiced in the slightest. I repeat again that all these matters have been amply and satisfactorily handled.

I had commenced, when asked a question, to give a slight resumé of the Hudson report. As I understand the matter, the Hon. Mr. Hudson, at the request of Manitoba, came to Ottawa to represent that province on the hearing of this case. Subsequently Mr. Hudson sent in a report. I do not propose to read it all, but he says this:

The question on which I anticipated the most difficulty was the casting vote on the

Board. The Ontario people felt that they should have predominance to deal with waterpowers within the province.

I quote that only to show that the people of Ontario have at all times stoutly maintained that those water-powers were theirs and theirs alone.

Let me for a few minutes deal with one or two legal aspects of this Bill. I want to draw the attention of the committee to clause 2, which reads:

All dams, structures and other works of whatsoever description which have heretofore been or may hereafter be constructed in, upon, over, about or across—

I contend that that clause is not good because it is not specific. Any legislation brought down by the Government in regard to this matter should show what dams are to be constructed and what water-powers are to be affected by those dams. It must show specifically just what the Dominion Government propose to do. They have no right to put in an omnibus clause allowing them to have jurisdiction wherever they may desire. Only last week the

British Columbia Electric case

4 p.m. was being argued in the Supreme

Court, and the judges, although they had not given their decision, were inclined to pay considerable attention to the fact that there was involved in that case the very point that I am to-day arguing. One of the counsels said that it was a guessing contest, and the judges seemed to agree with that. I, therefore, say, first, that this clause is not good because it is not specific. Further, I doubt if the Dominion Government have any jurisdiction except over the actual physical structures that may be put up. They may have the right to say what is the height or width of a dam, where it may be located and so forth, but the fact that they may have the right to do that does not give them the right to control the waters of the province of Ontario. It is a moot point, even in the matter of navigation, whether they can go any further than that or not.

To show what widespread interest there is in the matter; to show how deeply the people of that section of the country are interested in this legislation; to show with how much fear they regard any such legislation, I want to read just one or two clauses from "an open letter to the Right Hon. Arthur Meighen, M.P., P.C. and to the hon. members of Parliament for Ontario constituencies," which I find in the Toronto Mail and Empire, of April 25, 1921. The letter reads:

The people of Kenora district and of north-western Ontario respectfully urge that you defer further action on the Bill designed to transfer the rights of the province of Ontario over her waterpowers to the province of Manitoba.

If the Bill becomes law, the waterpowers in this part of Ontario will be seriously curtailed and industrial and commercial development severely handicapped.

Divorced of legal phraseology, the position as we see it is:

The electrical power interests of the city of Winnipeg aim to secure the primary right to control the regulation of all the waters in the English and Winnipeg rivers in Ontario.

They do not need this "privilege" in order to furnish power to their customers.

But, in order to give that impression, and to divert attention from the fact that they propose to waste about one-fourth their utilizable water-power, they have used the phrase "dependable flow"—

I have not gone into the question of "dependable flow," because I shall leave that for others, but it is a question that might well be argued before this committee.

—and are seeking to encroach upon Ontario's waterpowers and to blind the public and their elected representatives to the real results.

Efficient development of the waterpowers along the Winnipeg river will obviate any necessity for preventing the full use of Ontario's resources.

Exactly what I have said, that if the province of Manitoba and the city of Winnipeg are willing to develop their own water-powers and to spend the money that is necessary for such development, there is no need whatever to interfere in any way with the vested rights of the province of Ontario. Let me read only this one more clause:

If the Dominion Parliament bows to the will of the Winnipeg electrical power interests and the Bill becomes law, a direct hindrance to northwestern Ontario industrial growth will be achieved and a dangerous precedent established in permitting one province to encroach upon the rights of another.

Mr. MEIGHEN: Who is the author?

Mr. PARDEE: The Board of Trade of Kenora. The letter also says in regard to the consulting engineers:

They say that the utilizable flow develops 27 per cent to 31 per cent more power than the dependable flow.

The dependable flow method wastes the 27 per cent to 31 per cent, and runs it off in flood time.

In conclusion, I desire to say that this legislation is vicious in every sense of the word. It is brought in under cover of something that really does not exist for the purpose of enriching another province at the expense of Ontario, brought in at the request of Manitoba by the Premier thereof to enrich not only that province, but many

private interests within that province which ought to spend their own money to enrich themselves. It is brought in primarily to satisfy the province of Manitoba; but it is brought in, I repeat again, to satisfy a private interest and under the cloak of that, and I say that it is without a doubt nothing but a side-wind or an attempted side-wind to take from the province of Ontario that which rightfully belongs to her and to deprive the people of that province of the control of their water-powers and natural resources.

Again I refer to the boundary award. That was fought to the last ditch. In that award the province of Ontario, under Sir Oliver Mowat and the great men who surrounded him, was given the right to all those lands and the contents thereof. I repeat—and I appeal now to my hon. friends opposite who are supposed to have Liberalism in them—that this is nothing more or less than a side-wind to come back to the old fight between Macdonald and Mowat and deprive the province of Ontario of what she has fought and given her best for. I say this ought not to be allowed, and that the people of the province of Ontario will resent it in the strongest possible manner, as this Government will find out. I appeal to the Government as earnestly as I can to drop this legislation until the few months have expired which will enable this Government and the province of Ontario to get together and come to an amicable agreement which will be satisfactory to both governments and which will prejudice neither. I appeal to my hon. friends opposite, many of whom I see before me or their ancestors fought the old fight, once again to come back to the fight of the boundary award. I remember as a young lad that the first time I ever knew I was a real Grit was when that question came up and the cry was:

The traitor's hand is on thy throat, Ontario!  
Ontario!

Then I realized the fact that the great, strong Sir John A. Macdonald, ruling this whole Dominion, was endeavouring to take from the little province of Ontario her wealth and resources, and I said to myself, if this is Toryism, Liberalism is good enough for me. If there is one shibboleth left that remains dear to the heart of every Liberal, whether in the province of Ontario or in any other province, it is the old shibboleth of which Mowat and Laurier were the great exemplars—the old shibboleth of provincial rights and provincial autonomy.

[Mr. Pardee.]

Mr. F. H. KEEFER (Port Arthur and Kenora): Naturally, as a portion of my riding is affected, I rise to take part in this debate. Speaking from this side of the House, I regret exceedingly that I am not able to follow the Prime Minister in this matter. I think this Bill is wrong, wrong upon its merits, irrespective of the question of provincial rights; that is a different question altogether, and one that I am not going to argue. My remarks will be directed to the question why this Bill is wrong, unfair and unjust.

In the first place, I wish to preface my remarks by giving the instructions I received just a few days ago from the Kenora Board of Trade, and which to my mind very accurately set forth the proper course to pursue in this matter. It is a telegram dated May 26, addressed to myself, and has been communicated also to the Government:

Kenora Board of Trade considers that Lake of the Woods Regulation Act now before the House should not be adopted, but Government efforts concentrated on securing the adoption of International Joint Commission's report and ratification by both countries. Should Control Board appointed under treaty not have sufficient powers, the necessary legislation could be enacted. As we consider the Act is of contentious nature, and Kenora being vitally interested, we feel the best interests of the Dominion would be served at this time by action as outlined above.

Kenora Board of Trade,

A. M. ROSE,  
Secretary.

It is a most unenviable and unhappy position for any member on the Government side of the House to have to differ from the Government on government legislation, but if I did not voice here the views of my people, which in many respects I think are right, I would be false to the trust which they have reposed in me; and I do not intend to be that.

In the first place, it might be advisable to give a rough description of the locus in quo, as we lawyers say. Rainy lake, Rainy river, the lake of the Woods, and the Winnipeg river, are practically all one stream, with enlargements, the two enlargements being the lake of the Woods and Rainy lake. The major portion of the waters of the Winnipeg river that come from the lake of the Woods come from Rainy lake. Rainy lake is a very large lake on the international boundary, with other lakes above, also international, feeding into it. Rainy river is the outlet of that lake. It is also international, and upon it works have been constructed at International falls or Fort Frances. Then you enter

into the lake of the Woods, only a very small portion of which, the northwest angle, is international. The outlet of the lake of the Woods is the Winnipeg river, and the Winnipeg river and the lake of the Woods are practically dammed by nature, by what is called Tunnel island. There are two or three outlets forming Tunnel island, and this island holds back the waters, subject to these natural outlets.

What has taken place there in the past was this: In 1887, after a long period of low water conditions from 1880 on, the Government of Ontario, in order to further the business of that district, induced private parties to build what was called the Rollerway dam.—(I want to give the history of the whole question, so that whatever vote is recorded it will not be with any misunderstanding.)—The Dominion Government by Order in Council agreed to give \$7,000 towards the construction of that dam and the money was afterwards voted. The dam was built. It raised the waters, but was not quite efficient. For reasons considered best by the Ontario Government, they saw fit to enter into an agreement with the Keewatin Power Company to build a new dam further down the river. The Rollerway dam is just at the opening of the river from the lake of the Woods. This new dam is now often spoken of as the Kenora dam. To show that this work was of a public nature, and that it was in the public interest to have it constructed, the Ontario Government, as representing the Crown, made a grant of Tunnel island to the builders of the proposed Norman dam, which was to cost quite a large sum of money. The dam was built. The question arose whether the full amount of money had been expended, but the Ontario Government waived that, and granted the patent to the island.

Now we start out with the Norman dam as we call it, built as a public proposition. Its benefit was for the public. It benefited navigation and held up the waters both for power and everything else. The dam was not put there as a menace or to take advantage of any one, but to do good, in the public interest. It has remained there for 26 years. It was built in 1893-1895, but no stop-logs were put in the openings built to let the flow go through, until 1898. Then it was considered advisable to control the waters by putting in a stop log. In 1898, five years after it was built, stop logs were inserted, and the Ontario Government—previously it was the Dominion Government to the Rollerway—

granted \$4,000 to the Norman dam for this purpose, and were given the right to regulate that dam.

Mr. ROSS: May I ask a question?

Mr. KEEFER: Certainly; I should be only too glad to throw any light on the subject, as it affects my constituents.

Mr. ROSS: Was the Norman dam built with the approval of the Governor in Council?

Mr. KEEFER: I know of no plans or specifications or application for that dam. It is now called an outlaw dam, but it was built as of public benefit twenty-six years ago, in return for the grant of Tunnel island.

Mr. CAMPBELL: Are there two dams there, the Norman dam and the Kenora dam?

Mr. KEEFER: There is really only one dam, the Norman dam. Sometimes by mistake it is called the Kenora dam. There are three outlets to the lake, one at the Lake of the Woods Milling Company's plant, at Keewatin, one at the Norman dam, and another which has always been spoken of as the eastern outlet.

Mr. HENDERS: What became of the Rollerway dam.

Mr. KEEFER: When the Norman dam was built, the Rollerway dam was taken away.

Mr. ROSS: The hon. member has not answered my question. Was the Norman dam built with the approval of the Governor in Council of the Dominion?

Mr. KEEFER: No, it was not; no application has ever been made of which I know. After putting in these stop logs, the Ontario Government was given the right to make regulations. That may not have been the proper course for the province; it might be argued that such was a matter that was in the jurisdiction of the Dominion Government, because navigation was affected. The Ontario Government paid \$4,000 and the construction was made for the benefit of navigation, and the raising the height of the water at the outlets for the benefit of power.

Mr. BUREAU: Was there any contract?

Mr. KEEFER: There is an agreement to the effect that the right to control the flow shall cease on thirty days' notice, and it was because of that agreement that there

was at first a great deal of fear regarding the Winnipeg interest question. It was thought that the owners of the dam could give thirty days' notice and do away with control rights. In my judgment, that is not correct. The Ontario Government, irrespective of that agreement, had its statutory rights over that dam, and recently, as cited by the last speaker, when the lease was given to Mr. Backus on the White Dog, a clause was inserted to give the Ontario Government, for all time to come, the control of the flow, not only at the White Dog rapids, but at the Norman dam. To prove my contention that, even with that agreement for the thirty days' notice, the Ontario Government's rights are not ousted, I would call the attention of hon. members, especially of legal gentlemen, to the River and Streams Act of Ontario. There are two Acts in Ontario that affect this question so far as that province wholly is concerned. One is the Rivers and Streams Act, chapter 130, section 27, which gives power of regulating the use of waters by owners of power, and also by owners of timber leases; and that is irrespective of the agreement I have mentioned. Then there is another Act, passed the following year, the Rivers and Streams Act, chapter 15 of George V. Section 7 reads:

Where improvements have heretofore been constructed under The Timber Slide Companies Act, or under the authority of any other general or special Act, or it is proposed to construct further improvements upon any river, and the minister deems that it is expedient in the public interest that the use of the water of the river should be regulated so that all persons entitled to use it for lumbering, power, or other purposes, shall be given reasonable and fair uses, the minister may appoint an inspector who shall visit such river and inspect the works upon it, and report to the minister upon their nature and extent, and the purposes for which they are used.

Section 8 reads:

Where it appears expedient in the public interest, or where any conflict or dispute arises between persons having a right to use the river or any works, or other improvements thereon, for lumbering or other purposes, the minister may appoint an officer or officers with such powers and duties as may be deemed expedient to be in charge of the river or improvements or other works, who shall have power to regulate the use of the river, or any works or improvements thereon in such a manner as shall seem best calculated to afford to persons having diverse interests on the river or in the works or improvements, a fair and reasonable use of the waters of the rivers.

And here is an important proviso:

Provided that where any alteration of the level of international boundary waters is involved, such regulation, powers and duties shall conform to any order or recommendation which

[Mr. Keefer.]

the International Joint Commission may make under the terms and authority of the International Boundary Waters Treaty between Great Britain and the United States.

So that, so far as Ontario is concerned, that province has endeavoured to legislate to give authority, through her proper officials, to regulate the waters at this point.

Mr. MEIGHEN: The hon. gentleman may not know that the clause he has just read has been deemed ultra vires by the Attorney General of Ontario.

Mr. KEEFER: I understood that the Attorney General of Ontario, prior to the difference between the two provinces, did take the ground that this section did not give the authority which it was heretofore always supposed to have been given. That was his obiter dictum on the matter, but lawyers differ from the Attorney General of Ontario on this, as on many other questions.

Mr. MEIGHEN: Does the hon. gentleman differ from him on the question?

Mr. KEEFER: I think, under that Act, the province of Ontario has power to make an order, with regard to any dam that affects international waters, comply with any International Joint Commission's report.

Mr. MEIGHEN: Is that Act itself intra vires?

Mr. KEEFER: In so far as it does not conflict with navigable waters. It cannot divest the Federal Government of its jurisdiction over international waters, nor can the Federal Government, under the guise of navigation, attempt to divest the Ontario Government of its jurisdiction over its own waters, and that has been the complaint of my people up to the present time in this matter.

Now, as to the history of the matter, there has never been any difficulty in regard to regulations up to date. The International Commission was requested to look into the whole problem and make a report, and that report has been referred to. I differ from the right hon. the Prime Minister in regard to what he has been instructed was intended by the commission in their report. I may be wrong, but he gave me the impression that the commission, in their report, stated that for the purposes of navigation the regulation of the dependable flow was necessary within the figures he gave.

Now the International report, at page 71, reads as follows:

The primary object of the recommended supervision and control would be to protect the interests of riparian owners in both countries during seasons of excessive flood inflow into the reservoirs and to protect the interests of navigation against loss and damage due to excessive draft upon the stored water toward the end of a series of dry years, while at the same time permitting the advantageous use of the waters flowing from the reservoirs for power purposes;

That is the important part I think we should note.

Leaving to the owners of all dams and other works in these waters the right, subject to the limitations of the proposed International control, to use the same under their respective local Governmental jurisdiction for the purposes for which they were intended.

The International Joint Commission never intended in any way that its findings were to have any influence upon the manipulation of the waters within the area where the local rights were to be maintained. Only when the situation got to a dangerous point was the commission to step in. Might I point out that if we could once get this report adopted by the United States in treaty form, then undoubtedly this question would solve itself and the only legislation necessary by this Government would be that for the purpose of implementing the treaty. In the meantime I think we are getting the cart before the horse. We are only creating the impression that we are going—under that report which has not yet been accepted by the United States—to take the high water which we have no right to do. We have no legal right to that to-day. It is against the interests of the riparian owners of the United States and for the sole benefit of Canada, and I hardly think we are acting in a wise way to get confirmation of the agreement by the United States.

The trouble in this whole problem has been over the term "dependable flow". It is not a question of control; everybody wants control. There must be control, and there should be control, and my people of Kenora want control. They are afraid now, owing to the course that has been pursued by Dominion Government officials in never consulting them and only consulting the Manitoba interests, to leave that control in the hands of those officials. They want Government control. But they want control by the Ontario Government as well as by the Dominion—that is the situation so far as they are concerned.

So let no one say that anybody opposes control.

Now then what else? It appears that the name of Backus is thrown into this discussion. It is like a red flag to a bull—everybody sees red. In many cases people lose their heads and many misstatements are made in consequence thereof. I have never acted for Backus in my life or transacted any business for him. I have never received any instructions from him regarding this Bill, nor heard from him in any way at all about it—I am acting solely from a sense of justice which I think is being violated in this matter. But even if it be the case that Mr. Backus is actuated by unworthy motives in this matter it is not in accordance with the principles of British law to condemn him until he has been found guilty. Any criminal is entitled to just the same careful, evenhanded justice as the highest man in the land; and I think we ought not to let the name of Mr. Backus be interjected into this discussion all the time. So far as the Federal Government is concerned they have been using Norman dam for the past two years and manipulating it as they saw fit without any objection on his part. Now what has happened? Let us look and see.

First of all how did Backus get this Norman dam? It was built twenty-six years ago and he purchased it along with their holdings from the owners four years since. For two years, up to the time of joint action the two governments have been operating it. It is a dam which, until some power works are built there, merely controls the level of that lake. The dam holds the water up in the lake and regulates and controls it. So it is not a case of getting rid of the dam to regulate the power. Under this legislation it is sought to regulate "the dependable flow." There is the whole trouble. True that expression was in the original Act that was to be passed by the province of Ontario. The province made the same mistake that the Dominion Government made in not consulting the people that were interested. They only consulted the people down the river; they did not consult the people of Kenora who are vitally affected by this legislation. The people of Kenora have been in hard times for the last few years. Their industries have been closed down and their saw-mills removed. Yet they have timber all around them, and they were reaching out to try and get some industry to establish itself there. They have water-power and

they induced this man Backus, who has a very large plant at Fort Frances, to come over there and enter into some agreement with them. They were like drowning people catching at a straw; they were ready almost to give their whole town away to any industry that would locate and put them on their feet. He entered into an agreement with them and also with the Ontario Government. He got timber concessions, agreed to build a pulp-mill and took over their local water-power, formerly operated by the town of Kenora, and which is on the eastern outlet. No sooner was that agreement entered into than difficulty arose with Winnipeg. My people claim—whether rightly or wrongly is another thing—that the Winnipeg interests are desirous of preventing this industry getting started. They feel that they also should have been consulted when negotiations were taking place. I was at one meeting where all interests concerned were represented. I happened to be in my own home town last summer and received a message from the mayor of Kenora asking me if I would not go to the meeting in Winnipeg. I went to that meeting. The Backus interests were represented by their engineers and lawyers; the Winnipeg interests were also represented, and the little town of Kenora was acting as a sort of peacemaker trying to bring the different interests together. There was perfect harmony at that meeting until we struck one question and that was the question of the cost of the flowage from raising the water on the upper lake. Now, let me explain that. On Rainy lake a big industry was established some years ago at International Falls. They built another dam higher up, and spent large sums of money, but they have not acquired the title to the flowage or the lands submerged. Those interests want the flowage question considered by the interests down the river, but the latter say "It does not concern us. You went in there, we are independent of you, and when the time comes it is necessary to expropriate additional property we will talk about it." The minute they struck that there was a divergence of opinion. The meeting broke up and since that the various interests have never been brought together again. Instead of that the Winnipeg interests have attempted to approach Ottawa to control the matter. Now, what is the situation? They want to get the dependable flow out of the lake of the Woods, but they do not want to pay for the dependable flow out of Rainy lake. That is the bone of contention, and that is a power dispute between several companies.

[Mr. Keefer.]

Now, the Dominion Government is trustee, of course, of the powers on the Winnipeg river for the province of Manitoba, but is also trustee for the province of Ontario, and in addition she is Manitoba's executive officer as to water-powers. The powers down the river do not need at the present any extra storage on that upper lake. They are benefited by it to-day. I do not want to take up an undue length of time on this matter, and therefore I will quote briefly the report at page 66:

The more the inflow into the Lake of the Woods—

That necessarily comes from Rainy lake.

—is equalized the more readily can the recommended level be maintained within a small fluctuation, and the greater is the dependable outflow that can be secured from any given extreme range in level of the Lake of the Woods.

Naturally if you control the storage of the Rainy lake which in turn controls the storage of the lake of the Woods, you get a more dependable flow down the Winnipeg river than if you only control the storage of the lake of the Woods.

That was the bone of contention between them. Then what happens? The Winnipeg interests come down to Ottawa, and eventually an arrangement is made, without the people up there knowing about it, between the province of Ontario and the Federal Government, by which it was agreed that joint legislation should be passed by both governments. If the joint legislation had been passed there might have been no difficulty. But immediately my own people, the parties affected, heard of this proposed joint legislation they went to the Ontario Government and fought for their life as they considered it, and they fought successfully. The question is asked: Why did the Ontario Government not pass that joint legislation? Simply because of the representations of the people of Kenora district. Then we have this legislation introduced. My people are opposed to it just as strongly as they were opposed to the former legislation.

But in a sense the Federal Government has power to do all that it is seeking under this legislation with the exception of control of the English river. Under the Dominion Rivers and Streams Act unauthorized obstructions already built in any river can be taken out, and any existing dam can be removed if it is an obstruction; also before any new dam can be built permission must be obtained from the Federal Government. What happened? Mr.

Backus had bought the little power plant located at one outlet, which was at the town of Kenora, and he was proposing to enlarge that outlet so as to build his works there and not at the Norman dam. He was proceeding without any authority, and therefore illegally. Whether he knew or not—

Some hon. MEMBERS: Ha, ha.

Mr. KEEFER: Some hon. gentlemen say "Ha, ha". They seem to think that everything must be presumed to be wrongly done in this world; I would rather presume things to be rightly done. When the illegality was brought to his attention he filed his application for approval of his plans and for the consent of the Federal Government through the Minister of Public Works. That application is to-day standing, and I have telegrams from the people of Kenora hoping that the work will not be blocked, that 150 men or more would be thrown out of employment and entreating that something be done to let the work proceed. The Federal Government to-day has power in its own hands to impose whatever conditions it sees fit upon the building of that dam, or outlet, or improvement; or it can refuse the application, in which event the work cannot be proceeded with, the water will still flow down, and things will be as they have been during the past few years.

But instead of acting under its present statutory powers, waiting till next session and meanwhile getting unanimity, the Federal Government has been advised to pass this legislation. I think it is unwise and unjust in the last dying hours of this session, when my people have no opportunity of coming here and opposing it, and unless there are paramount reasons for the measure being proceeded with I urge that it should be withdrawn. This morning I received telegrams from my people on the English river protesting most strongly against the English river being included within the scope of this Bill. The English river has nothing to do with the lake of the Woods, in fact, it does not flow into the lake of the Woods, and Backus is not concerned in it.

Mr. MEIGHEN: Has the hon. gentleman any objection to reading those telegrams?

Mr. KEEFER: I received a telegram from Sioux Lookout protesting against the English river being included.

Mr. MEIGHEN: I have a telegram from the mayor of Sioux Lookout, but it does not

do what the hon. gentleman says his telegram does.

Mr. KEEFER: This is the telegram the Prime Minister hands me: Sioux Lockout is a divisional point on the English river. There is a little sawmill at present, and it expects to develop into quite a considerable town.

Sioux Lookout, Ontario, May 30, 1921.  
Hon. Premier Meighen.  
Ottawa, Ont.

We herewith petition you respecting Bill now before House referring to control of Lac Seul waters.

Lac Seul is the source of the English river.

We petition that the natural rights of our town in Pelican Falls water power on the English river be protected by an amendment to the Bill to restrict the raising of Lac Seul to a level which would destroy any portion of the present horsepower development available at this point.

The Bill proposes to give power to the board to regulate and hold the waters up there, which would affect the present horse power. The first Bill which was introduced had to be amended when the Prime Minister's attention was called to the same, to make it a little fairer to these people. It even purported to give the right to shut off the flow of the English river entirely.

Should Bill now under consideration pass in its present stage and commission appointed raise level of Lac Seul sufficient to deteriorate Pelican Falls, it would be a serious handicap to our present and future industrial development, which development is an essential necessity for the proper financial assistance to our town to assist in supplying finances for our educational and other municipal requirements, which assistance is urgently needed.

There is development under way there and they hope to bring in population which will help them to maintain their schools.

Mr. BUREAU: Do I understand that they decrease the head of the other falls?

Mr. KEEFER: No. Pelican Falls is below the river, and if the waters are held back at Lac Seul you necessarily affect the flow of the English river. The Pelican falls situated thereon.

Mr. ROSS: How far is Lac Seul from the junction of the English river and the Winnipeg river?

Mr. KEEFER: I should say 150 miles or more. Supposing we were dealing with the Ottawa river, it would be similar to attempting to regulate the Gatineau river and the Blue Sea and other lakes thereon through the Federal Government.

Under the conditions referred to and the representations which our member, F. H. Keefer, will no doubt make to you.

I only got their telegram this morning. They are acting of their own motion.

We ask that our petition be granted fullest consideration and our interests protected as asked for. Thanking you in anticipation of same.

JOHN MACLEOD,  
Mayor.

Now, these people are quite anxious about this matter. They do not understand the necessity for the proposed action, and unless it is of paramount importance I think it would be wiser not to press this Bill through. Is it necessary that we should proceed in this way? The proposal can hardly be justified on the ground of fulfilling international obligations. In fact, we are violating international obligations because we have raised the level three feet and we are holding it there without authority. If we can get the United States to adopt the report of the International Joint Commission, that would be a different matter. In that case the report itself will be sufficient authority for legislation of this kind, because it recommends two boards of control, one international and the other domestic. In the meantime we are proceeding, at the request of the interests down the river, to pass legislation to control the water-powers above.

The Bill is based upon the principle of "the most dependable flow." Now, that is a technical term; let us understand the difference between dependable flow and natural flow. The natural flow of a river is that which takes place when there are no obstructions; you will have high water in the spring and low water in the middle of the summer. The dependable flow is brought about by placing artificial obstructions in the river, raising the minimum flow up and thus at certain periods securing more water, and taking away the increased flow naturally resulting from spring freshets and holding it for use during the summer when it may be most needed. That is a very proper thing to do, but it is an artificial state of affairs. Under the common law a man is entitled to the use of the water in its natural condition as it flows by, so long as he does not obstruct it or, by holding it up, prevent the people below from using it. But this legislation sweeps away that common law right and makes everybody take the dependable flow. If the Winnipeg powers would take up the question of dependable

[Mr. Keefer.]

flow out of both lakes there would be no difficulty, but here they are taking up only the question of dependable flow out of the one lower lake but not out of the upper. The time will come—and it is not very far off—when all the waters in the Winnipeg river will be needed for power purposes, and everything that can be done to increase the flow of water there is desirable. Then will come the time when there will be a desire to expropriate the flowage on the upper lake, to raise, as the commission's report suggests, the waters in the upper lake still higher. If that action is deferred the cost will be much greater than if it were done now and the cost should be apportioned among these different interests in the ratio of the benefit therefrom. But Winnipeg says: "No; we have nothing to do with that. You built in this upper place for your own benefit. You have increased storage there. We will benefit by that but will pay nothing towards it and when the time comes that we want some more we will take this thing up together." Here we find the origin of the dispute—and I am simply trying to give the facts to the committee so that every hon. gentleman will be able to vote intelligently in the matter.

By using these words "dependable flow" you affect the rights of any person having a power plant on the Winnipeg river who finds it advantageous to use the natural flow. In the case of some plants it is advantageous to use the natural flow; in the case of others, it is not. I can understand a street railway or an electric lighting plant wanting to have dependable flow, because they are running all the time. I can understand that some other large industry might want to use the spring waters, having them go through their wheels instead of being wasted through sluice-gates. There are such problems involved in industrial operations, and you strike at the rights of these people when you use these words "dependable flow," unless there is some agreement or else provision for compensation, and nothing of that kind is contemplated in the present Bill.

Now, what are the facts about dependable flow? If hon. members will refer to plate 125 in the book of plates of the International Joint Commission they will see that for 75 per cent of the time under natural conditions more water than the dependable flow comes down the river and that for 25 per cent of the time less water than the dependable flow comes down the

river—the dependable flow being estimated at 11,500 cubic feet per second. I am not speaking now for any one in particular; I speak merely from a sense of justice. If any person who owns a power plant on that river wants to use the water in its natural condition, are you willing by arbitrary legislation to force him to take the dependable flow? The man above should not be allowed to interfere with the man below in any wrongful way. The old common law maxim is absolutely true: "So use thine own as not to injure another." But does not that apply with equal force to the people down the river? Why should they be entitled to say: "We want to use our own to the detriment of you who are up above?" Why, they could establish a little auxiliary steam plant if they wanted to, under ordinary flow conditions, and get more power during the 75 per cent period than the dependable flow. The point I want to make is that the fight in this case has been between these rival power interests on that word "dependable flow." The rival powers of Winnipeg want to get the benefit of private capital that has been invested in the Rainy lake by getting the resulting dependable flow without paying for it, and yet on the lake of the Woods force the greatest dependable flow with or without concurrence. To me that is not fair. I hold no brief for Mr. Backus in bringing out the situation.

Mr. CRERAR: If the hon. gentleman will permit me, who are the rival power interests in the matter?

Mr. KEEFER: I will try to explain the power developments all the way down the river. First, there is a very large power plant of the paper making company at International Falls of which Mr. Backus is the head or manager. I do not recall its exact name. There are then no more power plants until you get to Kenora, where there is the Lake of the Woods Milling Company. These people also want control. They were in favour of the former Bill for joint control by Ontario and Canada. Then there is the Norman dam, with no power plant at all. Then there is the little town of Kenora with its power plant. As you get down the river there are the White Dog rapids, a power which is not yet developed. When you get into Manitoba territory there are several power plants, Winnipeg companies, including that of the street railway—I do not know the names. There are two or three of them.

Mr. CRERAR: Two.

Mr. KEEFER: All the powers in Manitoba have not yet been taken up—only two-thirds, or something like that.

Mr. MEIGHEN: The only one the hon. gentleman knows is the Winnipeg Street Railway.

Mr. KEEFER: No; I do not know the names, but I know there are others. If you could give me the names I would be obliged.

Mr. MEIGHEN: The principal power development is that of the city of Winnipeg.

Mr. KEEFER: And what others? Winnipeg is a very big city, but I do not think it should have the right, by way of legislation or otherwise, to take away the rights of the little town of Kenora without either consultation, negotiation or compensation.

Mr. CRERAR: May I ask another question? In what way are the Backus interests at International Falls involved in the matter of this Norman dam?

Mr. KEEFER: They are three or four hundred miles up the lake and river at International Falls and they are not in any way affected by the dispute at the outlet of the lake of the Woods. So far as I know, they are not involved in this Norman dam matter. I do not know whether the same company owns it, but Mr. Backus is connected in some way with the International Falls plant and with this new proposal to build at Kenora. He has no plant at Kenora; I think he bought an old sawmill there, but he is not operating there. He has no power plant operating, and he is now starting to develop his power plant under his agreement with the Ontario Government, and he is held up, properly, by the Dominion, because he has not complied with chapter 115. There is where the Federal Government can, if it wants to, put whatever conditions it desires to impose upon his application.

Mr. ARMSTRONG (Lambton): Would the hon. member tell the committee how many power plants the Backus interests have on the river?

Mr. KEEFER: The only operating plant which they have on the river is the original one which they have at International Falls, a paper mill. About four years ago they bought the rights to the Norman dam from the Keewatin Power Company, but they have not done anything there yet. Recently they made an agreement with the town of Kenora and

the Government of Ontario to erect a pulp mill at Kenora.

Mr. CRERAR: I suppose the interests of the Lake of the Woods Milling Company at Keewatin are identical with those of the city of Winnipeg and of the Winnipeg street railway?

Mr. KEEFER: The Lake of the Woods Milling Company do not want control by Ontario; they would prefer to have control by the Federal Government. I do not to that, desire joint control or not; but when the former Bill was introduced, they telegraphed me saying that they were in favour of that Bill, which was a Bill for joint control. Since this new Bill has been introduced, I have received no word from them one way or the other.

Mr. CRERAR: My hon. friend a moment ago stated that the root of this difficulty was in the differences of opinion that existed between rival power companies. I cannot follow him precisely in seeing where that arises.

Mr. KEEFER: The root of the difficulty is in the disputes between the power interests down the river and, perhaps, including that at the lake of the Woods milling plant and the Backus interests, which have, by private capital, as this report says, raised the waters of Rainy lake from three feet up to 4.97 feet and thereby given greater storage and dependable flow down the Winnipeg river. The Backus interests want them to join not only in paying proportionally for that benefit, but in acquiring the additional flowage that the report recommended. The other interests say: "No; we do not want to go in."

Mr. CRERAR: I understood from my hon. friend a moment ago that the Backus interests acquired an interest in the Norman dam a few years ago—

Mr. KEEFER: About four years ago.

Mr. CRERAR:—and that the level of the lake of the Woods, since this Norman dam was built in 1897, has been controlled by this Control Board. Am I right in that?

Mr. KEEFER: The Norman dam was built in 1893 to 1895. In 1898 it was brought under control by putting in stop logs, with a bonus for so doing of \$4,000 from the Ontario Government, with the right of the Ontario Government to control that dam. Whatever control has existed up to the last few years has been

[Mr. Keefer.]

under the agreement by the Ontario Government, not by the Dominion Government. Then came this purchase by Mr. Backus and interests of the company who owned the dam, the Keewatin Power Company, about four years ago. That went on for a couple of years, and about two years ago a joint board was formed. The province of Ontario was very chary about entering into that joint board. They did not

want to give up their sovereign 5 p.m. right of control of the Norman dam. Rightly or wrongly, they took the position: "That dam is in Ontario; it is under our jurisdiction, not under federal jurisdiction." But they were induced to join in a joint control, by each government passing an Order in Council for that purpose, and that is the state of affairs to-day. For two years that board has functioned; that board is functioning to-day; so far as I can see, that board will continue to function, and if the statement of the hon. member for West Lambton (Mr. Pardee) is true that, according to the letter that was addressed to the Prime Minister, the owners of that dam have undertaken with them that joint control shall continue, I do not see exactly what there is to fear for the next year particularly when there is power vested in the Dominion Government under the Navigable Waters Act to refuse to allow any structure to be built or to impose any conditions in regard to the building, and until the plant is built, nothing can be done.

There are other things that are necessary in order to get dependable flow and which the town of Kenora has been desirous of having done. One of the ways to get dependable flow would be to enlarge the outlet, as recommended by the commission. That has not yet been done, and it would involve quite an expenditure. It is being asked for by the Kenora people. The storage of the upper lakes is also a contributory to dependable flow. I quote again from the report:

The dependable outflow from the Lake of the Woods, however, can also be increased by additional storage on the upper Rainy watershed. This additional storage will not only benefit the water-powers on the Winnipeg river, but it will also aid in maintaining the recommended level on the Lake of the Woods and increase the available water-power at International Falls and Fort Frances.

The Commission has recommended that in order to secure the most advantageous use of the waters of the Lake of the Woods and of the waters flowing into and from the lake it is practicable and desirable to secure at least 45 billion cubic feet of additional storage

capacity on the upper Rainy watershed. By drawing Rainy river lake down another half foot in time of extreme low water, a full 150 billion cubic feet storage would become available. If this entire 150 billion cubic feet storage capacity is used primarily in the interest of the International Falls and Fort Frances plants it will, nevertheless, directly increase the dependable outflow from the Lake of the Woods in the interest of the Winnipeg river water-powers by 360 c.f.s. This is equivalent to the increase in flow that could be secured by half a foot additional draft on the Lake of the Woods. Moreover, every increase in dependable outflow which is secured by equalizing the inflow into the Lake of the Woods instead of by increasing the draft on that lake assists in maintaining the recommended level with less ordinary fluctuation.

The people of the upper lakes have been increasing that flow by getting that additional storage. They desire now to take on the additional storage there, which will be a benefit to the people at International Falls and also to the Winnipeg river people. This is what the report says:

The net result, therefore, of 150 billion cubic feet of storage on the upper Rainy watershed is to increase the dependable outflow from the Lake of the Woods by at least 650 c.f.s. corresponding to an increase of at least 17,000 horse-power in the potential water-power on the Winnipeg river.

That, in my judgment, according to what I have observed, is the cause of this difficulty to-day. This is a water-power dispute between the powers in Manitoba versus the powers in Ontario. As the Bill is brought in at this late hour, I think it is unwise. I do not want to refer again to this question of control; everybody is in favour of control, but it should be joint control if the province of Ontario has any rights.

Mr. STEVENS: If this Bill is not passed, will the control rest with what are known as the Backus interests?

Mr. KEEFER: In my judgment, absolutely no, and nothing can be built on that river or on the outlet from the lake of the Woods without the approval of this Government under chapter 115. That approval is being asked for now.

Mr. STEVENS: Under the Navigable Waters Act?

Mr. KEEFER: Yes. But no decision has yet been reached about it. No power plant can be built there, and it is a power plant that is sought to be built to-day and which the people are very anxious to go on with, but it cannot go on without this Government's consent. In addition to that you have the control over the Norman dam, under these joint Orders in Council, under

the agreements, under the undertaking that was quoted and under the courts of the land.

Mr. STEVENS: A moment or so ago my hon. friend mentioned that the Kenora Board of Trade had asked for enlarged openings. Of whom did they request that?

Mr. KEEFER: Necessarily from the Government of Canada. They are the only ones that can authorize and do it. The Winnipeg river has considerable rock in its mouth, which prevents a proper volume of water getting away from the lake. When those are taken away, the flow of water at the Norman dam can be doubled.

Another objection that I see to this Bill is that it proposes to give power to this commission to order any repairs or improvements to this or any other dam. It says:

The Governor in Council shall have power to make and enforce such regulations as he may from time to time consider necessary, advisable or expedient to require, prescribe and ensure that the aforesaid works and each of them shall at all times be constructed, maintained, improved, repaired, and so forth.

That, of course, would include the Norman dam. Under that clause the board could order practically the reconstruction of the dam, which is almost necessary by this time, for it has been there 26 years, and if the owner of the dam did not obey that order, all the penalties of this Bill would apply. That is not a fair way to do business. It is not the way we would deal with matters in private life. The commission under this arbitrary clause would be able to order improvements in the dam, which has been for the benefit of the public all along, at the expense of the owner, perhaps. It is this action on the part of the Winnipeg people, and on the part of the Government here, that has forced the people of my constituency to take the position they do to-day, and that has driven me to back them up. I think that this action should not be taken.

Mr. STEVENS: Was the Norman dam built under the terms of the Navigable Waters Act?

Mr. KEEFER: No, I do not think the Navigable Waters Act was thought much about 26 years ago. It was not brought in until 1885.

Mr. STEVENS: How does the hon. gentleman propose to control the dam now under the Navigable Waters Act when it was not built under that authority?

Mr. KEEFER: In the Navigable Waters Act there is a clause which gives jurisdiction to the Federal Government to take control of any existing dam heretofore built without that authority, and to do anything they like with it—to blow it up, if they like.

Mr. STEVENS: Then this Government would be able to take that dam now.

Mr. KEEFER: They can take that dam out of there now, but the Government does not want to touch it, because the owners would want compensation. It cost \$300,000 or \$400,000 to build. One thing I do not like about this Bill is that there is no provision for compensation. If you are going to take this dam, which has been for the benefit of the public, there should be compensation.

I do not wish to detain the House any longer. I think this Bill is unwise. It is very contentious legislation, and is probably going to lead to much litigation and dispute between the Ontario Government and the Federal Government, and probably with private interests. It is going to arm Mr. Backus with a grievance. He will say: This is the way I am treated by the Federal Government; they have introduced this Bill and they are legislating me out of my natural rights to keep up a dependable flow; I am willing to discuss the question of dependable flow with them, but they will not discuss it with me; they want the United States to carry out the recommendations of the International Joint Commission, but as they are not dealing fairly with me, I ask you not to agree to the adoption of the report. The Bill will also arm the people, at the northwest angle which is in the United States, with a grievance; they are opposed to the raising of the level and the flooding of their farms.

Lastly, I think this legislation is unnecessary because authority already exists under a federal statute. I think we would be wise not to raise any question of conflict between the Government of the province of Ontario and this Government.

Mr. MEIGHEN: Whatever merit there may be in what I may say now, it will not be necessary for me to consume the time of the committee at any length comparable to the speeches of the hon. gentlemen who have preceded me. I am sorry, indeed, that the hon. member for one of the districts affected does not see his way to support the legislation. I have never before been able to follow his reasoning as regards this subject, and I must say

[Mr. Stevens.]

that the confusion which its expression produced on my mind previously was only enhanced by his speech this afternoon. The same, indeed, applies to the utterance of the hon. member for West Lambton (Mr. Pardee). I think I can take what they said, however, and make clear the actual point and substance of the matter that this committee must decide.

The hon. member for West Lambton says: We have had under two Orders in Council a Board of Control installed. That board is there, and what they have done has been wholly satisfactory; everything is all right; just let that board go on. That is his plea. Upon examination, he admits that there is no statutory footing for the Orders in Council appointing the board; that is to say, that anything in the world that they try to do may be challenged, and challenged successfully. But that, he says, is quite satisfactory to him. The board, he argues, is satisfactory, though it can enforce no ruling, though it cannot do what he claims it must do to have any effective control, namely, improve the Norman dam at considerable cost; therefore, let the board go on because Mr. Drury has the assurance of Mr. Backus that everything he will do will be all right. Consequently, that being specifically so, he says, on the authority of the Premier of Ontario, the Government of Canada should retire to its chamber and leave the whole situation to be worked out by agreement between Mr. Drury and Mr. Backus. That we have declined to do, and in declining we ask the support of this House and of this committee. While Mr. Backus was giving that assurance, I may add, he was down at Ottawa seeking to get certain concessions with regard to the outlet at the east end entirely inconsistent with that assurance, and inconsistent with the findings of the International Joint Commission as to the level of that lake.

Mr. KEEFER: In what respect?

Mr. MEIGHEN: Because his express intention here was to raise the level of the lake beyond the level fixed by the tribunal, after he got the concession enabling him to divert more water from the eastern channel.

Mr. KEEFER: No. My understanding is that he is applying to increase the outflow of the eastern outlet, which can be compensated by passing less water at Norman dam, and which can be provided

for under the Navigable Waters Protection Act.

Mr. MEIGHEN: The Navigable Waters Protection Act—I did not intend to take that point up now, it is entirely out of its natural order—enables the Government of Canada where navigation is interfered with, or where it can say that navigation is injured by the obstruction, to remove that obstruction or have it altered. That is all it empowers. There can be no continuous control under the Navigable Waters Protection Act.

Mr. BUREAU: Does the Prime Minister claim that, under the Navigable Waters Protection Act, no work erected can be destroyed without the previous consent of the Governor in Council?

Mr. MEIGHEN: Yes, I have just said it can be done, but only when, in the judgment of the Governor in Council, navigation is injured.

Mr. BUREAU: I do not agree with the Prime Minister.

Mr. MEIGHEN: Does the hon. member say that we can do it merely by caprice?

Mr. BUREAU: You have powers to do it at any time, not necessarily by caprice.

Mr. MEIGHEN: That is the distinct object, and it is only in securing that object that we should be justified in exercising powers under the Act. It is the duty of the Government to see that no step is taken by private interests or any others, in the meantime, that embarrasses us or puts it out of our power to see that the findings of the commission are respected.

Now, the hon. member says that we should let the present board go on, on the basis of Orders in Council. Well, it is rather an amusing reflection to hear hon. gentlemen opposite appeal to the security of Orders in Council instead of Statutes. It is not quite consistent with the speeches we heard on the Address in reply to the speech from the Throne. But let that pass. He says that the board should work on the security of these Orders in Council, which hon. gentlemen admit have no statutory foundation, and consequently will be ineffective, though they were all that we could do at the time. He says: "That will suit me." Does the hon. gentleman know that these Orders in Council require that the board shall insist on the principle of dependable flow? That is what they are to enforce. The Orders in Council say: You control the outlet of the lake of the Woods, but you control it

in consonance with the principle of the highest dependable flow. My hon. friend (Mr. Keefer) says that that is a wrong principle; and there is the kernel of the whole thing.

Mr. KEEFER: I say it is a very advisable principle, but it should come about only by agreement.

Mr. MEIGHEN: Then my ears were at fault. I understood the hon. gentleman to argue for half an hour against the principle of dependable flow.

Mr. KEEFER: There are some power plants to which the natural flow is more advantageous than the dependable flow, and vice versa.

Mr. MEIGHEN: Does the hon. gentleman think that we should have the dependable flow principle enforced in respect of the waters flowing out of the lake of the Woods?

Mr. KEEFER: You should have dependable flow with compensation or concurrence of all interested, but you should not take it arbitrarily.

Mr. MEIGHEN: There is nothing here to prevent compensation if any injury is done. The question is: dependable flow, or no dependable flow in respect of waters flowing out of the lake? The hon. gentleman, as I understood him, argued for half an hour that we had no right to insist on the principle of dependable flow, because the owners of power had the right to natural flow, and all the advantages that the natural flow would give. In the first place, how can you have natural flow when, at the same time, you must, not naturally at all, but for the general benefit of all, keep the flow of the lake out of the natural level? How can you have natural flow? In times of high water you must hold the water from going out of the lake, and do the very opposite at other times. There you have the principle of natural flow interfered with, and you cannot help it. You must have it interfered with to the general advantage of navigation and in the interests of all concerned. But in the next place, have we reached the point where we must discuss whether dependable flow is a right principle or not? The International Joint Commission, after hearing all parties affected, find that it is the right principle; after hearing all the power interests, the navigation interests, the fishery interests, and those whose lands were flooded, reported in favour of the principle of dependable flow; and acting upon that

report, having accepted it, it is our business to see that we are in a position to carry out that recommendation. What is the sense of saying, in one breath, that we should keep the present board in operation under the Orders in Council, and in the next breath advocating that we should abandon the dependable flow principle, and let these people at Norman dam, and further down, have natural flow? Why, the Orders in Council that constitute the board say it must insist upon the dependable flow principle. I hope I have made that clear. Those who say that dependable flow must not be insisted upon at the lake of the Woods, must also say that we should abandon the board altogether, and put it out of office, because that board, while in office, is bound to carry out the dependable flow principle. The hon. gentleman stated—and I took his words down mentally—that if the joint legislation had been passed, things would have been all right. Well, the town of Kenora was opposed to the joint legislation. They were invited to come down and be heard and were given plenty of time to do so.

Mr. KEEFER: Does the Prime Minister not recall that they had only three or four days, and wired asking for a postponement? They had just returned, and did not want to turn round and come back immediately.

Mr. MEIGHEN: They had been here, but they did not appear before us at all. They went home, and were given notice which allowed them two or three days, before leaving, to come again if they had anything to say. I really thought that two or three days' time was enough, but they did not come. Anyhow, all I insist on is the fact that they were just as much opposed to that joint legislation as they are to this, because the Backus interests at Kenora—and naturally Kenora is concerned in the development of the Backus interests—do not want dependable flow at the lake of the Woods, but such flow as suits Mr. Backus. The more it suits him the better pleased they are. That is the whole thing. They were just as much opposed to that legislation as they are opposed to this. Now, where is the consistency in saying that the joint legislation would have been all right if it had gone through, that things would have been fine, and at the same time arguing that you must not carry out the dependable flow principle? The joint legislation provided for that. The province of Ontario, through its Prime Minister acquiesced in the principle of dependable flow, and not only did it acquiesce, but

[Mr. Meighen.]

ever since its representatives have been on the Control Board, the board—for the last two years—has upheld that principle, as they uphold it to-day. We are either going to throw it overboard and put the control of the lake of the Woods outflow in the hands of those who will abandon the dependable flow principle, and take the flow as they want it, or we must pass this legislation or some other legislation to the same effect.

Surely we do not want any more reason for the legislation than that given by the member for Port Arthur (Mr. Keefer), and the member for West Lambton (Mr. Pardee). They come to the committee and say there must not be any control that has such statutory foundation that it can enforce its decrees. They are ready for control that has no statutory foundation, and that can be defied. There must not be such control as insists upon dependable flow, but only such as leaves the flow to the sweet will of those in control of the Norman dam, giving the assurance, not to us, but to the Government of Ontario, that they will take care of the control of the Norman dam in such a manner that our international obligations and the interests of navigation will be respected, and we shall not need to bother our responsibilities at all. I do not see what stronger argument in favour of this legislation could be addressed to the committee than that put forward by the two hon. members who have just taken their seats. It is not that there is any one in Manitoba who wants to take advantage of investments at Kenora. The hon. member for West Lambton tries to lift before us the shadow of the ghost of Mackenzie and Mann. He says that they have interests further down the river, and that they are behind this legislation. Well, the correspondence on the table of the House shows that the most insistent demand for this legislation comes from Mr. Norris, the Premier of Manitoba. Is he championing the cause of Mackenzie and Mann? He is championing the cause of the province of Manitoba. Is he the champion of the cause of Mackenzie and Mann? No, he is the champion of the cause of the province of Manitoba. It is his duty to act in that capacity. We would have no right to accede to his demand at the expense of some other province, or in defiance of some principle; but we do accede to his demand because it is consistent with the findings of the tribunal which heard the case—which was compe-

tent to hear it and competent to decide it—and which gave this as its judgment. That is why we accede to his demand. Not only is Mr. Norris urging this legislation most insistently, and Mr. Norris's Government, but also every municipality in that whole province which is affected. I have not looked through the list but there is a series of resolutions, an inch or half an inch thick, emanating from municipalities and others whose very industrial life depends upon the conservation of the principle which the International Joint Commission lays down. My hon. friend (Mr. Keefer) now says a situation exists wherein the people of Manitoba are asking that other people make investments for them at Kenora and at the lake of the Woods. Nothing could be more fanciful than that. All the people of Manitoba are asking for is this: that there be control of the water-powers in order that such control shall bring about the maximum utilization of the waters of the lake. That is what the International Joint Commission sought to determine. They were there to determine how best the interests of navigation, the interests of the owners of these lands that would be flooded, the interests of the riparian owners, and of everything else, power included—how all these interests could best be served. They made their finding, and it is not until this afternoon that their finding is openly attacked in what might be called central determination namely, the principle of "dependable flow." For if we now abandon that, then we bid good-bye to the projects that have rested upon it and upon which thousands have been expended—yes, I think millions—projects that are in part the enterprise of private individuals it is true, but projects that are in the main the enterprise of the collective people of the province of Manitoba and of municipalities there—not the city of Winnipeg alone but many other municipalities as well. Those projects—in which Ontario has acquiesced, in which Manitoba has acquiesced, in which United States has acquiesced,—have the right to expect that they shall stand and not be invaded and cast down by the conduct of any interest, of any individual or any town however ample the justification of that town may appear to be. It is not the intention of any control board to interfere with any legitimate development by the town of Kenora. Why should it do so? There is nothing to be served to that end. If it is in the interest of this board to do so, why was it not equally in the interest of the board that has been oper-

ating in the past? Right here let me say that the Government intends—and I do not think there is any reason to doubt that the intention will be carried out if this legislation passes—to appoint the very same men who have been acting for the last two years and a quarter, including the two who were nominated by the province of Ontario. Manitoba has no representative upon that board. There are two Ontario representatives and two Dominion representatives, and if the Ontario representatives are willing and are permitted to act then it is the intention of this Government that they—in association with the two with whom they worked in harmony all these years—shall form the board, and when they set to work they will be setting to work on the ground work of an authority that is unimpeachable, and able to have their will carried out; not carried out according to mere caprice and in a fashion which will destroy private rights without compensation—if those private rights are really vested and secure—but that will gain the utmost public advantage from, and the utmost utilization of, the existing great resource. That is all the board will seek to do, and in seeking to do that it will be armed with authority to that end.

Mr. MOLLOY: I desire to say a word or two on this matter which is of great public importance to the province of Manitoba. I will not attempt to follow the arguments of the gentlemen who have preceded me—gentlemen belonging to the legal profession who have argued from the legal point of view more or less—but will consider the matter from a common-sense point of view.

The present situation has arisen, as I understand it, owing to the failure of the Ontario Legislature to pass concurrent legislation with this Parliament in regard to the board of control. The board of control was formed of the four gentlemen whose names have been mentioned by the Prime Minister, but they had no legislative authority behind them and so were not in a position to carry their views into effect. For instance, I am informed that the Norman dam is in need at the present time of repairs to the extent of \$60,000 or \$70,000. The board of control, however, were unable to recommend any expenditure for that purpose because they did not know whether the provincial and Dominion authorities would sanction it. Along the Winnipeg river there are a number of splendid power sites. The city of Winnipeg is therefore

directly interested in this important question, as are other sections of the province of Manitoba. I am not speaking for any of the interests that have been referred to when I say that the province of Manitoba is asking for the passage of this legislation, which is nothing more or less than protective legislation. The hon. member for West Lambton (Mr. Pardee) this afternoon sought to make a point of appealing to Liberals to oppose this Bill. I am just as good a Liberal as my hon. friend ever was, and I am going to support this legislation. I believe it to be liberal in its character. It is legislation for the protection of the people of the province of Manitoba as against what may probably, in the long run, be the interests of one man if this Bill be not passed. If the enactment of this legislation was desired, or sought, by any particular interest, and that alone, I do not know whether I would bother supporting it or not. But I intend to support it on the ground that not having the enjoyment of our natural resources the only authority to which we can appeal is the Dominion Government. If I thought that my vote in this matter, or that the effect of the operation of any provision of the Bill, would prejudicially affect the province of Ontario in the slightest degree I would refrain from giving the measure my support. But I am a Liberal, and as such I believe in provincial rights of which Liberals have always been the champions. If my hon. friend from West Lambton, or any other hon. member, can show me that this protective legislation in the interest of the province of Ontario will injure the province of Ontario to the extent of a five-cent piece I will vote against the Bill. But they cannot do it—they cannot prove that there will be any such result. Now, as I have already said, we do not control the natural resources of the province, therefore, in this matter it is the Dominion which must act. This is not a question of the Dominion versus the provinces—it is a question of provincial rights as against Backus' rights. If this Bill be not passed, and Mr. Backus succeeds in his plans, he will, by reason of his control of the water-powers on Rainy river and lake of the Woods be able to so regulate the flow of water passing through Norman dam and the White Dog rapids, as to be in a position, if reasons of his own prompt him to do so, to cut off the heat, light and power supply of the province of Manitoba obtained through the Winnipeg river. For that reason I am compelled to support the Bill.

There is another factor too. The Winnipeg river has been declared to be a navi-

[Mr. Molloy].

gable river. As I understand, the agreement that the Dominion Government wanted to enter into with the Ontario Government was simply this, to share control of that portion of the Winnipeg river which does not lie within the boundary of the province of Ontario. The Norman dam, I am informed, was built by a Mr. Mathers a great many years ago as the result of a concession. It appears that he obtained from the province of Ontario a quantity of timber on a number of islands, and the province, if I am correctly informed, asked for this timber to be surrendered, and in consideration of his doing so granted him permission to build this dam. Mr. Backus, later on, bought the dam from a private party. My hon. friend from Port Arthur (Mr. Keefer) mentioned about compensation. I understand that Backus was not only offered all he paid for the structure, but that the Dominion Government invited him to bring forward every item he had paid on account of the dam with interest added, which they were willing to repay him. But he refused their offer and later tried to sell the dam to the city of Winnipeg for \$1,500,000, which he had bought for only \$147,000.

I support this legislation because any concession of the kind I have indicated is against the interests of the people, and should not be granted to Backus or any other private individual. The waters there belong to the people of the provinces of Manitoba and Ontario, and not to any individual. They were put there by the Creator for the benefit of our people, and as many of our people should be benefited thereby as possible, rather than a favoured few.

There is another ground on which I support the Government, and that is power development. I understand there can be developed on the Winnipeg river 500,000 horse-power. At present the city of Winnipeg is using 47,000 horse-power and the electric railway 35,000 horse-power, and I understand that the city is now endeavouring to establish a plant to generate further power, but they cannot get money to carry on the enterprise, because the financial institutions take this stand: We do not know who owns or controls the power on this river, and therefore we do not propose to lend you any more money. If it is true that 500,000 horse-power can be developed, it is also true that the quantity of electrical power demanded for use doubles in seven years. This means that all the power which can be developed along that river will be in use by 1947, and more will then be re-

quired. As I said before, it strikes me that it is not a matter of provincial rights, it is a matter between the rights of the province and the rights of Backus. Why should we for one minute allow any man to purchase the Norman dam, or any other water-power and, with unlimited capital, put himself in a position to be able to say: You cannot have that power unless you deal with me. Hearsay evidence is not considered good evidence, but I have been told that Backus a short time ago stated in Winnipeg that within twenty years, if his scheme matured, his son would be the most powerful power magnate in the whole of North America. When he gets control of this power he will say to the people of Manitoba: Bow to King Backus! I, for one, refuse to bend the knee to him or to any other magnate.

The province of Manitoba has spent millions of dollars on these water-powers. The argument has been advanced by the member for West Lambton (Mr. Pardee) that he and others who share his views are trying to do something for the province of Ontario, and he quoted those old lines:

The tyrant's hand is on thy throat, Ontario!  
Ontario!

Well, I heard that when I was a boy at school. But it seems to me that what my hon. friend and some others want to do is to put the heel of Ontario on the neck of Manitoba. I can only say, Mr. Chairman, that I am opposed to any such proceeding. The trouble is that this man Backus has received so much from the people of this country that he simply does not know when to quit. I remember in the old days the late James Conmee was the only one in the Private Bills Committee who was able to handle Backus and put him where he belonged. And, as far as this country is concerned, we are going to put Backus where he belongs, no matter what some people may say about this legislation. At any rate, that is the stand I take.

Mr. Backus owns the pulp and paper mill and the power development at Fort Frances. He also owns the Norman dam and the Kenora municipal power plant. He has acquired, or will soon acquire, the right to develop White Dog falls on the Winnipeg river near the eastern boundary of Manitoba. He also has large concessions of pulp and paper on the English river, and will also, no doubt, get the power sites on this river. The result is that he is in possession of the means of controlling the flow of the waters down the Winnipeg river, and may, if he is not controlled, do indefinite damage by holding up the

water at times to suit his own purposes.

Now, to sum this up, Mr. Chairman—and I do not intend to take any more time, because I do not have to talk at great length to make myself understood—I can put it in a sentence: This legislation is merely a means of protecting the interests of the people in one province against those in another on an interprovincial stream over which this Government has the right of control.

Mr. BLAKE: I was very sorry to hear from the member for West Lambton (Mr. Pardee) such an attack upon the people of Winnipeg and upon this Bill. I agree with every word said by the member for Provencher (Mr. Molloy) that this is an interprovincial stream, and as such should be controlled for the interests of both provinces rather than for the sole benefit of Backus. The hon. member for West Lambton expressed his regret at this Bill being brought down in the dying hours of the session, but we must do some work before prorogation.

It has been urged that because nothing but small and shallow boats are used on the Winnipeg river, therefore it cannot be regarded as a navigable stream. Will my hon. friend say that because there are small draught boats plying on the Mississippi that therefore the Mississippi is not a navigable stream? This river is a navigable stream, and must be regarded as such and controlled by the Dominion Government.

My hon. friend from West Lambton also regrets that the people of Winnipeg are interested in this matter. Why should they not be? Would he rather have Backus completely interested and the people of Winnipeg taking no part? The industrial life of the province of Manitoba depends upon the power development on this river. We are also dependent upon the waters of this lake for our supply of drinking water. We have had our whiskey cut off but we do not purpose having our water supply cut off. The city of Winnipeg is the fourth manufacturing city in Canada and we have as cheap power as is to be found on the American continent. The water for our waterworks comes by gravity from the lake of the Woods, there being a drop of 291 feet from the lake of the Woods to lake Winnipeg. Practically every foot of this water can be utilized for the development of power to meet the needs of Winnipeg in the days to come.

The member for Lambton went on to say that there was plenty of power on the Winnipeg river for Manitoba and that there

was no need for controlling the flow. The whole point with us is that we do not wish to be left in the hands of this man Backus. Backus got concessions in connection with the building of a power plant at Fort Frances. I lived at Fort Frances during the early construction days, and I know that his agreements with the Dominion Government were cast into the scrap heap and that he put most of his plant on the American side, paying no regard whatever to his agreement. This point was also brought out by the Prime Minister in his remarks this afternoon, with regard to the way agreements had been dealt with by Backus. There is no interference with provincial rights in this legislation. There is as much power at the Norman dam under controlled development as Kenora will ever utilize, and there is no question of harm being done to Kenora's interests. Backus seems to have it in his head that the Canadians are useful only to be exploited by the Yankees on every possible occasion and he has proceeded at all times to exploit the Canadians. If he got complete control he would be put in the position of being able to exploit Manitoba as well as the whole of northwestern Ontario. As I understand it, Backus is an American and his partner Brooks is a senator in the Minnesota legislature. During the time of the war we had a paper controller, and Mr. Backus even defied that official; he has tried to be a law unto himself on every possible occasion. An instance of that is when he started to open one of the outlets of the lake of the Woods without filing any plans with the Public Works Department. He does not seem to have changed for the better at all. I do not think that even the speech of the hon. member for West Lambton will have the effect of making him any better than he has been in the past or less inclined to exploit the public domain in the future.

The member for West Lambton said that if there was no interference with the flow below the dam, everything would be right. Well, it is the interfering with the water at the dam, not below it, that we are raising the hue and cry about. If Backus got control of this dam—and the control that exists at present may be cancelled on thirty days' notice—and took such action as would interfere with the work of the power plants at Winnipeg we would find ourselves without power to run our industries, to light the city or to distribute power throughout the province as is being done at present.

[Mr. Blake.]

The control at present is absolutely unsatisfactory to the city of Winnipeg, and that being the case we do not propose to let Backus do as he sees fit in this matter. Let him run the Drury Government according to his own fancy and prevent the concurrent legislation from being put through if he wishes. The hon. member for West Lambton agrees with many of the principles advocated with regard to the control but not with regard to the suggested provisions for full control of the height of the dam. He contended that Winnipeg wished to have the primary right to control the flow and wants to be assured that the waters shall always flow. Well, the question of dependable flow does not enter into this. Dependable flow and utilizable flow have been spoken of on many occasions, but in any power plant the dependable flow is certainly the one that is utilized.

One of the hon. gentlemen who spoke has urged that this legislation constituted an interference with northwestern Ontario's commercial growth. But we have no intention of interfering with the growth of Kenora or their control of power; we have intentions though, of interfering with Backus getting control of these waters of the lake of the Woods. If he were to get control of this Norman dam he could stop the supply of water to the power plants at present operating and lay any terms he wished to name to give them the privilege of having this power. Some hon. gentlemen would seem to wish that the Dominion Parliament should put itself in the position that the province of Manitoba might find itself in some day, by catering to this man, who has done nothing but exploit the resources of the country on every possible occasion.

The legislation which is now proposed is fair and just to all. No harm will be done by it to the people of Kenora. One of the speakers said that the provinces could get together and settle this matter even if we did not have this legislation. Well, they can get together just as well after the Bill is passed and settle any disputes that may arise between them. The town of Kenora, so far as I know, has not made any move to send deputations down here with regard to this matter and make representations on behalf of what they deem to be their own interests. They seem to feel that something is wrong, but they have not taken the trouble to find out whether or not that feeling is a supposition not based upon the facts. They are working, indeed, purely on

supposition. The member for Port Arthur and Kenora (Mr. Keefer) said that everybody wanted control. I am quite satisfied that practically everybody does want control in this matter, but certainly Backus does not.

The question of dependable flow through control of Rainy lake is not a factor in the matter. The Norman dam is 100 miles distant from Rainy lake, and the dam on the Kettle river controls the flow into Rainy lake. There is no reason why the people of Manitoba should be held up and made to pay for the water which at present flows over the dam at Fort Frances to provide power for the Backus interests. Backus is undoubtedly already trying to get paid for the rights which have been granted to him in the water which flows over the Rainy river dam and on into the lake of the Woods, over the Norman dam and down through the power plants of Winnipeg.

I do not need to go into the reasons why the Provincial Legislature did not pass the Bill embodying concurrent legislation. I understand that every group in the Ontario Legislature was in favour of the Backus interests and opposed to the Bill, and that the fate of the legislation introduced by the Premier of Ontario was determined by the extent of the opposition which was put up to the Bill.

There was another report made regarding lac Seul power being destroyed. The people were nervous that the control of the English river would raise the waters on lac Seul so as to stop the power already developed at lac Seul. Nothing in the Bill gives any reason for alarm on this point.

One outlet for settlement was that the Department of Public Works should withhold consent to present works. The people of Kenora are making much talk about the taking over of the control of this dam. If these works were held up by the Federal Government, the people of Kenora would have some just cause for grievance, and their voice would undoubtedly be heard. No harm is going to be done by this measure to a single citizen of northwestern Ontario or to anyone in Ontario with the exception of Backus, who is the chief opponent of this measure. As the hon. member for Provencher (Mr. Molloy) said, no harm is contemplated even to the Premier of Ontario, and it is only just and right that this Bill should go through.

At six o'clock, the committee rose and the House took recess.

### After Recess

The House resumed at Eight o'clock.

### PRIVATE BILLS

DIVORCE—ALPHONSE LeMOYNE de MARTIGNY

House again in committee on Bill No. 120 (from the Senate), for the relief of Alphonse LeMoyné de Martigny, Mr. Boivin in the Chair.

The CHAIRMAN: When this Bill was last before the committee, the preamble had been read, and consideration thereof postponed. Clause 1 had been read, and was under consideration.

On clause 1—marriage dissolved.

Mr. LEMIEUX: I understand from the promoter of the Bill that it is going to be dropped, so I would move that the committee rise.

Mr. STEVENS: I would suggest to my hon. friend that perhaps it would be a little unfair to take that course. I may be out of order in speaking at this stage, but I would crave the indulgence of the committee. If the hon. member simply moves that the committee rise, there will be no fees refunded. It would be better to move that the Bill be discharged.

Mr. GUTHRIE: A motion that the committee rise will kill all the other Bills, will it not?

Mr. EDWARDS: I do not think it is fair to this House—

The CHAIRMAN: I must point out to the hon. member that a motion that the committee rise and report progress is not debatable. The motion now before the Chair is a motion to rise and report progress.

Mr. EDWARDS: Are we not privileged to express our approval or disapproval by vote.

The CHAIRMAN: Certainly.

Motion agreed to; yeas, 17, nays 16.

Progress reported.

Mr. LEMIEUX: I wish to say—

Mr. SPEAKER: I would inform the hon. member that there is no motion before the House.

Mr. LEMIEUX: I am speaking on the question, when shall the committee have leave to sit again?

Mr. SPEAKER: That would be in order on Friday night, but it is not in order at this stage.

Mr. LEMIEUX: I should just like to say, with the leave of the House, as my hon. friend from Frontenac (Mr. Edwards) has appealed to my fairness—

Mr. SPEAKER: If the hon. member enters into a discussion of the merits of this question, hon. members who desire to reply will have the right to be heard. That being so, I would submit that it is far better for the discussion to remain over till Friday, when the Bill will again come before the House.

Mr. LEMIEUX: It is on a question of privilege that I desire to speak. I do not want to remain under the imputation of being unfair. I want to explain to my hon. friend from Frontenac why I made the motion. I was informed this morning by the promoter of the Bill, Mr. Norman Guthrie—in fact, he came to me especially to say—that he intended to withdraw the Bill. I am informed there is a desire on the part of the petitioner to withdraw the Bill, and the hon. member for Middlesex has also so informed my hon. friend from Quebec East (Mr. Lapointe). Otherwise I would not have made the motion.

Mr. EDWARDS (Frontenac): If I may be permitted, Mr. Speaker, I wish to say that when a Bill has come before this House, a gentleman outside of this House has no power either to withdraw it or to have it go on.

#### CONSIDERED IN COMMITTEE—THIRD READINGS

Bill No. 217, (from the Senate), respecting The Calgary and Fernie Railway Company.—Mr. Stevens.

Bill No. 218 (from the Senate), for the relief of Susan Lee Johnson Bell.—Mr. McMaster.

Hon. J. A. CALDER: (Minister of Immigration and Colonization): I understand that the Prime Minister this afternoon—

Mr. SPEAKER: Unless the hon. member asks for the unanimous consent of the House, he is quite out of order in speaking at this stage, because there is no motion before the Chair. If the hon. member desires to ask for the unanimous consent of the House, he may do so.

Mr. CALDER: I understood that the Prime Minister made a promise this afternoon—

[Mr. Lemieux.]

Mr. SPEAKER: Any promise made by any member of the House must be subject to the rules of order.

#### LAKE OF THE WOODS AND OTHER WATERS

House again in committee on Bill No. 216, respecting the Lake of the Woods and other waters, Mr. Boivin in the Chair.

The CHAIRMAN: When the committee rose at six o'clock we had reached clause 2 of the Bill which was under consideration.

On section 2—declaration that certain works are for the general advantage of Canada.

Mr. McMASTER: I will promise the committee that my remarks on this Bill will be of the briefest sort, but as the Bill presents some difficulty, I do not wish to cast a silent vote thereon. I am sorry the hon. member for Provencher (Mr. Molloy) is not in his seat, because I wish to congratulate him most heartily on the very able speech he delivered on this Bill this afternoon. Was the question that which the hon. member considered it to be, I would say "Amen" most heartily to what he said. If the question to be debated in this committee was a conflict of interest between Mr. Backus and the citizens of Manitoba, I am sure there is no member, on this side of the House at least, who would not espouse with fervour the cause of the citizens of Manitoba. I have not the pleasure of knowing Mr. Backus, but from all I hear about him I should consider that he was a gentleman whose acquisitive faculties had been fully, if not over developed, and that his proceedings and manner of conducting business in this country did not altogether cause him to be a subject for emulation or to be followed. We do not desire any special privilege for Mr. Backus. Our desire should be to treat this question with the sole object of seeing how best this great actual and potential water-power, with its head-waters in one province, and a great part of its lower course in another province, can best be used, not for the benefit of the citizens of the one province or of the other, but to the best advantage of all the citizens of Canada who live within a distance sufficiently near to this water-power to be able to take advantage of it. That appears to be the question. How can this question best be settled? We have contradictory statements of fact by hon. members all of whom no doubt spoke with the utmost good faith, and with the utmost desire to enlighten, and not to confuse the members of this

committee. We have heard the hon. member for Port Arthur and Kenora (Mr. Keefer) state that to pass this legislation is to endanger the whole industrial life of northwestern Ontario. We have heard the hon. member for Provencher most eloquently state that it is most vital to the interests of the people of Manitoba that this should pass.

In connection with this subject we have had two Bills introduced and for ease in discussion I shall call them Bill No. 1 and Bill No. 2. Bill No. 1 contemplated the passing of concurrent legislation by the province of Ontario, and I am sure that it is a matter of deep regret to the committee that that agreement was not carried out, but that the province of Ontario fell down in their undertaking, and that by reason of that failure, we are here discussing this matter to-night. The Government thought they had arrived at an understanding with Ontario. They have found that Ontario has not implemented its agreement, and to-day the Government is pressing legislation against the strenuous opposition of Ontario, legislation which goes considerably further than the legislation on which the two parties had agreed. The legislation substitutes the will of one of the parties to the agreement to the will of the two parties to the agreement. For the spirit of co-operation, the Government feels that it has to substitute the spirit of force. Instead of insisting upon the bargain made with Ontario they insist upon legislation which goes considerably further. The question before the House is whether or not that is the best way to proceed. I consider it is not the best way, and as we are often, on this side of the House, asked to bring forward some constructive criticism, I propose to outline, with all respect, the course which I think the Prime Minister should follow in this matter. The first suggestion I would make is that this proposed legislation be abandoned on certain conditions. The first condition is that the province of Ontario should undertake, pending further negotiations, that matters should remain in statu quo, and that no new franchises should be granted to Mr. Backus, or anybody else, while the parties are striving for settlement. While matters are in that state, the parties should remain in their present position. That is my first point, and I think it is in the interests of both parties to the dispute. The next proposal is that the Government should exhaust every possible means of arriving at an understanding with the Government of

Ontario. It is true that the Government had a right to feel somewhat annoyed at the Government of Ontario. The Government thought that they had made a bargain, and they find that the Government of Ontario has not implemented that bargain by carrying through the legislation which was contemplated at the time the bargain was made. I grant that; but I urge the Government to persist in a spirit of agreement and accommodation, and try to arrive at an understanding with the Government of Ontario. The hon. member for North Toronto (Mr. Hocken), whom I see directly opposite, smiles.

An hon. MEMBER: Why not?

Mr. McMASTER: Certainly; it is far better to smile than to look cross. A spirit of accommodation is something that we should all earnestly strive for. We have the best authority for that doctrine, and the Government would enormously improve its position in dealing with this situation if, at this stage, it refused to follow the line of force and tried the sunny ways of conciliation and an attempt to reach an agreement. The Government will say: What if we fail? Shall we not have lost time? Some time, I grant, might be lost; but the sacrifice is well worth the benefit which will accrue if the attempt at conciliation and agreement is successful. I say that if they are unsuccessful in arriving at an agreement with the province of Ontario, then a Bill might be brought in, not similar to the second Bill but to the first, which was the basis of the original agreement. Do not bring it in at the tail end of the session, but let us have it early. Refer it to a committee so that evidence might be heard, and we might get all the facts. We really cannot judge of the real facts of this case from hearing, first of all, the member for Port Arthur (Mr. Keefer), the member for Provencher (Mr. Molloy), and other members who take different sides on this important question. Let us exhaust the subject and get at the facts, and let legislation not precede but follow information as to the real facts of the case. What means it if the Government refuse to accept this advice offered in all sincerity? The Government runs the risk of infringing provincial rights. I grant that there must be joint control over these great potential water powers, partly within one province, and partly within the other. There must be joint control, but let it be decided by agreement, not by one party imposing its will on the other. To infringe provincial rights is to break the bargain of Confedera-

tion, because, after all, the rights of the provinces were acquired through our British North America Act, which was the legislative sanction of the bargain made at Confederation. And if there is one thing necessary to preserve harmony and promote peace, progress, and prosperity in this country, it is that the Confederation pact should be honoured, not merely in the letter, but in the spirit as well. I urge that fact upon members of the committee. After all, sanctity of contract is the basis, not only of our own Confederation, but, to a large extent, of our modern civilization. I therefore press this point upon the Government and ask them at this late date to reconsider the matter, and see whether they cannot arrive at an agreement with the province of Ontario.

"O, it is excellent to have a giant's strength, but it is tyrannous to use it like a giant."

Mr. CAMPBELL: The importance of the matter under consideration warrants me, I think, in saying a few words. I have listened with a great deal of attention to the speeches which have been delivered today, especially that of the hon. member for West Lambton (Mr. Pardee), who waxed eloquent on the question of provincial rights. In my opinion, the question is not so much the protection of provincial rights, as prevention of provincial wrongs. The rights of Ontario seem to be fully protected; no one is trying to infringe them. If Ontario's rights were being infringed in any way, then objection might well be raised. If Ontario thinks that it is within her rights to interfere with the privileges and rights of another province, then I think it is time that such legislation as this is introduced. However, I do not know that Ontario is taking that attitude. It is generally conceded that, in the case of navigable streams, the rights of the Dominion are paramount. In this case it is a question not so much between Manitoba and Ontario as between the Dominion and Ontario. Hon. members will recall that it is not so long ago since a debate took place on the question of the transfer to the Prairie Provinces of their natural resources, and I might remind the committee that this transfer has not yet taken place. At the present time Manitoba has not the control of its water powers, or any of its other natural resources. I think, therefore, that when it appears that the rights of the province of Manitoba may be affected adversely the Dominion should look after those rights. The province of On-

[Mr. McMaster.]

tario not only claims an interest in the resources of Manitoba, but also apparently takes the stand that the Dominion should not in any way protect the interests of that province when development of the resources within its boundaries is in question. I wish to point out that the very fact of there being a question as to who has control of the water in question seriously affects the situation in Manitoba. It may be that Mr. Backus, of whom mention has been made, is a perfectly square-dealing gentleman. It may be that he does not propose to act in any way which will injuriously affect the interests of the people of any province. Notwithstanding that, if the situation is not changed as provided for under this Bill, the very fact that Mr. Backus has this power is going to prove a serious menace to the development of the water powers in which Manitoba is interested. If Mr. Backus, or anybody acting for him, has the power at any moment to regulate or interfere with the supply of water in a Winnipeg river—and under the existing circumstances he appears to have such a power—it can be readily understood that those interested in the development of the water-powers referred to are going to be materially affected even if no drastic measures are taken by those in control.

Several speakers have referred to the fact that this legislation has been brought up rather late in the session. Well, some matters have to be introduced late in the session. But we do not know how late in the session this is. A week or so ago we were under the impression that Parliament was going to prorogue in the course of a few days. Now it looks as if the end were still some time hence. As a matter of fact the first Bill dealing with this matter was brought down and passed a considerable while ago, but apparently was rendered ineffective by reason of the province of Ontario failing to take action. Therefore it is necessary to take definite action now no matter how late in the session it may be.

My understanding of the correspondence which has passed between the Prime Minister of the Dominion and the Premier of Ontario is, that the latter was quite in accord with the legislation passed by this House some time ago. He intimated that the interests of Ontario were not adversely affected by that legislation and was quite willing that it should be enacted; but owing to circumstances over which he appears to have had no control, the concurrent legis-

lation agreed upon was not put through the Provincial Legislature. Now as far as I can see the situation at the present time is not materially different from what it was then. It is not a question of the Dominion Government usurping powers and rights of any province. It has been pointed out that there was a pact at the time of Confederation between the Dominion and the provinces as to the respective powers which each authority should exercise, and consequently the Dominion must be very careful not to infringe on provincial rights in any way. I wish to point out that there were two parties to that pact—the Dominion and the provinces—and if it is important that the Dominion should not infringe in any way upon the powers of the provinces, it is equally important that the provinces should not arrogate to themselves powers or privileges to which they have no right or title. In the present case, if the Ontario Government proposes to enforce these rights which various hon. gentlemen have contended they possess, they would be adversely interfering with the rights of another province as well as of those of the Dominion. There is a section in the British North America Act which intimates that the Dominion has power in the case even of works which may be wholly situate within a province to declare such works to be for the general advantage of Canada. If that clause means anything at all it means that the present occasion is one where the Dominion Government can properly act in accordance with that provision. The question is not one of Manitoba endeavouring in any way to gain an advantage over the province of Ontario. It is not a question of enriching Manitoba at the expense of Ontario—it is a question of preventing something from being done which will detrimentally affect the interests of Manitoba.

A similar question may arise at any time in connection with other provinces. In fact this afternoon I was conversing with a gentleman from one of the western provinces and during the discussion the question was propounded: What if the province of Alberta should claim the same rights in respect to the Saskatchewan river that the province of Ontario claims in the present instance? If the province of Alberta should divert the waters of the Saskatchewan river for irrigation and other purposes, it might carry out that diversion in such a way as to materially affect the prosperity of the province of Saskatchewan. I can quite readily under-

stand that in such a case strong objection would be raised by the province of Saskatchewan, although according to the contention of certain hon. gentlemen from Ontario the province of Alberta would have just as good a right to carry out such a policy as the province of Ontario possesses in the present instance.

I do not know that any good purpose will be served by prolonging the discussion of this matter. The fact is that a situation has arisen whereby an individual named Backus has gained control of various powers and franchises that hitherto have been in the hands of different parties. That fact is now recognized as creating a situation which is full of menace to Manitoba. While I deplore that there should be any occasion for an apparent conflict between the rights of the two provinces, still the situation is one which must be faced, and to put the matter clearly, the province of Manitoba is not going to bow the knee to Backus.

Mr. LEMIEUX: I shall not detain the committee very long. The question, it seems to me, is too complex to justify any long argument at this stage of the session, but I believe the Government should have waited until next session before introducing such an important piece of legislation. I am, Mr. Chairman, as you are well aware, from a province which clings jealously to the doctrine of provincial rights. That question has always created political turmoil in this country. Especially was that the case during the eighties, but I had thought that after the many judgments which had been rendered by the Privy Council the question of the proprietary rights of the provinces as regards rivers and lakes had been very well established.

I listened this afternoon to the arguments which were addressed to the committee by hon. gentlemen representing both sides, and I must say that I was struck with the ring of sincerity which I detected in the able speeches delivered by my hon. friend from Lambton (Mr. Pardee) and my hon. friend from Port Arthur (Mr. Keefer). I do not say that there is not much in the argument of the right hon. Prime Minister, but from the division of opinion which apparently exists between both litigants, it seems to me that the proper course for the committee to take at the end of this long, protracted session is to leave this Bill over for further consideration, when Ontario shall have had an opportunity to be heard.

What are the facts, Mr. Chairman? This body of water is of interest to both Manitoba and Ontario, but chiefly to Ontario. The Dominion Government has an interest also from the international point of view; but so far there has been no difficulty with the United States, matters which might have given rise to international difficulty having been laid before the tribunal which we created concurrently with the United States Congress to deal with boundary waters. So that the question is limited to the alleged rights of the province of Manitoba and the certain rights of the great province of Ontario. Between the two provinces I am perfectly free to express an honest and unbiased opinion. What strikes me is that the Dominion Government was from the very beginning absolutely certain that no legislation dealing with this subject could be passed without being implemented by concurrent legislation on the part of the legislature of Ontario, and so a month or two after the opening of this session the right hon. gentleman introduced the bill which I now have before me. This Bill unfortunately was not implemented by the legislation which was sought from the legislature of Ontario. It is not for me to pass judgment on the decision arrived at in the first instance by the Premier of Ontario, but it appears that for the time being owing to difficulties in the legislature this concurrent legislation had to be dropped.

But the Premier of Ontario, speaking on behalf of his province and on behalf of the legislature, served notice on the Dominion Government that he could not countenance the legislation which is now introduced, and which differs materially from the first piece of legislation submitted to this House. The difference is obvious, and that is one of the reasons which impel me to strenuously oppose this Bill. In the first Bill nothing could be done without concurrent legislation being passed by the legislature of Ontario. In this Bill the principle is proclaimed that the works are for the general advantage of Canada. Here you have the beginning of what I suppose will be a long constitutional struggle between the Dominion and the province of Ontario—a struggle which will end probably before the Privy Council.

I have much sympathy for the province of Manitoba, and I bear no ill-will towards the citizens of Winnipeg and the people of rural Manitoba. I want them to be given fair play and to get all the power they need for the industrial development of their pro-

[Mr. Lemieux.]

vince, I am at one with them as to the sacred rights of their province; but I see a material difference between the opinion voiced by the Premier of Ontario and the views expressed by the gentlemen who represent the province of Manitoba in this House. It is not a question of sympathy, it is a question of constitutional law, and on that question I feel that I am on safe ground in standing with the province of Ontario. I take no sides. I simply say: Let this House prorogue, and during recess let the Government investigate and negotiate with the province of Ontario, and next session introduce such legislation as will have the good-will of that great province and be implemented by its legislature.

In such vexed matters, Mr. Chairman, let us move slowly. Already we have too many quarrels between the Dominion Government and the various provinces, and certainly we should not raise any controversial issue at this juncture when a little time will bring about an amicable understanding which will result in joint action. My right hon. friend should exercise conciliatory methods. Let him not ride rough-shod over the rights claimed by the province of Ontario. I do not blame him for the attitude he took at the beginning of the session, I do not blame him even for the surprise which he must have felt at the Premier of Ontario not being decided at first in regard to the action that he should take in the matter. But a man has a right to err, and at any rate he may mend his ways. Again, I say the question is too complex to be dealt with at this moment when we are on the eve of prorogation.

The legislation now introduced is rather a high-handed proceeding. True, there has been some little difficulty in the legislature of Ontario, but my right hon. friend surely is too human not to understand that even in the best governments there are divisions of opinion, and that there is nothing like time to mellow men and modify their opinions. My right hon. friend not having succeeded with his first Bill, which was acceptable to Parliament and to the majority of the people of the province of Ontario, comes now with another measure absolutely different from the first. For example, he will not find in his first Bill the declaration that these works are for the general advantage of Canada. In the last clause of the Bill the right hon. gentleman gives with one hand and takes away with the other. Section 10 says:

If the necessary legislation of Ontario referred to in the preamble of The Lake of the Woods Control Board Act, 1921, be enacted by

the legislature, the Governor in Council may, by proclamation published in The Canada Gazette, repeal or suspend this Act and the regulations made thereunder at any time when or after The Lake of the Woods Control Board Act, 1921 shall come into force: Provided that notwithstanding any repeal or suspension of this Act in the manner provided by this section the works and each of them hereby declared to be for the general advantage of Canada shall remain and continue to be works for the general advantage of Canada.

My right hon. friend and the Government are creating by this clause vested rights for the Dominion as against rights justly claimed by the province of Ontario. I shall not discuss the point further Mr. Chairman. The question is too complex, too serious from the point of view of its bearing upon the interests of Ontario, which has superior rights in the matter, to be dealt with as the Government proposes to deal with it. I shall vote against the Bill, standing for what I believe to be provincial rights.

Mr. HOCKEN: If all that can be said against the Bill has been stated by the hon. member for Gaspé (Mr. Lemieux) and the hon. member for Brome (Mr. McMaster), it impresses me that no case whatever has been made against it. Opponents of the Bill have practically conceded that its conditions are right, but they ask for delay and conciliation—that is the whole claim. I can tell my hon. friend from Gaspé that we people of Ontario are as jealous of our provincial rights as the people of any other province. The strongest fights that have been made in favour of provincial rights have been made by the province of Ontario.

Mr. LEMIEUX: And the province of Quebec, if you please.

Mr. HOCKEN: I say that the strongest fights that have been made, those which stand out in our history, have been made by Ontario. In 1896 we fought for the provincial rights of Manitoba; we have always been strong for provincial rights, and my views in that regard are as pronounced as those of any other man in the province. I am unable, however, to see in what way the rights of Ontario are infringed by this Bill. As a matter of fact, the Bill follows exactly the lines of the agreement entered into by the Premier of Ontario with the Dominion authorities as regards concurrent legislation. Now, while I am naturally strong for the rights of my own province, I am not disposed to be unfair to other provinces so far as their rights are concerned. In-

stead of this being a very complex question, as the hon. member for Gaspé says, to my mind is a very simple one. Here is a large body of water, the use of which means a great deal—more than we can estimate—to the province of Manitoba. What the Bill proposes to do is to preserve to that province its rights in those great water-powers, and that is especially important, Mr. Chairman, because the province of Manitoba has not as many water-powers as either Quebec or Ontario. They are limited in the number and extent of their water-powers and the great city of Winnipeg is vitally interested in this matter. It has been stated by the hon. member for Provencher (Mr. Molloy) that it is possible to develop 500,000 horse-power on the Winnipeg river. It will be a very few years before the city of Winnipeg and, perhaps, adjacent smaller municipalities will require the whole amount of 500,000 horse-power. Why should we let private interests come in here and within one year put up works and do things which will have the effect of preventing Manitoba from enjoying its rights? The idea is perfectly absurd. You must remember that Parliament is the custodian of the provincial rights of Manitoba in this matter, and if the Government refused to do what it could to protect those rights it would come in for serious condemnation. Now, I would just like to put a question to my hon friend—a very simple question, and he can just see how it fits. Suppose the province of Quebec had to look to this Parliament for protection of its rights in the great water-powers as Manitoba has to do, would my hon friend not desire to see such a measure as this go through at once? Would he talk about delay and conciliation and the sunny smile and all that kind of thing?

Mr. LEMIEUX: But the constitution is there.

Mr. HOCKEN: I quite understand that. But let us put Quebec in the position of Manitoba. Would not every member from Quebec say: We want our rights protected, and if they can be protected only by Dominion legislation, then let us have it?

Mr. LEMIEUX: But not at the expense of Ontario.

Mr. HOCKEN: Not at the expense of Ontario indeed. I say that Ontario is not suffering by this legislation.

Mr. LEMIEUX: Are you sure?

Mr. HOCKEN: Quite sure.

Mr. LEMIEUX: Then why does Ontario protest?

Mr. HOCKEN: I am perfectly satisfied, as a member from Ontario.

An hon. MEMBER: It is Backus that protests.

Mr. HOCKEN: Yes, the principal protester in this matter is Mr. Backus, who now practically owns the lake of the Woods and Rainy lake and wants to own the Winnipeg river as well as what Mr. Drury can give him. If my hon. friend would go to the city of Toronto, where there are half a million people studying this question, reading what has been done in Parliament and what has been done by the Ontario Government, he will realize that there is the very strongest sentiment against enfranchising Mr. Backus as he has been enfranchised by the gift of tremendous areas of pulp lands on the English river, and by the gift practically, of additional water-powers in that neighbourhood. Let Mr. Backus have another year or two and he will have the Winnipeg river as well as the lake of the Woods, Rainy lake and Rainy river. The whole district will come under the hands of one man. I can tell my hon. friend that throughout Ontario there is the strongest feeling that Mr. Drury made a capital mistake, a very serious blunder, in allowing Mr. Backus to talk him into giving the concession that he has given. I think I can speak for the province of Ontario when I say that this Bill will not excite the slightest antagonism in any part of the country except in the Parliament Buildings at Queen's Park—and that is simply because, having granted to Mr. Backus these enormous privileges, the Government is apparently anxious to give him the additional water-power to add to what has already been given.

Mr. LEMIEUX: Do I understand from my hon. friend that the Government of Ontario does not represent the people of Ontario in this matter?

Mr. HOCKEN: I have no hesitation, Mr. Chairman, in saying that the Government of Ontario does not represent the people of Ontario, on this question particularly. But it is my opinion—and it is the opinion held by the great mass of the people of Ontario—that whatever good things or whatever bad things Mr. Drury has done, this is certainly the worst mistake he has made. He has given almost an empire of pulp lands to this man who

[Mr. Hocken.]

has already had many large concessions, who has enough without these water-powers, and who has too much for any one interest to have in any province of the Dominion. If this Bill does not pass, this man is given a year in which to go on with his manipulations and to put the city of Winnipeg and the province of Manitoba in a very undesirable position. This legislation is simply protective of the province of Manitoba, as it is the duty of this Parliament to protect that province. Manitoba is not in a position to protect itself as regards its natural resources. Therefore, I say that, as regards the province of Ontario, there need be no fear that there will be any uprising of the people against a Bill of this kind. On the contrary, it will be a very serious disappointment to the people of Ontario if Mr. Backus is allowed to have another year to carry on his manipulations.

Mr. LAPOINTE: I have followed this discussion with great interest. The name of a certain gentleman has been thrown into the debate, and I regret that it has ever been suggested that those who oppose this Bill are protecting a certain Mr. Backus. I was not informed in regard to this Bill until I heard the discussion this afternoon and evening, and I do not know Mr. Backus. I have no interest in the Bill except the duty which is mine, in common with the other members of the committee, to do what is right. The name of Mr. Backus should not be considered at all. What I consider is the rights of the province of Manitoba in the matter. Every one admits that these waters are largely, almost exclusively—my hon. friend (Mr. Pardee) says wholly—Ontario waters. Of course this Government, to use the language of my hon. friend from West Toronto (Mr. Hocken), as the custodian of the natural resources of Manitoba, has also an interest in part of these waters. The concurrent rights of the province of Ontario have never been denounced; they have been recognized by this Government and this Parliament during this very session. We have passed a Bill, No. 23, in which nothing is said as regards those waters or dams or other works connected with the waters being for the general advantage of Canada. The rights of the province of Ontario appear in every clause of that Bill which was adopted by this House at this session. The board that was to be appointed was appointed by both the Government of Ontario and the Federal Government. The rules which were to be made were

to be so made by the Governor General in Council and the Lieutenant Governor in Council of Ontario. The expenses of the board were to be paid by the province of Ontario and this Government. The regulations were to be made jointly by the Exchequer Court of Canada and the Supreme Court of Ontario. This Parliament clearly admitted and recognized the rights of the province of Ontario, and this cannot be denied. An agreement had been made that a similar Bill to the one that we passed was to be adopted by the legislature of Ontario; but this agreement failed to be carried out, and such a Bill was not adopted,—I do not care for what reason. Does that justify the Government or Parliament of Canada, being one of the co-owners, in confiscating or taking over the whole thing and exercising full control? Has the failure of the legislature of Ontario to adopt that Bill given the control or ownership of the Ontario waters to this Government or this Parliament? This question has only to be put to receive its answer. This legislation is high-handed as the hon. member for Maisonneuve (Mr. Lemieux) said; it is arbitrary; it is quite in line with the legislative record of this Government. I am glad that my right hon. friend (Mr. Meighen) admits that I am right in my contention. Ontario has rights in those waters. This is not denied; this has been recognized by this Parliament and this Government, and I for one do not feel justified in voting for a measure which constitutes a confiscation of the rights of Ontario, without our hearing the other party, as the hon. member for Three Rivers (Mr. Bureau) said. As I said, I have no interest whatever in this Bill; I am not a citizen of either province concerned in it; I speak on this legislation merely and simply as on a question of principle, and I suggest that before we pass this Bill, it would be elementary justice to try to come to an agreement to continue negotiations. This is not an admission that the measure is good, as the hon. member for West Toronto says; it would simply be fair to the other co-owner, to the principle owner of the property, to try to come to an agreement with him before taking control and exercising a right which is not ours.

Mr. MACKENZIE KING: Before this discussion is ended, I should like to say just a few words to my right hon. friend (Mr. Meighen) with a view of urging him to consider carefully the position into which not merely hon. gentlemen on both

sides of the House, but this Parliament, is being forced, by the manner in which he is rushing this legislation through at the present time. It has been pretty clearly pointed out that, as regards the

9 p.m. necessity of regulation and control of certain water rights and powers, there is no difference of opinion between the two sides of this House. We all admit that the waters of the Lake of the Woods in so far as they affect the rights of the people of Ontario and the rights of the people of Manitoba, must be subject to regulation and control. We are not debating that point at all at this moment. The whole question at issue is:—How shall that control be exercised? Shall it be exercised with the goodwill of both provinces, or shall it be exercised in such a manner as to leave one province under a feeling of permanent injustice and wrong, thereby raising a question as between provinces, which need not be raised at all if the Government will but adopt a conciliatory method of dealing with this important issue?

Let me read just one letter from Premier Drury, which sets out the position of Ontario as it is at the present time. It is the letter in which Mr. Drury informed my right hon. friend that he was unable to carry through the legislation which he had expected to be able to. It is dated, Toronto, April 28, 1921.

Rt. Hon. ARTHUR MEIGHEN,  
Prime Minister,  
Ottawa, Ont.

In view of the fact that the Lake of the Woods Control Bill was opposed last night in the House by the Liberal opposition and the Conservative opposition as well as from the Government side, it was found inadvisable to press second reading under circumstances that pointed to the probable defeat of the measure.

Let me here draw the attention of hon. gentlemen opposite to the different parties that are named by Premier Drury as being opposed to this measure. He speaks, first, of the Liberals in the Ontario House, next, of the Conservatives in the Ontario House, and in the third place, he speaks of the members of his own immediate following; so that so far as the legislature of Ontario is concerned, men of every party are now opposed to this legislation.

Mr. HOCKEN: That is what I said.

Mr. MACKENZIE KING: Exactly, men of all parties in the Ontario House are opposed to the legislation. They want to have opportunity of conferring with the Dominion Government in order that legis-

lation which may be passed will be fair and also in the interest of the province. What does Mr. Drury then say?

In withdrawing the Bill I made the announcement that if then desired it would be reintroduced next session. I respectfully urge that in the meantime the present control arrangement be continued, and assure you of the thorough co-operation of this Government to ensure the best results for all the interests involved.

What Mr. Drury as Premier of Ontario says to the Federal Government is virtually this: In representing this measure to the legislature I have not had an opportunity, nor has the Legislature, of considering this question in all its bearings. We need time. You have at present an arrangement which is satisfactorily controlling questions of water rights and water-powers; continue that arrangement until the next session, and in the meantime count on the absolute co-operation of the Government of Ontario in this matter. We will co-operate with you, and next session we will bring in a Bill, the result of an arrangement which may be come to with your Government, and endeavour to get it through the Legislature of Ontario.

That is what to-day we here ask of the Prime Minister in order to avoid raising an issue of provincial rights. Let me say, Mr. Chairman, that I think nothing could be more unfortunate than that out of what may be simply a matter of controversy between certain private interests we should create an entirely new issue, namely, the issue of rights as between two provinces of this Dominion. We can avoid raising that issue if the Government will give to all parties concerned an opportunity to be heard before this Bill is finally passed. Let my right hon. friend clearly understand I am not expressing an opinion as to the rights of either of the parties in respect to these powers. I do not say for one moment that Manitoba may not be wholly in the right but there ought to be opportunity for all of us in this House to know that, from representations which can be made to us here. What I say to my right hon. friend is this: If we can avoid raising this question of provincial rights, if we can avoid giving to the people of Ontario the feeling that they are resting under an injustice through an autocratic and arbitrary act on the part of this Government, by all means let us avoid it.

Let me quote one other telegram which has been received, to show the justice of the request we are making, but before reading it let me draw attention to the fact that

[Mr. Mackenzie King.]

the Bill which was first presented to this House dealing with this question, Bill D, was passed by the Senate on the 9th of March, and by this House very shortly afterwards. That Bill received the approval of members on both sides of the House, for what reason? For the reason that it required concurrent legislation and that we were assured by the Prime Minister there was no danger of Ontario's rights being invaded in any particular because this Bill would not become operative unless Ontario consented to it. Let me read my right hon. friend's words to show how strongly he presented Ontario's case, and on his own words I would rest the plea that I am making to him at the present moment. In this House on April 20, my right hon. friend said

The CHAIRMAN: I must draw the attention of the hon. member and of the committee to the fact that he is about to quote from a previous debate in the same session. As the matter relates to practically the same subject, I might ask for the hon. member the unanimous consent of the committee to read from the previous debate. Otherwise, he will not be in order. Is it the unanimous consent of the committee that the hon. member shall have leave to quote from the previous debate this session?

Mr. MEIGHEN: Yes.

Mr. MACKENZIE KING: I thank my right hon. friend, and you, Mr. Chairman. I would not have attempted to quote had I not regarded this debate and the previous one as, to all intents and purposes, one and the same. This Bill has been introduced, of course, simply because the other Bill did not become operative owing to the failure of the Ontario Legislature to pass concurrent legislation. After presenting the Dominion side of the case, my right hon. friend, very fairly, I think, stated the case of Ontario as follows:

I have stated to the committee what is the interest of Canada federally in this matter. The interest of Ontario arises because they are the owners of the power properties of the water in that province. We are the owners and administrators of the power properties farther down in Manitoba; that is still a third derivation of our duties in the matter. But Ontario is the owner so far as its interests are concerned; consequently it is not right that the exercise of this control should be carried on without reference to that province. That is where the joint legislation is necessary.

Mr. MEIGHEN: Hear, hear.

Mr. MACKENZIE KING: My right hon. friend says "hear, hear." I would ask him,

how can he justify taking certain properties that are in the province of Ontario, that belong to the province of Ontario, and deliberately declare those properties to be for the general advantage of Canada as a whole without giving Ontario an opportunity to be even heard as to whether those properties are hers or not?

Mr. MEIGHEN: The properties are not the properties of Ontario. Declaring them to be for the general advantage of Canada does not make them our property. That was the view of the hon. member for West Lambton (Mr. Pardee). If declaring a property to be for the general advantage of Canada makes it ours, then we are the owners of the Canadian Pacific Railway.

Mr. MACKENZIE KING: My right hon. friend may play upon words. I am speaking of the controversy in the matter of control. Of course, we know that these properties are in the province of Ontario, and we contend, as my right hon. friend has said, it is not right that the exercise of their control should be carried on without reference to that province.

Mr. MEIGHEN: We have made reference to them, and sought by every means to do it jointly with them, but because they run away and, in the language of the school room, beat it, we should not do the same.

Mr. MACKENZIE KING: I think I can show my right hon. friend that Ontario has had no opportunity whatever of expressing any opinion one way or the other.

Mr. MEIGHEN: The Ontario legislature prorogued after refusing to pass the legislation, or after Mr. Drury had withdrawn it. Ontario thereafter could do nothing; they could not co-operate unless we were willing to wait until next winter, and where would Mr. Backus be in the meantime?

Mr. MACKENZIE KING: If my right hon. friend wished to be fair, he would confine the legislation, which he now asks us to pass to the matters he discussed with Mr. Drury, and which that gentleman endeavoured to have pass the Ontario House.

Mr. MEIGHEN: It is confined to those matters; but if we are to exercise control, it is part of the policy to declare these works to be to the general advantage of Canada. If ever there were constructions that should be declared to the general advantage of Canada it is constructions in which the different provinces have so clear

an interest, as in the case of the Winnipeg and the English rivers.

Mr. MACKENZIE KING: The question as to whether this proposed legislation is identical with the legislation previously before the House, need not be decided on the word of my right hon. friend or of myself. We have Bill D which passed the House, and which speaks of concurrent legislation by the province of Ontario, and Bill A 6, which is the one brought in since, and which contains clauses that are not to be found in Bill D. What are these clauses, and why are they inserted? It was on April 29 that Mr. Drury notified my right hon. friend that he had been unable to get concurrent legislation put through the Ontario House, and asked for further time. On May 6, some time after, my right hon. friend received this telegram from Mr. Norris, the Premier of Manitoba:

WINNIPEG, MANITOBA,  
May 6, 1921.

Hon. ARTHUR MEIGHEN,  
Ottawa, Ont.

Mr. A. B. Hudson now in Ottawa representing province of Manitoba city of Winnipeg and Winnipeg Electric Railway Company is authorized to make application to your Government requesting that steps be taken as follows first appropriate Norman Dam second a declaration that all works now or hereafter to be erected in the waters affected by Lake of the Woods Control Act shall be and be deemed to be works for the general advantage of Canada I desire most respectfully to urge consideration at your hands of the foregoing.

T. C. NORRIS,  
Premier of Manitoba.

To which my right hon. friend replied:  
OTTAWA, ONTARIO, May 7, 1921.

Dear Mr. NORRIS,

I have your telegram of the 6th May. Mr. Hudson has already seen Sir James Lougheed and I am to see himself to-day. The question in which you are interested will receive the most careful consideration.

Yours faithfully,  
ARTHUR MEIGHEN.

The Hon. T. C. NORRIS,  
Premier of Manitoba,  
Winnipeg, Man.

My right hon. friend had these communications before him but gave no intimation whatever of their contents to Mr. Drury, nor did the Ontario Government, or any member of this House from Ontario, so far as I am aware, have any knowledge that the Government intended in this Bill to do what Mr. Norris had requested only after the previous legislation had been introduced and had failed to pass in Ontario. What do we find? In the present Bill, the one before us now, the clause which we are discussing at the moment, gives effect

to the request of Mr. Norris and not a line of it is to be found in the previous legislation.

2. All dams, structures and other works of whatsoever description which have heretofore been or may hereafter be constructed in, upon, over, about or across—

(a) any outlet of the Lake of the Woods,  
(b) the Winnipeg River at or above its junction with English River, or

(c) English River at the outlet of and below Lac Seul,

which do or may or can in anywise control, regulate or affect the outflow of water from the said lakes, or either of them, or the natural levels of the water in the said lakes, or either of them, at any time, or the natural flow of the water in the Winnipeg River or in English River, at any time, are and each of them is declared to be for the general advantage of Canada.

I ask my hon. friend from Toronto (Mr. Hocken) does he think that the citizens of his city will view with satisfaction an arbitrary act of this kind on the part of the Government, in not affording him, or any one in the province of Ontario, an opportunity to be heard as to whether these works should be declared to be for the general advantage of Canada? that is arbitrary, autocratic procedure that cannot be justified anywhere. It may be perfectly right that this should be done; it may be that the claim of Manitoba is in every respect right, and I am prepared to stand up and defend Manitoba if Ontario tries to do her an injustice. But I do say that the province of Ontario has a right to have its case presented to this Parliament, and to be heard before we are asked to pass permanent legislation of this kind. But the Bill goes further. There is another clause which is not in the previous Bill, it is in the last section:

10. If the necessary legislation of Ontario referred to in the preamble of The Lake of the Woods Control Board Act, 1921, be enacted by the legislature, the Governor in Council may, by proclamation published in The Canada Gazette, repeal or suspend this Act and the regulations made thereunder at any time when or after The Lake of the Woods Control Board Act, 1921, shall come into force.

This says that the Governor in Council may allow the proposed legislation, which we are now enacting, to be suspended once Ontario concurs in the old legislation. I think it ought to say "shall," and then the two Acts would stand on the same level. But the clause goes further as respects the matter in connection with which Premier Norris made a special request. This section goes on to say:

Provided that notwithstanding any repeal or suspension of this Act in the manner provided by this section the works and each of them hereby declared to be for the general advantage

[Mr. Mackenzie King.]

of Canada shall remain and continue to be works for the general advantage of Canada.

In other words, it does not matter what Ontario does now in the way of passing concurrent legislation, my right hon. friend by an arbitrary Act, without allowing Ontario to be heard, or giving its representatives time to consider the question carefully, proposes to wrest the properties for all time to come out of the control of that province. Now, Sir, that is only raising a great issue in this country, namely, the violation of provincial rights; it is but stirring up enmity and jealousy between two sister provinces when there should be the fullest amity and concord. It is not just; it is not right; it is not fair; and, for my part, while I am prepared to do anything to see that Manitoba is secured in her full rights and that no injustice shall be done her—I see hon. gentlemen opposite smiling. I do not know the reason.

Mr. BEST: Some one is smiling behind you.

Mr. MACKENZIE KING: I am quite prepared to let every one smile who wishes to do so, if there is anything to provoke mirth in the statement that we should safeguard provincial rights. However, let me repeat what I was about to say. I am prepared to fight just as strenuously for Manitoba as for any other province. As a Liberal, when it comes to an issue between the provinces and the Dominion, I take my stand every time in the defence of provincial rights, and it is on that ground that I stand now. My right hon. friend has raised an issue between the Dominion and the provinces and he has given the province of Ontario no opportunity to be heard. That is the first of all rights, the right to be heard; to have one's case presented, and I propose to stand squarely for provincial rights in that regard.

As a Liberal, I must also say that there is something even profounder than the question merely of rights in dealing with questions that affect the provinces, and that is the obvious desirability of avoiding anything in the nature of strife and enmity as between different parts of the Dominion. If by conference and agreement, if by conciliation, if by the adoption of amicable methods we can settle questions between the provinces in a manner which will leave no ill-feeling and at the same time will do justice to all concerned, I say that we should adopt such methods and shun every arbitrary act that is calculated to create a sense of permanent injustice and leave a bitter feeling in the breast of a single province. If we

can prevent such an unfortunate state of affairs, it is the duty of Parliament so to do.

I wish to say again to my right hon. friend that I hope he will not press this matter at the present time. He knows that no interest can suffer between now and next session under the arrangements that exist at present. He has the assurance of the Government of Ontario that they are ready to meet him, and I am prepared to give him the assurance of hon. members on this side of the House that we shall assist him at the next session to get matters satisfactorily settled with regard to the interests of both provinces. I ask him, therefore, not to let this discussion proceed to the point where, out of what is a faction fight between private commercial interests, there may be raised a great question of provincial rights, calculated to stir enmities and jealousies between the different provinces to the possible injury of Confederation.

Mr. MEIGHEN: I think the leader of the Opposition (Mr. Mackenzie King) has done right in stating his views on this Bill. It is an important measure, and while I am not able to harmonize some of the views he advanced, I am glad to have witnessed his vigorous attempt to express his opinion anyway. I think the committee is entitled to the same from the leader of the Progressive party (Mr. Crerar). This measure very distinctly affects the province of Manitoba; in fact, no province is more vitally interested in it than the province from which the hon. member comes. The measure is a most important one; let none of us seek to deny that. It seems to me but right that we should have the views of that hon. gentleman as to the propriety of the course pursued by the Government in this regard. I have spoken twice already and I want to confine my remarks now to certain views urged with force by the leader of the Opposition. He thinks it most unfortunate to bring this measure in now; and the hon. member for West Lambton was simply amazed at the autocracy of the Government in bringing in so important a measure so late in the session. He said we should have brought it in sooner. We have had one experience that is common to every session and that is that when hon. gentlemen opposite want to oppose any legislation the one stock phrase that is always on hand is "this is the wrong time to do it." The time is never reached when the legislation does suit. Well, we brought this legislation in much earlier in the session—we

brought in a measure which this House considered right but which the friend of hon. gentlemen opposite in the province of Ontario refused to pass. We brought the legislation in and carried it through this House and through the Senate, and it became law. All who have taken part in this debate agree that that was the right and the proper course to pursue. We now bring in this Bill and hon. gentlemen opposite say we brought the wrong measure in first and the right measure in last. We could not bring this measure in until the other measure had failed of effect, and it failed through no fault of ours. Immediately it did so we had referred to us the question as to what we were going to do. Were we going to let the session go by, were we going to leave unsettled this matter in which we have a direct and vested interest and a great responsibility, not only to Manitoba but to the whole country, a responsibility which will fall upon us in a very, very crucial and perhaps pointed form later in the history of this Parliament—were we to run away and leave that responsibility and its discharge to the very varying cogitations of the Premier of Ontario or to the very interesting amiability of Mr. Backus? I do not think that was our duty. Having that question put before us we brought this measure here just as soon as we could work it out. It is true representations came in its favour, strong representations, and nothing came against the measure except from Mr. Drury and the town of Kenora—that is all.

Now the leader of the Opposition asks "Why has not Ontario a chance to be heard here; why should the strong arm of power rule? You walk in and you actually declare works of public construction on these rivers as works for the general advantage of Canada." Why, he said, it is autocracy and high-handedness to do that without giving Ontario a chance to be heard. Well to begin with Ontario has had a chance to be heard, and in the next place Ontario has been heard. I have been placing on the table of this House from time to time correspondence with Mr. Drury representing his views as Premier of Ontario. In relation to this Bill Ontario has been heard through him. He is asking to be heard again. We cannot follow his reasoning, we cannot follow him, we cannot follow the course he would have us pursue. In the next place, how is it we must always give a hearing—in this House, or in committee, or somewhere—to the province affected before any

works are declared to be for the general advantage of Canada? Why are we not, every session, in fact every week of the session declaring works for the general advantage of Canada in single provinces? There is no special hearing given to the province affected. If a work in a province is declared to be for the general advantage of Canada it does not take that work out of the province or affect the ownership of the work—it only means that by virtue of the British North America Act a certain jurisdiction is therein given to the Parliament of Canada. The British North America Act provides that the Dominion of Canada, through its Parliament, shall have the right to declare such works as it deals with, to be works for the general advantage of Canada—because necessarily there arise works in the operation of which, even in the construction of which, others than the population of a single province must be considered. If there was any other reason for the insertion of that provision in the British North America Act I do not know what it was. It was because there would be such works, and it was because this Parliament and this Parliament alone should decide that such works as did exist or were to be constructed were works of that nature. If the province had any part in the decision there would be no working out of the law at all. It was for that reason the authority was so given. Now I ask this committee, were there ever works so distinctly of the character contemplated by the British North America Act as these works referred to in the Bill we are now discussing—works in a river that flows through the province of Ontario into the province of Manitoba; could there be works which more appropriately fall within the class of those contemplated by the British North America Act as works to be declared for the general advantage of Canada? If they are not to be so declared how are they to be controlled?

Now the hon. member for East Lambton and the leader of the Opposition say that although we have in the last clause provided for the suspension of this legislation upon the creation of a joint board as contemplated by the joint and concurrent legislation, we still leave these works as works for the general advantage of Canada. We do that because we say to Ontario "You come in and share equally with us in the control of works that are undoubtedly works for the general advantage of Canada"; because we say to them "We let you

[Mr. Meighen.]

come in with us and jointly exercise control over works in which Manitoba is equally interested with Ontario". But because we say that, are we taking anything away from them by leaving the works still as works declared to be for the general advantage of Canada? Not at all. Let me repeat: They are not taken out of the provinces; the provinces are not affected in their own interests at all, nor are they affected in their control so long as that control is vested in a joint body for which provision is made here. When we ask Ontario to join hands in the control of works declared to be for the general advantage of Canada is not that fair and right?

Why this problem of the control of rivers that flow from one province into another, or from one country into another, is as old as civilization itself. In Norway and Sweden perhaps the best example occurs. Norway and Sweden have rivers that flow from Sweden into Norway and also from Norway into Sweden—rivers upon which power sites have been developed—and consequently controversies arose between those two countries as to the control of those rivers for the advantage of each. The two countries at one time were almost on the verge of war, but they managed to work out a plan on the basis that the government of the one could control the river within its boundary that afterwards flowed into the country lower down, so long as it controlled that flow in accordance with the law of the other country. For example if a river rose in Norway and flowed to Sweden, Norway could control the river within its boundaries so long as it did so in accordance with the law of Sweden; and similarly Sweden could control a river flowing from her boundary into Norway so long as it did so in accordance with the law of Norway. That is the solution they found. The solution we have found for these matters is embodied in the British North America Act which says that the superimposed power of the Dominion Government can come in and declare works to be for the general advantage of Canada if they are operated by the Dominion and by the Dominion alone. And we under that Act, under that solution, have the right to exercise that power. In so doing we only do so temporarily. We do so because we failed by a conference, we failed by deliberation and by conciliation, and by all the methods which the hon. gentlemen opposite urges us to try again. We failed that way and we are taking this step now so that no harm can be done; but we leave the door

open for Ontario still to come in and take her share of this responsibility, and share also the right of control. If that method was not considered fair why did not Ontario join with us to make it better? Why in the face of the encroachments of Mr. Backus did Ontario's representatives say: "We want power to do more than we can do; we want power to exercise effective control, and we have not got that now"? If everything was all right why did they say that?

Mr. MACKENZIE KING: If my right hon. friend will permit me. He is asking why did they say that. Did my right hon. friend ever discuss with Mr. Drury this question of having these works declared as for the general advantage of Canada?

Mr. MEIGHEN: That is no answer to the question; that is something else altogether. I do not know that this Parliament ever in its history asked any province what works it should declare to be for the general advantage of Canada. Does the hon. gentleman ever recall when he was a member of the Government consulting with the Premier of any province before a railway, for example, was declared to be a work for the general advantage of Canada?

Mr. MACKENZIE KING: I cannot remember a case where it was not done when an issue was likely to be raised.

Mr. MEIGHEN: The province is not hurt. To declare these works are for the general advantage of Canada does not affect Mr. Drury at all. The question of control does, but we are ready to share that control with him at any time. But will the hon. gentleman undertake to say that any other province would be justified in denying the right of the Dominion in declaring works in which two provinces are vitally interested as works for the general advantage of Canada? I do not think Mr. Drury's telegrams specifically referred to that, but even if they did, what ground is he on? His ground really has no permanent strength at all, because if ever there were works which under the British North America Act could be so declared, they are just such works as these, and the Dominion must always be ready—because the responsibility lies with the Dominion—if Ontario stands aside and refuses to walk with us, to control works, being works for the general advantage of Canada, in whose advantages the provinces are concerned and interested. It is because this Government is ready and does not shirk this responsibility that the Bill is before the committee now.

Mr. BUREAU: Mr. Chairman, I want to register my protest and say that I am opposed to this Bill. My right hon. friend takes the ground that there was to have been concurrent legislation by the province of Ontario and the Dominion of Canada for the control of these waters. That concurrent legislation was not passed by the Ontario Legislature, and immediately my right hon. friend thought that whatever control the province might have over these waters he would vest in the Dominion by declaration which is contained in the Bill.

If this question were to be decided on sympathy, I think my sympathy would go to Manitoba, for the reason that I lived in that province in the days of my youth, and I have always retained pleasant memories of my sojourn there, especially in the city of Winnipeg. But I am speaking as a citizen of Canada, and I do not think that sympathy ought to count in these matters.

Supposing the question that we have to decide to-night were one in which the province of Manitoba, instead of being represented by the Dominion, were acting in its own right as owner and controller of its natural resources, and that Mr. Norris and Mr. Drury had got together and agreed to pass simultaneous legislation, but Mr. Drury failed to carry out the arrangement. In the meantime there would be existing by mutual agreement a board of control which had given satisfaction, and the only cloud on the horizon would be the spectre of Mr. Backus, which would frighten Mr. Norris, but of which Mr. Drury would not be so much afraid. I ask honestly and squarely: Do the members of this committee really believe that, under those circumstances the Dominion Government would jump right in and say: "Here now, we are going to take control of this matter. You two premiers do not know enough to agree and protect the interests of your respective provinces, although you have been elected to do so. We are going to take hold of this matter, and we are going to relieve you of all your legislative powers in relation to it and vest them in the Dominion." I do not believe any such action would be taken.

Under present circumstances it happens that the Dominion Government are the owners of the natural resources of the province of Manitoba, but that ownership is qualified, because, if I am to believe what I hear from various quarters, some day or other those natural resources will be turned over to the Western provinces, and the Dominion Government will have to

account for its trusteeship. Therefore, before I would divest any province of its right of control over its property I would go slowly. As has been said by some of my friends on this side, it is a somewhat ticklish matter. These waters are not to be compared to a railway which is declared to be for the general advantage of Canada. The Prime Minister was in error in trying to make that comparison. These are part of the natural resources of the province, and if the province loses control of those resources what benefit can it derive from them?

Mr. MEIGHEN: But we do not declare these resources to be for the general advantage of Canada; we merely declare the works to be so.

Mr. BUREAU: I submit it is no use having a river if you cannot erect works to utilize it. It is no use having a water-power if you cannot harness that power. That is what these works are constructed for, and it is the harnessing of the power that brings revenue, which constitutes wealth. So it is no use playing on words. Of course, the Federal Government have control to a certain extent as far as navigation is concerned.

Now, I do not know Mr. Backus, I have never seen him, but from what I have heard this afternoon it apparently takes all the brains of the provincial governments of Ontario and Manitoba to cope with Mr. Backus; in fact, they appear to be too weak to meet him, and one of those governments anyway comes to the Prime Minister of Canada and says: "Save us from the scourge. There is Backus coming. Ontario cannot do anything, and we cannot protect ourselves. This man Backus is going to run away with the Lake of the Woods in one pocket, with Lac Seul in another, with the Winnipeg river in his vest pocket and with the English river somewhere else."

Some hon. MEMBERS: Oh, oh.

An hon. MEMBER: That is no joke, that is true.

Mr. BUREAU: That is not the question we have to deal with.

Mr. BEST: You are tackling the big corporations now.

Mr. BUREAU: These gentlemen from the great province of Ontario—and I am saying that sincerely—cannot face Mr. Backus. They think he is going to run away with all the water-powers.

[Mr. Bureau.]

Mr. BEST: He has them all now.

Mr. BUREAU: I think my right hon. friend said just now that there had been no protest from Ontario except from Mr. Drury.

Mr. MEIGHEN: And the town of Kenora, I said.

Mr. BUREAU: Supposing the Prime Minister sent a protest to England about some legislation, and some statesman got up in the British House and said, "We have had no protest from Canada. We have merely had a protest from the Right Hon. Arthur Meighen." That is the kind of fine point my hon. friend can make when he argues. The hon. member for West Toronto (Mr. Hocken) took it upon himself to tell us to-night that Mr. Drury did not represent the people of Ontario. Well, I am at a loss to understand why the people of Ontario should send to the provincial Parliament men who do not represent them.

Mr. HOCKEN: I said that he did not represent the province of Ontario on this question.

Mr. BUREAU: How does my hon. friend know? Has he been touring the province lately? Does he know the sentiment of the people of Ontario?

Mr. HOCKEN: Yes.

Some hon. MEMBERS: Sure.

Mr. BUREAU: Oh, it is not from the lodges that this information comes; it is from the public press. The Prime Minister made a suggestion this afternoon that as to the right to control and as to the duty to control there could be no doubt. Now, if he uses the word "right" in the sense of power, I am with him, but if he uses it in the sense of justice and equity I beg to take issue with him, because I do not believe that this action ought to be taken ex parte and in such a drastic and high-handed manner as is proposed. It reminds me of the old Latin saying, *ego nominor leo*. Certainly the question of provincial rights is involved in this matter. If some question arose between New Brunswick and Quebec as to water rights, I as a resident of the province of Quebec would not like the Federal Government to come in and say: You fellows in New Brunswick are in danger; there is another Backus in Quebec and you are unable to look after yourselves; therefore we will take control of your waters. It seems to me, Mr. Chairman, like a drastic measure and that it

has in it a little bit of vengeance. As to the last clause of the Bill, it would appear that my right hon. friend is going to hold over the province of Ontario the threat of the spanking which is so dear to the heart of the Minister of Justice. He says: We are going to keep the strap ready for you; we may let you in if you are good. It will be observed that the word "may" is used, not "shall." It would seem as if the right hon. gentleman was keeping in mind the fact that Ontario would not pass the concurrent legislation and felt badly over it, and on that account was holding out this provision as a kind of penalty.

Well, Mr. Chairman, are we faced with a calamity? Is there any danger? I do not know the details of this matter, but from listening to the discussion I judge that the Norman dam is the thing which makes the people of Winnipeg subject to loss of their water supply. I put a question this afternoon as to whether this dam was built with the approval of the Governor in Council, and the answer was "No." I then said to the hon. gentleman who was addressing the committee: Well, then, you can tear down that dam; and the hon. gentleman replied: Yes, if it impedes navigation. But the law does not say that. In 1918 we amended the Navigable Waters Act so as to provide that any work built or erected in a navigable river the plans and location of which have not been approved can be torn down by order of the Governor in Council or the Minister of Public Works after the Governor in Council has so decided. Then it provides for the sale of the material and if the proceeds thereof are not sufficient to meet the cost of the action there is a claim against the person who built the work.

As an illustration I might mention a case which occurred in the riding which it is my privilege to represent. The Provincial Government and the various industries located at Shawinigan Falls undertook to build a bridge over the falls there. It could not hurt navigation very much because it would be very dangerous for a boat to go so near the falls, but they did not ask the permission of the Governor in Council; they did not make application to the Department of Public Works to approve the location. They took advantage of the ice in the winter to build their pier and false work. While this work was going on the town of Shawinigan got a notice from the secretary of the Department of Public Works saying that the work would have to be stopped. Well, there was no alternative but to take the

bull by the horns, and I as their solicitor advised them to go on, otherwise when the ice would break up the false work would be carried away and the whole thing destroyed. So in 1918 we had to amend the law to provide that the Governor in Council could approve of works which had been built before a certain date. This shows the absolute control exercised by the Federal Government over any structures which are built in navigable waters. Any such structures, therefore, which have not had the approval of the Governor in Council may be torn down, and none can now be built except under such restrictions as the Governor in Council or the Minister of Public Works may impose.

As to the future, Mr. Chairman, there is no fear. This legislation is of an objectionable character, because it takes away powers from Ontario which that province should retain for itself. As to the argument with regard to the lateness of the session, that is the stereotyped argument which is always advanced in cases of this kind. I would call attention to the fact that last night Supplementary Estimates amounting to \$23,000,000 were tabled, and the other day we were asked to consider another \$14,000,000. We were to prorogue last Friday; now we talk of proroguing next Thursday. It is the stereotyped argument which is brought forward in a case of this kind, but as on previous occasions the fault—perhaps, I should say, the crime—is on the part of the Government itself.

Mr. SUTHERLAND: I have followed with a good deal of interest the debate on this question, and I have endeavoured to arrive at an understanding as to what is the bone of contention in the matter. The question has been raised of provincial rights and of federal rights, and also whether Mr. Drury is really representative of the people of Ontario. The question I am most concerned about is who is going to control the rights of either the province or the Dominion in the interval between this session and the next session should some legislation of this kind not be passed? Are we going to permit Mr. Backus to have freedom of control and operations in the interval—because I think that is exactly what his friends are endeavouring to secure. As to whether Mr. Drury is really representative of the people of Ontario, I think he himself has given sufficient answer. It is somewhat significant that his champions in this House on this occasion are hon. gentlemen who do not usually display

any great amount of sympathy for what they term the great province of Ontario. I was a little surprised that the leader of the self-styled Progressive party was not in his seat to-night in order to stand up for the rights of his colleague from the province of Ontario, Mr. Drury. Not a word on behalf of Mr. Drury from the hon. member for Marquette (Mr. Crerar); but the hon. member for Maisonneuve (Mr. Lemieux), the hon. member for Quebec East (Mr. Lapointe) and the hon. member for Three Rivers (Mr. Bureau) are loud in their praise of Mr. Drury's attitude, and consequently they are condemning the attitude of the Government in connection with this Bill. I am going again to touch on a message that was received by the Prime Minister from the Premier of Ontario under date of April 28. After having agreed to introduce concurrent legislation, Mr. Drury goes back to the Provincial Legislature of Ontario, and introduces a Bill which he agreed to introduce in furtherance of an arrangement that had been arrived at with the Prime Minister and the Premier of Manitoba. He states:

In view of the fact that the Lake of the Woods Control Bill was opposed last night in the House by the Liberal Opposition and the Conservative Opposition as well as from the Government side, it was found inadvisable to press second reading under circumstances that pointed to the probable defeat of the measure. In withdrawing the Bill I made the announcement that if then desired it would be reintroduced next session. I respectfully urge that in the meantime the present control arrangement be continued, and assure you of the thorough co-operation of this Government to ensure the best results for all the interests involved.

You have in this letter sent by the Premier of Ontario, evidence that he does not represent the people of that province. Instead of accepting the responsibilities that, under our system of government a premier and his government must accept, he admits that the opposition to himself in the House are running the affair and that, consequently, he can do nothing in the matter. You cannot have anything plainer than that. He endeavours to make it appear that he favours the legislation which was passed by this House; but by reason of the fact that he cannot control his House he is going to withdraw the Bill, and he will re-introduce it on a later occasion. The province of Ontario requires to be safeguarded in some way against Mr. Backus, and the people of Ontario will welcome some action on the part of this Government to see that Mr. Backus has not a free hand to carry on as he has

[Mr. Sutherland.]

been carrying on. The concessions that have been granted to Mr. Backus in Ontario have already begun to alarm the people of that province, and it

10 p.m. is little wonder that Mr. Drury himself is becoming nervous in connection with the matter. The Dominion has certain rights, and it is justified in protecting those rights. This system that we have, whereby a government claim that they cannot control the House, but that they must give way to the Opposition in its ranks, is surely a new departure under our system of responsible government. I rose merely to point this out in answer to the remarks that have been made, the question that has been submitted by the hon. member for Maisonneuve and the hon. member for Three Rivers: Does Mr. Drury not represent the people of Ontario? You have in this letter absolute proof of the fact that Mr. Drury does not represent the people of Ontario.

Mr. DAVIS: As I purpose supporting the Bill and yet do not want to leave myself in the position of seeming to be hoodwinked by what has been going on with regard to the matter, I thought I would make a few remarks. First of all, it is a fact that the friends of Mr. Backus in the Ontario Legislature were not the Drury Government, but the combination of Liberals and Conservatives who defeated this concurrent legislation in that legislature. The fact is that the Conservatives put their men up to oppose that legislation, knowing what this Government would do with regard to it.

Mr. MEIGHEN: Has Mr. Drury not a majority in the Ontario House?

Mr. DAVIS: I do not believe he has without the support of certain Liberals.

Mr. MEIGHEN: Then he should hardly be there.

Mr. DAVIS: That is the position in which he has found himself. The consequence is that the Conservatives now are able to say that they are the people who are defending the people of Ontario from the machinations of Mr. Backus. On the other hand, our Liberal friends in this House are able to say that they are in the position of defending provincial rights, and that Mr. Drury is the man who is favourable to the avoidance of the sacrifice of the rights of Ontario. The result is that this is simply a "slim" game of politics that is being played, and that is being capped by the Government in this House now. If this

Bill is to be put through by the Dominion Government, I am going to support the Bill, but I do not want to appear to be hoodwinked as to what has been going on.

Mr. MEIGHEN: The hon. gentleman has made statements for which he has no justification at all in fact. I do not think they concern him at all. They are statements that, he thinks, will get him some applause from those immediately around him, but they are utterly foreign to everything in fact in relation to this Bill. No sooner had this Government and the Ontario Government agreed on this legislation and agreed to make it concurrent legislation, than, as the correspondence shows, Mr. Drury kept petitioning this Government to hold back the legislation. The hon. member knows that. Was Mr. Drury doing that at our instigation? Why does the hon. member make such insinuations as this? The correspondence that has been laid on the Table shows that, almost from the day that the Bill was introduced in the Senate, Mr. Drury besought this Government to stay its hand, to hold this legislation back, because, he said, interests who were concerned in it were petitioning against the legislation. Those are the reasons that he gave, and he persisted in that attitude right up to the time that he withdrew the legislation himself. It is true that he states in his letter—and I have no doubt that what he states there is a fact—that there were Conservatives who opposed the Bill; there were Liberals who opposed the Bill; but he also says that there were members of his own party who opposed it. Were they instigated by this Government? I spoke to only two members of the legislature; I besought both of them to support Mr. Drury in the stand that he took; and if my hon. friend asks either one, he will find that to be correct. It would become the hon. member to ascertain some of the facts before he rises to speak in this House. One of those gentlemen was the hon. member for Ottawa, Mr. Hill, whom I approached on the subject, and sought to argue with him to support Mr. Drury in his stand. I think I convinced him; I tried to do so at any rate; and if my hon. friend asks him, Mr. Hill will tell him what I did say. The only other gentleman to whom I spoke was the leader of the Opposition, and I spoke to him along exactly the same lines. With every one with whom I have spoken, I have spoken along the same lines. I should like to ask the hon. member: Upon what authority did he stand up in his place and intimate that we had played a game with the op-

position in Ontario to get them to oppose this Bill.

Mr. DAVIS: The whole situation shows what has happened.

Mr. MEIGHEN: Give the authority.

Mr. DAVIS: There was a combination of Liberals and Conservatives against the Drury Government. I am not specially concerned with the Drury Government; but as I say, I can see what has been occurring, and, in consequence, though I shall vote for the measure which is now before the committee, I am satisfied that the friends of Mr. Backus are not the Drury Government in this matter, but those who made the legislation which the Premier decided to withdraw in the Ontario House.

Mr. MEIGHEN: Is that the best answer which the hon. member can give for saying that that was done at the instigation of this Government?

Mr. DAVIS: I did not say that it was done at the instigation of the Government, but I said that was what had occurred.

Mr. MEIGHEN: The hon. gentleman intimated that that was done at the instigation of this Government.

Mr. DAVIS: I did not say so. I absolutely deny that I accused the Prime Minister of being a party to this.

Mr. MEIGHEN: The hon. gentleman did.

Mr. DAVIS: I said that that was the aim of the two parties in the Ontario House in opposing the legislation.

Mr. MEIGHEN: The hon. gentleman has stated clearly that the Prime Minister had capped the game in this House to-night.

Mr. DAVIS: Certainly, I have. I understand that is what has occurred.

Mr. MEIGHEN: If the hon. gentleman assumes I was not a party to it, how could I cap it? He stated a minute ago that he did not state I was. If he states I was, I want him to give his authority, and give it now.

Mr. DAVIS: I do not state you are a party to the game, but you have now finished out what was planned by the parties who opposed it in the Ontario House.

Mr. McCREA: Inasmuch as I am going to vote with the Government on this matter, I feel that some explanation is

required. The name of Mr. Backus has been brought into this debate to some extent. It has been argued by hon. gentlemen on this side of the House that he has no bearing on the case. I am not quite of that opinion. Less than a year ago the Government of Ontario advertised a large area of limits for sale. As I have been a lumberman and have done some business in Ontario, I received one of these notices. There was a whole string of conditions attached to the sale, and if I recollect aright one of the conditions was that the successful bidder for these limits was bound to construct certain works, and amongst them, I believe, was the building of a very expensive dam. In fact, the sale was hedged around with so many conditions set forth in the advertisement—the building of a mill in a certain place, the building of dams, and so on—that it was practically impossible for any other person to bid, and I came to the conclusion right off that Mr. Backus had some controlling power. Another feature was that the time between the notice of the sale and the time the tender had to be in was so short that nobody who was not already acquainted with the limits had any chance to examine the location. To my great surprise, a short time afterwards it was announced that the limits had been sold to Mr. Backus for the amount bid, and there was a bonus of \$50,000; if I recollect aright, in addition to the regular Government fees. That to me seemed a mere bagatelle compared with what the limits were really worth. Of course, it may be all right. It has been said by some people on this side of the House, and perhaps by some hon. gentlemen opposite, that these limits belonged to the Ontario Government and the Ontario Government could do what it liked with them. But I would point out that there is a possibility of giving away not only rights that belong to the Ontario Government but to the Province of Manitoba. Another of the conditions of the sale, if I remember aright, was that a very expensive dam had to be constructed.

It was understood at one time that the Dominion Government and the Ontario Government were trying to come to terms, but the Ontario Government have withdrawn, and nothing in that direction has been done. Now suppose—I do not know whether this is right or not—that Mr. Backus holds an agreement whereby he is to make a certain development. Suppose he spends \$1,000,000 or \$2,000,000 in developing these dams and other works. Would it not then be considered a little

[Mr. McCrea.]

late for this House to tell Mr. Backus at the next session of Parliament to cease this work? Is it not better to say that now. If the Government of Ontario are prepared to give a guarantee that neither Mr. Backus nor anybody else will make any expenditure towards developing this water-power until next session, I think we might wait until then, but unless a guarantee of that sort is given I think the Government are justified in taking steps to protect the rights of Manitoba. Otherwise, Mr. Backus or somebody else might go ahead and spend a large amount of money in making improvements that would eventually be condemned. I am not so very sure but that the great province of Ontario owes something to Manitoba anyway. If you take up a map and look at the boundary line drawn between these two provinces and see the right of way that is given to the province of Ontario to the sea-board in the province of Manitoba, I think you will come to the conclusion that probably Ontario owes something to Manitoba anyway; but that has nothing to do with this question. I believe that Mr. Backus holds an agreement with the Ontario Government whereby he undertakes to spend a certain amount of money in constructing a mill and other works. If that is going to interfere with the rights of Manitoba or the flow of water on these rivers I say that this Government should take steps to protect the province of Manitoba, or to stay these works until next session when both parties may be able to come together. I believe in conciliation, but if we cannot have conciliation, let us at all events protect the rights that are involved.

Mr. CRERAR: I had intended to take part in this discussion before six o'clock, but we had several long speeches on the subject and I did not have an opportunity. I understand that my right hon. friend the Prime Minister has expressed some surprise that the committee has not heard from me. May I say that I have been absent for the past two hours attending the inauguration meeting of the League of Nations Association in Canada. I think that is important work, and I can assure my right hon. friend and the committee that my absence was not from any desire at all to evade participation in this discussion.

I may say frankly that I am in sympathy with the legislation proposed by the Government. I would be the last one in

this House to do anything that would invade the rights of any province in the Dominion. I think it is a matter of regret that this question has not been settled without the necessity of the legislation that we are now considering, but that, I am bound to say, is apparently no fault of the Government. The Legislature of Ontario, for reasons, doubtless, which it considered good, refused to pass legislation concurrent with that already passed by this House.

This is largely a legal question and I shall not attempt for one moment to discuss the legal aspect of the case, but it seems to me there are certain features that we can look at in a commonsense way. I know the position of Manitoba in the matter. I know the fear of Manitoba and the city of Winnipeg as to what may happen if this legislation is not passed, and I can assure the House that the people of Manitoba have no desire whatever to infringe the rights of Ontario or any other province. But they are faced with a very practical difficulty. My hon. friend from Lambton (Mr. Pardee) this afternoon made an argument which led me to the conclusion that he was not entirely familiar with the real question at issue in the matter. He spoke about Manitoba desiring to interfere with vested interests of Ontario, and stated that we, by this legislation, were enriching the province of Manitoba at the expense of Ontario. That is not the case. All that the province of Manitoba asks is that it be protected in the flow of water in the Winnipeg river. That is necessary for the carrying out of the works that have been established in the Winnipeg river in the province of Manitoba, works established not only by the Street Railway Company of Winnipeg, but in far greater degree by the city of Winnipeg in the development of its city light and power. It is quite clear that if there is no authority to control the level of the Lake of the Woods, if there is no authority to regulate the flow of water into the Winnipeg river, the flow of water may, temporarily at any rate, be shut off and during that period the turbines on these power plants will not turn and electricity will not be generated. It is said that there is no danger of that. My hon. friend from Port Arthur (Mr. Keefer) argued this afternoon that there was no possibility of this taking place. He argued that the Government had already the necessary control over these levels. It nevertheless is a fact that the Norman dam is controlled by private interests to-

day, and within the levels fixed by the International Waterways Commission these private interests could interfere with the level of the Lake of the Woods and the flow of water into the Winnipeg river, if they chose to do so. That is unquestionable.

It is true that the Lake of the Woods Control Board which has been in existence has, in an advisory capacity, regulated that in the past. But it has no power by legal right to do that to-day, and if it is left to private interests alone to regulate this matter, one can readily imagine what might possibly happen. The Lake of the Woods and the Winnipeg river are not purely provincial waters. The greater portion by far of the waters flowing into the Lake of the Woods, and from the Lake of the Woods through the Winnipeg river into Lake Winnipeg, originate outside of the province of Ontario altogether. No one will argue for a moment that the province of Ontario would have the right to divert the whole of the waters of the Winnipeg river in that portion of the river that lies within the province of Ontario. Surely some authority must be exercised in respect to it, and the proposal put forward by the Government, in the failure of the legislature of Ontario to pass the concurrent legislation, is not unreasonable. It is not intended to hurt any private interests; I cannot conceive where this legislation will interfere with the legitimate rights of any concern, the town of Kenora, or anyone else. It is necessary, and I think only just, that the city of Winnipeg, which has already spent many millions of dollars in developing its power plant, on the Winnipeg river, should be protected in the flow of water necessary to carry on its work. That is all that is asked for, and that would have been achieved had the concurrent legislation been passed. Since that concurrent legislation has not been passed,—and it has not been passed apparently for the reason that Mr. Backus used his influence in the Ontario legislature to prevent its being passed—it is necessary, I think, that something should be done. It is regrettable that this matter could not have been satisfactorily arranged without the necessity of this legislation. Let me repeat again that the province of Manitoba, the city of Winnipeg, and I am sure my hon. friend from Provencher (Mr. Molloy), and other hon. members from Manitoba who have spoken in favour of this legislation, do not desire to interfere with provincial rights, particularly the

rights of the old province of Ontario, and I do not see under this legislation that we are doing so. To my mind it is necessary, under the circumstances, and I think the House will be well advised in giving assent to the measure.

Mr. BALDWIN: What I am about to say is purely in the interests of Canada. A good deal has been said about Mr. Backus, and the Backus interests. Well, I think one may safely say that Mr. Backus overrides towns, provinces, legislatures, and even federal laws of the United States when they conflict with his interests. He is a man of indomitable courage and outstanding business ability, and he never allows anything to stand in his way. He will not be turned aside in his pursuit of any object, and there was never a firm of lawyers in the United States smart enough to make any contract which they could get Mr. Backus to sign before he had considerably altered and amended it to his own taste. He would erase, eradicate, add to, and re-write anything if it did not meet with his approval. I know that this is an advertisement for Mr. Backus, but I wish that this Canada had men of his kind. He owns great territory in the United States, and he even overrides the assessor and the tax-gatherer. I think he has the brains to override the Prime Minister of this country, the premier of Ontario, the Premier of Manitoba, and probably the leader of the Opposition.

Some hon. MEMBERS: Oh, oh.

Mr. BALDWIN: I know I am saying a good deal, but Mr. Backus is undoubtedly a very able man, and so long as I find that the Backus interests are invading Canadian territory, I shall stand up in defence of our rights. Mr. Backus has enough influence to get us into international troubles, and if he had his way, he would dam up the lake of the Woods and conduct its waters into Minnesota. Mr. Backus drives triumphantly over everybody and everything in order to attain his end, and I must warn the Government against this far-seeing magnate of the United States.

Section agreed to on division: Yeas, 90, Nays, 41.

Sections 3, 4, and 5, agreed to on division.

On section 6—enforcement by Exchequer Court of Canada.

Mr. FIELDING: The section begins with the word "moreover." Is that not a very unusual word in a statute?

Mr. MEIGHEN: I thought so when I read it, but it is Mr. Newcombe's drafting.

[Mr. Crerar.]

Mr. FIELDING: It will not work any harm, I presume.

Section agreed to on division.

On section 7—appointment of officers, etc.:

Mr. McKENZIE: I see it is proposed to appoint a board of four members.

Mr. MEIGHEN: Our desire is to have equal representation even on this board. As I stated in one of the too many speeches I made, the Government intends to appoint the same board which has acted all along under the Order in Council, two of whom were named by Ontario. We purpose to give the same Ontario men the appointment, so the same board will operate and perform the statutory functions called for by this Bill.

Mr. McKENZIE: Would it not be well to say in this Bill that the Ontario Government shall have the right to nominate two of the members of the board? You do not give them the right here.

Mr. MEIGHEN: We intend to nominate them. If the Ontario Government did that these men would have no powers from Ontario as there is no Ontario law. We intend to appoint these two men although they may refuse to act.

Mr. McMASTER: Seeing that the board is to consist of four members, is there not the possibility of a deadlock? Would it not be well to make one of the members chairman and give him a casting vote in the event of a deadlock taking place?

Mr. MEIGHEN: There has been no deadlock and they have acted since January, 1919, two and a quarter years. Of course, under the Orders in Council provision was made in case of a tie. We would just as soon not have it here because we do not want to take any advantage of the province of Ontario in the matter.

Section agreed to on division.

Mr. MEIGHEN: I now move that the provision reading:

The expense of administering this Act and the regulations made thereunder may be paid out of any unappropriated moneys of Canada.

be made section 8 of the Bill.

Mr. McKENZIE: Are we not voting any moneys that will go towards meeting the expense of this board, just as in the case of other federal institutions.

Mr. MEIGHEN: I do not know why this wording is used; it is Mr. Newcombe's

drafting. As a matter of fact we have provided in the Supplementary Estimates a sum of \$10,500 for this purpose.

Mr. McKENZIE: We say here that it shall be paid out of any money that is not assigned to any purpose.

Mr. MEIGHEN: I think it must have another meaning, because there really is no money that is not assigned for a purpose. I think it must mean money unexpended.

Mr. McKENZIE: Monies paid into the Consolidated Revenue Fund and not appropriated to any special purpose?

Mr. MEIGHEN: Yes.

Section agreed to on division.

On section 9—operation of this Act as respects existing works.

Mr. BUREAU: This means that any man who has built a dam or other structure without proper authority may apply for approval thereof and the Governor in Council shall have three years in which to approve or refuse to approve of such work?

Mr. MEIGHEN: Three years is given for approval. For instance, we can within three years approve of the Norman dam under the Navigable Waters Protection Act.

Mr. BUREAU: Application has to be made to the Governor in Council?

Mr. MEIGHEN: Yes.

Mr. BUREAU: The section reads:

Nothing in this Act shall be deemed to legalize any right to maintain or the legality of any dam, structure or other work heretofore constructed, or within the description of the works to which the regulating power of the Governor in Council by this Act extends; and, notwithstanding this Act or anything herein or in any regulation hereunder contained, any dam, work or other structure to which this Act applies and for which approval of the Governor in Council was requisite under the Navigable Waters Protection Act, and which has not been so approved, may under the authority of the latter Act—

That is the Navigable Waters Protection Act I understand?

Mr. MEIGHEN: Yes.

Mr. BUREAU: And the section continues:

—or otherwise as by law provided, be abated, removed or destroyed as if this Act had not been passed.

What are those words there?

Mr. MEIGHEN: I do not know of any other law that provides for abatement or

destruction, but evidently the draughtsman has said that notwithstanding this Bill still there may be any other Act, and if there is that Act is also in operation and full effect. It may refer to the Ontario statute.

Mr. BUREAU: But we know this is the only Act under federal jurisdiction that gives authority.

Mr. MEIGHEN: I think so.

Mr. BUREAU: "Or otherwise as by law provided."

Mr. MEIGHEN: It cannot do any harm. I presume Mr. Newcombe, who drafted the Bill, had some possible legislation in mind, but I do not know what it could have been.

Mr. MOWAT: It may refer to the Rivers and Streams Act of Ontario. In the case of the Keewatin Power Company vs. Town of Kenora, Mr. Justice Anglin held:

I have little hesitation in holding that the Winnipeg river, said to carry a volume of water little inferior to that of the Ottawa, formerly a great channel of commerce, must be deemed a navigable river.

Mr. BUREAU: Does the hon. member mean the provincial law?

Mr. MOWAT: Yes.

Mr. BUREAU: How could the minister take advantage of a provincial law to abate or destroy any works?

Mr. MOWAT: The construction being in Ontario, I think it was very wise for the draughtsman to use that expression.

Mr. BUREAU: Suppose we pass another law next year, and somebody invokes this clause, where will we be?

Mr. MOWAT: No particular law is mentioned here. If it was specified there might be some complication, but this is a wide general section which provides that if there is something in the provincial law that will help this board to do its work it can be invoked.

Section agreed to on division.

On section 10—provision for repeal by Governor in Council if Ontario passes legislation referred to in the previous Act of this session.

Mr. FIELDING: Is that proviso necessary? Power to do a thing does not always carry with it power to undo it, and once you have, under the British North America Act, declared a work to be for the general advantage of Canada, have you power to return it to the control of the province?

Mr. MEIGHEN: I think that has been decided. If not, I know an opinion has been given on it very lately in the case of some British Columbia works. This Parliament had declared works for the general advantage of Canada beyond what were in mind at the time the legislation passed and inclusive of a lot of street railways in that province. Then the question came before the Justice Department as to whether or not we could ever remove them from that category. The opinion was that we could, and we did.

Mr. FIELDING: But was it ever determined judicially?

Mr. MEIGHEN: I am rather of opinion that it has not been.

Mr. FIELDING: It strikes me that a plain rough reading of the British North America Act would be otherwise.

Mr. MOWAT: Why should not these works be for the general advantage of Canada? This has been declared to be a navigable river, and therefore under subsection 10 of section 91 of The British North America Act it is clearly within the control of the Dominion. It seems to me very proper that these works should be declared for the general advantage of Canada.

This gives me an opportunity to say what nobody so far has said to-night, that the Government of Canada should be very careful not to give away any water-powers not yet developed by the provinces. In view of our enormous national debt it seems to me that if there are assets of this kind which as yet have not been declared to be Dominion assets, the very best thing that can happen is that they should be declared to be for the general advantage of Canada.

Section agreed to on division.

On the title:

Mr. McKENZIE: I wish to call the Prime Minister's attention to the fact that in the penal provisions made in clauses 4 and 5 there is no provision for cases where there may be default in payment of fine. If there is refusal to pay the fine, that is the end of it.

Mr. MEIGHEN: Well, there is provision for imprisonment as well.

Mr. McKENZIE: But that is not in default of payment of fine.

Mr. MEIGHEN: What I suppose the draftsman had in mind was this: only a corporation is going to undertake anything

[Mr. Fielding.]

in violation of this Act of the character described in clauses 4 and 5, and if the corporation does not pay the fine the amount can be levied and collected in the usual way. I am not sure there is not a provision in our statutes for imprisonment in the event of non-payment of fine, incident to the fine itself. However, I do not speak positively as to that.

Mr. BUREAU: I am still in doubt with regard to the word "may" in the fourth line of section 10. It seems to me that to leave the clause in that form will not be doing the square or manly thing by Ontario. There is something in the use of the word "may" here which I cannot quite describe; my knowledge of English is so limited that I cannot indicate exactly what it is.

Mr. MEIGHEN: I think "may" is the right word. The Government is empowered to do it; that makes it the duty of the Government to do it unless there be reason to the contrary. It is certainly the intention of the Government to do it. The passing of the joint legislation shows that to begin with, as does the proposal to take the province in joint control. I do not think it would aid to use the word "shall," because there might possibly be circumstances under which the Governor in Council could not proceed as set out in the section.

Title agreed to.

Bill reported, with amendments.

On the motion of Right Hon. Mr. Meighen for the third reading of the Bill:

Mr. F. F. PARDEE (West Lambton): I beg to move in amendment, seconded by Mr. Ross:

That this Bill be not now read a third time but that it be read a third time this day six months.

The House divided on the amendment (Mr. Pardee), which was negatived on the following division:

YEAS

Messrs.

Archambault,	Fortier,
Baldwin,	Gauvreau,
Bourassa,	Gervais,
Caldwell,	Halbert,
Cannon,	Johnston,
Cardin,	Kennedy (Essex N.),
Clark (Red Deer),	Kennedy (Glengarry and Stormont),
d'Anjou,	King,
Déchène,	Knox,
Demers,	Lafortne,
Desaulniers,	Lapointe,
Duff,	Léger,
Fafard,	Lemieux,
Fielding,	McDermand,
Fontaine,	

McDonald,  
McGibbon  
(Argenteuil),  
McKenzie,  
McMaster,  
Marcile (Bagot),  
Michaud,  
Papineau,  
Pardee,  
Parent,  
Pelletier,  
Prevost,  
Reid (Mackenzie),

Rinfret,  
Ross,  
Savard,  
Séguin,  
Sinclair (Antigonish  
and Guysborough),  
Stein,  
Tobin,  
Trahan,  
Truax,  
Turgeon,  
Verville—52.

Manion,  
McCurdy,  
Drayton (Sir Henry),  
Peck,  
Mackie (Edmonton),  
Nicholson (Algoma),  
Nesbitt,  
Wigmore,  
Crothers,  
Hughes (Sir Sam),  
Griesbach,  
Charlton,  
Chabot,

Casgrain,  
Pedlow,  
Bureau,  
Power,  
Hunt,  
McCrea,  
Leduc,  
Béland,  
Pacaud,  
Boivin,  
Maclean (Halifax),  
McCoig,  
Devlin.

## NAYS

Messrs.

Allan,  
Anderson,  
Andrews,  
Argue,  
Armstrong  
(Lambton),  
Armstrong (York),  
Arthurs,  
Ballantyne,  
Ball,  
Best,  
Blake,  
Bonnell,  
Bowman,  
Boyce,  
Boys,  
Brien,  
Butts,  
Calder,  
Campbell,  
Casselmann,  
Chaplin,  
Charters,  
Clark (Bruce),  
Clarke (Wellington),  
Clements,  
Cockshutt,  
Cooper,  
Cowan,  
Crerar,  
Cronyn,  
Crowe,  
Cruise,  
Currie,  
Davidson,  
Davis,  
Doherty,  
Douglas  
(Strathcona),  
Douglas (Cape Breton  
S. and Richmond),  
Edwards,  
Finley,  
Foster (York),  
Fraser,  
Fripp,  
Fulton,  
Glass,  
Green,  
Guthrie,

Halladay,  
Harold,  
Harrison,  
Hay,  
Henders,  
Lang,  
Long,  
MacKelvie,  
Mackie (Renfrew),  
MacNutt,  
McGibbon (Muskoka),  
McGregor,  
McIntosh,  
McIsaac,  
Martin,  
Meighen,  
Merner,  
Mewburn,  
Molloy,  
Morphy,  
Mowat,  
Munson,  
Myers,  
Nicholson  
(Queens, P.E.I.),  
Redman,  
Reid (Grenville),  
Sexsmith,  
Shaw,  
Sheard,  
Simpson,  
Smith,  
Spinney,  
Stacey,  
Steele,  
Stevens,  
Stewart (Hamilton),  
Sutherland,  
Thompson (Weyburn),  
Thompson (Hastings),  
Thompson (Yukon),  
Thomson (Qu'Appelle),  
Tolmie,  
Tremain,  
Tudhope,  
Tweedie,  
Whidden,  
Wilson (Wentworth),  
Wilson (Saskatoon),  
Wright—96.

## PAIRS

(The list of Pairs is furnished by the Chief Whips).

Middlebro,  
Kemp (Sir Edward),  
Scott,  
Elkin,  
Bristol,  
Porter,  
Lalor,

Messrs.  
Robb,  
Kay,  
Proulx,  
Lesage,  
Jacobs,  
Gordon,  
Marcil (Bonaventure),

Mr. McCREA: I was paired with the hon. member for Algoma East (Mr. Nicholson). Had I voted, I would have voted against the amendment.

Mr. PROULX: I was paired with the hon. member for South Waterloo (Mr. Scott). Had I voted, I would have voted for the amendment.

Mr. LALOR: I was paired with the hon. member for Bonaventure (Mr. Marcil). Had I voted I would have voted against the amendment.

Mr. NESBITT: I was paired with the hon. member for Westmount-St. Henry (Mr. Leduc). Had I voted I would have voted against the amendment.

Mr. McCOIG: I was paired with the hon. member for Norfolk (Mr. Charlton). Had I voted, I would have voted for the amendment.

Mr. MACKIE (Edmonton): I was paired with the hon. member for Compton (Mr. Hunt). Had I voted, I would have voted against the amendment.

Main motion agreed to, and Bill read the third time and passed.

DOMINION ELECTIONS ACT  
AMENDMENT

The House again in Committee on Bill No. 130, to amend the Dominion Elections Act.—Mr. Guthrie. Mr. Boivin in the Chair:

The CHAIRMAN: When this Bill was last before the committee, all the clauses and schedules of the Bill had been considered and adopted. The hon. member for Waterloo North (Mr. Euler) had moved that the following clause be added to the Bill as clause 22 thereof:

22. "Subsection (2) of section 29 of the Dominion Elections Act, chapter 46 of the Statutes of 1920, is hereby repealed."

Mr. EULER: When the committee last debated the amendment which I had moved, I had not quite completed the observations that I desired to make. Before I continue

them I would like to inquire of the Acting Solicitor General (Mr. Guthrie) with regard to some changes that have been made in the Bill as it is now before the committee. To illustrate, I think it is a fact that once names are entered on the voters' lists, it becomes difficult to remove those names should it be considered that they ought to be removed. In the previous form, —I think it was form 13—certain questions were asked which have now disappeared. For example, the question was asked of the prospective voter whether he was naturalized, how he was naturalized, and if naturalized by process of law, whether such person had a voting certificate. I notice that, in the new form, that has disappeared entirely. I would like to ask the Acting-Solicitor General whether, under those circumstances it becomes possible for names to be placed on

11 p.m. the list by the registrar, and then in case some one objects to the inclusion of those names on the list, what oath may be submitted to him. I gather that it would be the oath in form 32; yet in the oath in form 32 no reference whatever is made to the disability contained in clause 29 to which I have taken objection. If the minister could give me an answer on that point, I would appreciate it.

Mr. GUTHRIE: It was found that many of the forms in the Act passed last session were defective. During the interval since last session the Chief Electoral Officer has himself gone very carefully over the forms in order to make them agree with the Act where, in many instances, formerly they disagreed. The new form of oath is form 32. I think the point is covered in the second paragraph of that oath which reads:

You swear that you are not within any of the classes of persons who lack qualification.

That is the general statement.

Mr. EULER: May I say in reply, that in section 29 no reference is made to classes of persons whatever. Section 29 reads as follows:

For the purposes of this Act the allegiance or nationality of a person,

and so forth, and it speaks throughout of a person, not of classes of persons. Is it not the fact that the phrase "classes of persons" in the new Form 32 refers entirely to such classes as Indians and people of that sort? If so, that oath would not cover the point to which I refer.

Mr. GUTHRIE: I think this oath was made as a general oath to cover everything

[Mr. Euler.]

in the Act. I will read the second paragraph:

That you are not within any of the classes of persons who lack qualification or are disqualified by reason of appointment to judicial office, employment for pay or reward in reference to the election, place of birth, race, crime, mental incapacity, the receipt of public charitable support or disfranchisement for corrupt or illegal practices.

That you have not already voted at this election and have not been guilty of any corrupt or illegal practice in relation thereto.

At the first meeting of the Select Standing Committee on Privileges and Elections we had the assistance of Mr. Alexander Smith, who has long been identified with hon. gentlemen opposite, and who is known as rather an expert on election law. He drew the attention of the committee to some difficulties in the oath which appeared in the Act which passed last session, and as a result, the Chief Electoral Officer undertook to prepare an oath that would cover generally all kinds of disqualifications, in order that it might be put to electors when they came to the poll. This oath that is now in the Bill is the one that he prepared, and the one that the committee assented to.

Mr. THOMSON (Qu'Appelle): Will the forms be taken up one by one and discussed after we have disposed of the amendment? There are so many changes in the forms that I think it would hardly be safe to lump them altogether. I understand that the intention is to discuss them one by one.

Mr. GUTHRIE: I do not think it has ever been the practice in this House to go over the forms one by one. If my hon. friend has a little time to spare and would go over the forms and point out anything he thinks is wrong, I think that would be better.

Mr. THOMSON (Qu'Appelle): There are so many radical changes in the forms that I think they should be very carefully considered at some stage.

Mr. GUTHRIE: I am not an expert on the forms myself, I must admit, but I would be very much obliged if my hon. friend would let me have a note of any changes he would suggest, and I would arrange an appointment with Colonel Biggar, the Chief Electoral Officer. It requires a thorough knowledge of the Act to appreciate the forms, and I think it would be much better to go over them with Colonel Biggar than to have a discussion of each form in the committee.

Mr. THOMSON (Qu'Appelle): When I got this Bill I went over the forms, as I suppose did other hon. members, and made notes opposite each of the alterations, and of what struck me most at the time. There are so many alterations in the forms that I think they should be gone over one by one, and if the minister will arrange for an opportunity for those who have gone over the forms to deal with them I shall be satisfied.

Mr. GUTHRIE: All right.

Mr. EULER: My reason for drawing attention to the form was because I thought that if my view of the form and the significance of the oath was correct, it would directly affect the substance of the amendment which I had submitted. If the minister will say that the forms will be considered afterwards, I am quite content to go on and speak for a few minutes on the principle of the amendment before the committee.

The CHAIRMAN: The Chairman must point out to the committee that we must observe some semblance of order. The forms were adopted when the Bill was last before the committee, and the Chairman so informed the committee this evening. It was only after the schedule was adopted that the hon. member for Waterloo (Mr. Euler) introduced his amendment to insert an additional clause which is now being considered. It is, of course, competent for the committee, by unanimous consent, to return to the consideration of the forms after the matter now before the committee has been disposed of, but it is certainly impossible for the committee to consider two absolutely different matters at the same time.

Mr. EULER: I am quite content to leave the discussion of the form till a little later on, if we shall have opportunity then. In the meantime I would like to complete the remarks I had in mind some three weeks ago, when this debate was adjourned in order that the Budget might be presented by the Minister of Finance. As a considerable time has elapsed since then, I think I should briefly refresh the minds of the committee as to the nature of the law as it stands, and the significance of the amendment which I have submitted.

Under our naturalization law as it is now, any woman of foreign birth, no matter of what nationality, as soon as she marries a British subject, becomes herself a British subject, or she becomes a British

subject so soon as her husband obtains naturalization. Boys and girls, minors, the sons or daughters of a naturalized British subject become naturalized by virtue of the naturalization of the father. Now these married women, and these men who were naturalized as children, by reason of the naturalization of their father, have not under the Dominion Elections Act of last year the right to vote, except under certain conditions, although they are British subjects. I want it clearly understood that in all this discussion there is no plea made for any one who is not in law a fully qualified British subject in every way. These people cannot vote unless they first go to a judge, and prove to his satisfaction that they are qualified for personal naturalization. The judge then may or may not give to them a certificate which enables them to vote. Now last year when I introduced a similar amendment I argued that the law was unjust, in that British subjects ought to be treated alike; there should be no discrimination against one class of British subjects as against any other class of British subjects. I also argued that it was not necessary—and I think I proved then, as I hope to again to-night—that on the score of public policy there can be no prejudice whatever in allowing these British subjects to vote without putting any obstacles in their way. Thirdly, I think it was shown, not so much by myself, as by my friends from the West, that the necessity of obtaining a voting certificate makes it virtually impossible for some of the people in the West to vote. The leader of the Opposition, in the debate some three weeks ago, when my amendment was first introduced, showed quite conclusively that people would have to travel in some cases upwards of a hundred miles in order to appear before a judge to obtain a voting certificate. I think it should be evident to every member of the committee that under circumstances such as those it becomes practically impossible for the citizens of Canada to comply with the regulations, and the result will be that they will be entirely disfranchised.

There is another point. When these people appear before the various judges throughout the country, we are not assured that there is any definite standard by which they shall be judged. One judge may consider it incumbent upon him to make the questions which he will submit to the applicant very much more onerous than other judges will. I do not think that these people to-day know exactly what they will have to answer

or what the requirements will be; whether they shall have to bring their husbands' naturalization certificates, and their marriage certificates to show that they are married to British subjects, and prove that they are qualified for naturalization. During the course of last year's debate, and this year's debate, I may say with all due respect to the Acting Solicitor General and other gentlemen on the other side who took part in the discussion, there was not offered one single reasonable ground why these people should be submitted to the necessity of obtaining the certificate. I will make one qualification in this respect, and I mentioned it the other day. The hon. member for Algoma (Mr. Nicholson) made the statement that, if my amendment were adopted, foreign women, immediately upon marrying British subjects, would themselves become British subjects, and thus obtain the franchise without having completed any definite period of residence in Canada. That is a valid objection. I believe that all citizens of Canada should comply with the ordinary residence clauses of the Naturalization Act, and that these women, if they come from a foreign land, and marry British subjects, should not be permitted to vote until they have complied with the ordinary residential requirements. I am quite prepared to substitute, in place of the clause I have moved to strike out, another clause to the effect that under all circumstances these British subjects, whose rights we are now discussing, shall comply with the ordinary residence clauses and any other requirements usual under the circumstances.

Now, the question has been surrounded with difficulty, merely because of the anomaly of having two laws which are diametrically opposed to each other. It is entirely unnatural that one Canadian law should provide one thing, and another Canadian law state directly the opposite; and that is the fact in this case. In our Naturalization Law we say that these people are British subjects. And that is the law not only in Canada; it obtains throughout the whole of the British Empire. We have, then, a law which states that when a woman marries a British subject, or if her husband of foreign origin becomes a British subject, she herself is a British subject, and then we say in the Dominion Elections Act, passed last year, that she is not a British subject. I say the whole thing is irreconcilable and absurd, and it is because of the fact that we are legislating in direct opposition to another law that we fall into the difficulty in which

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we are now. I think there is only one cure for that; one law must give way to the other, and I leave it to the good judgment of the committee as to whether the law which has stood for years and which is the law throughout the whole of the British Empire, the principle of which is observed in every civilized nation in the world, should not be the one to stand, and that the law which this Parliament has brought into conflict with that old well recognized statute should give way. If that is done, we shall fall in line with the amendment I have submitted.

My amendment means, in effect, that instead of placing British subjects of foreign origin in a separate class, distinct from other British subjects, we remove all these differences we ourselves have created, and which did not exist in the past, and place all British subjects on the same basis, deciding that once a man or woman is a British subject that fact carries with it the greatest privilege of British citizenship, namely, the right to vote without any obstacles being placed in the way. That is what my amendment means. Now, I know there is a disposition on the part of some members opposite to resist that motion, I believe also that many hon. gentlemen on the other side concede that the cause I plead is an absolutely just one; but those who still feel that what I ask for in the amendment should not be granted, I suggest, have wrong ideas of the citizens whose rights I want to maintain in this committee. The Acting Solicitor General (Mr. Guthrie) stated in a previous debate that, after all, there is nothing wrong with the law as it stands because, as he says, we are not taking anything away from these people. I want to correct him in that statement, because, as a matter of fact, men who were naturalized as boys many years ago, through the naturalization of their fathers, have voted for many years. I know of many of them; I think my hon. friend from North Perth (Mr. Morphy), knows of some, and I know that other hon. members are aware of others. They have voted for years; they voted in the election of 1917. Now, under the present Dominion Elections Act, you take away from them that privilege which they have enjoyed for years, except on the condition that they obtain this certificate. It is perhaps true that with regard to the women, those who were naturalized by the naturalization of their husbands, you are not depriving them of anything through the Act passed last year. But if you do not take anything away from them, you do something that is

equivalent; you withhold from them something that is given to other British subjects; you refuse to give them what you freely give to their sister British subjects. You are exercising a discrimination among women who are all alike Canadian citizens; you set one group of British subjects aside in an inferior class as compared with their neighbours. There is absolutely no escape from that. We make them citizens by our own law, and then we say to them: "While you are British subjects by our own law, and while we know that you are no longer subjects of any foreign country"—I am not now referring to the central empires, but to all foreign countries outside of the North American continent—"we insist that you are not entitled to exercise the franchise, unless you are put to the inconvenience and humiliation of appearing before a judge to prove that you are fit to be what you have been for many years." That is the fact: you are to appear before a judge and prove to him that you are fit and qualified to be what you have been for many, many years. I say the whole conclusion is absurd. Now that is a fair statement of the facts, and I say it is not surprising that men, and women too, put to that humiliation will be prompted to refuse to subject themselves to it. I believe that many will decline to apply to a judge for that certificate, and it will be a most natural attitude for free and self-respecting Canadian women to take.

The Acting Solicitor General stated the other day that these people could not value the franchise very highly if they would not go to the trouble of appearing before a judge. Well, I want to say to him if that is correct he would find, if he applied the same requirement throughout to the men of Canada, that the electorate would be disfranchised to the extent of 75 per cent or more. Even to-day when men have their names on the lists and need take no action whatever to get their names on, we find that they do not go to the polls. In our municipal elections, and even in our Parliamentary elections, we find that 50 per cent of them usually do not exercise their franchise at all. I am still of opinion, Mr. Chairman, that a good many of the hon. members opposite have a wrong impression of these people entirely. I am willing to say that because I do not like to attribute any unfair motive to them in withholding the unrestricted franchise from these British subjects; and it seems to me that when they think of these foreign born citizens of Canada they visualize probably groups

of foreigners. I have heard gentlemen on both sides speak of these foreign born citizens of Canada as aliens and foreigners, and yet to-day they are not aliens or foreigners. I am afraid they visualize these, perhaps, as ignorant and illiterate and out of harmony with the rest of the people of Canada, thinking constantly of a foreign land as their home. Such a picture is an undoubted caricature of these people. Among the people that I represent, and among the people in other parts of Canada, there are thousands of persons of foreign birth—many of them in my own constituency I admit—who are of German or Austrian birth, but no inconsiderable number of them have been in Canada for forty, fifty, sixty years, and even longer than that. I know people in Waterloo county who have lived there for seventy years and yet were born in Germany. Many of them came to Canada as children. They married and became British subjects, either by reason of that marriage or by reason of their father's naturalization. They reared families of Canadians, native born sons and daughters of Canada. They are Canadians in every sense of the term; they have attended our Canadian public schools and they are saturated through and through with Canadian ideals.

Mr. GUTHRIE: If they are native born—

Mr. EULER: Just a moment, the point I want to make is this: I say that the mothers of those children who have been educated in the Canadian public schools surely have no noxious attachment to a foreign land and are in no sense disloyal. Their husbands are Canadian citizens and have the vote, and their children are Canadians, native born. They are just as much Canadians as though they had been born in England, Scotland or Ireland, I contend, and are to all intents and purposes Canadian in thought and feeling. I know what I am talking about because I know them—they are just as much Canadian as though they had been born in the British Isles. Surely it is fair to assume that the mothers of these children, the wives of these men who were also foreign born, are at least as loyal as their husbands and just as much entitled to the franchise—the whole family is one. I do not think any hon. member will contend for a moment that in a family consisting of father and mother, and children born in Canada, the mother herself is an alien in thought and feeling while the rest of the family are perfectly

loyal Canadians. I do not think that we should suspect the mother of any such feeling at all. There is no divergence of national feeling, as far as the mother is concerned, from the rest of the family.

Mr. HENDERS: The father had come into the rights of citizenship by declaring his desire for citizenship, under certain conditions. The mother comes in by right of marriage to that man. She has never declared her desire on that line. How then would you bring her in?

Mr. GUTHRIE: The man has sworn an oath of allegiance.

Mr. HENDERS: That is the point I was coming to. The man has taken the oath of allegiance and he takes the right of the franchise. She came into citizenship on her husband's right to be a citizen, but she did not have the right of the franchise. Now she comes into an entirely different relationship and she should not come into that relationship until she has complied with the same requirement which is demanded of her husband.

Mr. EULER: I might ask the hon. member another question: Why is she not given the privilege, under our Canadian law to-day, of becoming a British subject of her own right? We have deprived her of that. At the very end of last session the naturalization law was actually changed in that regard. In 1919 we had a naturalization law whereby a married woman had the right to become personally naturalized and receive her naturalization certificate. I see the Minister of Justice is here and he will correct me if I am wrong in that statement. Last session when the Naturalization Act was changed, this new legislation was enacted. For some reason or other, I am not attributing any wrongful motive in the matter at all, that clause was dropped out of the Act, and to-day a married woman has only one way of getting citizenship and that is by marriage. She cannot herself be personally naturalized as a single woman can, or as her husband can. If you are going to discriminate in that way between men and women, then I say you cannot have an inequality in one place and then complain because there is an apparent inequality in another.

Now I was speaking of these women, the women who have raised Canadian children. Objection is raised to giving these women the vote, although they are British subjects. That is the thing I

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would like hon. gentlemen to remember—they are British subjects. Well, there is not very much in it unless you give them the franchise that should accompany that position. There can be no public interest prejudiced by giving them the franchise. Now the point I am trying to make is this: If the objection arises from a possible lack of sympathy on the part of these women with Canadian ideals—if that is the reason—I am trying to show the unlikelihood of there being any such feeling when the husband, and all the other members of the family are duly considered British subjects and loyal subjects of the Crown. I say it is entirely unlikely that these women—whose whole thought is not given to politics or perhaps in many cases to public affairs at all, who are merely good domestic women whose chief thought is concerned with their husbands and their families—are alien in thought. They are just as good Canadians as the men are, and on that basis I maintain it is perfectly safe to give them the franchise.

I contend, Mr. Chairman, in a land where not only fair play but courtesy is supposed to be a principle that is highly regarded, it is not at all chivalrous to ask these men and women, particularly the women, to appear before a judge and prove to him that now, ten, fifteen, twenty, thirty or even forty years after the time they became British subjects, they are again worthy of what they have been enjoying so long. I might add that the law as it stands discriminates against women who sent their boys to the war. Moreover, I can give instances, and I know there are other members who can also give instances of practical disfranchisement, through forcing them to obtain certificates, of men who actually fought in the Canadian army. There is no exception made in their case. It is humiliating and unworthy of a Parliament which desires to encourage and confirm these foreign-born people in their appreciation of this country to enact such a law. You are dividing the members of a family, you are saying that one portion is not as worthy as the other. It is very similar to this, if I may give an illustration which just comes into my mind. We will say a father and mother who have children of their own, adopt a boy or girl who grows up with the other children and is treated to all intents and purposes as if one of the family. Then suddenly, for no apparent reason, when the family get around the table the father says to the

adopted child, "After all, you cannot sit down with us without performing some unpleasant duty." This requirement is just as unreasonable.

There is one other point. Advertise this law as widely as you like, there will still be thousands of people who will never learn that it is necessary for them to obtain this certificate. They know now that the vote has been given to women, they know they are British subjects, and therefore they naturally assume that they are placed on exactly the same basis as the woman next door who happens to have been born in Canada. I want to remind hon. gentlemen who have objected to the position I take that when a person of foreign origin receives a naturalization certificate from this country that certificate states that that person is just as much a British subject as though born on British soil. Now we make a distinction,

I believe I am stating nothing but the fact when I say that unless this law is amended its practical effect will be to disfranchise more British subjects than were disfranchised under the War-time Elections Act. I am quite sure there are hon. gentlemen on the other side who were not in sympathy with that Act, while there are others who thought it was proper in time of war. I am not going to debate that now. But the war is over, and I contend that, after all, this obstacle that has been placed in the way of these British subjects is an outcome of the war period, and I think it is about time we allowed that war feeling to subside.

When I moved this amendment last year I asked then what I am asking for now. The Government, through the Acting Solicitor General, then gave us something. As the law was first proposed last year a great many people would have found it entirely impossible to obtain the vote. The Government gave us an amendment which allowed the vote provided this certificate was obtained. I thought then that the Government gave only half justice, but, as the minister said then, "half a loaf is better than no bread." I hoped then that after the lapse of another year the Government might perhaps see the justice of what we were contending for. I wish they could see it in that way now and would strike out this objectionable clause. No public interest can be prejudiced, and I think a great deal would be gained by promoting harmony of feeling if the Government would remove this injustice in the most natural way by laying down the

principle that when a man or woman of mature age is a British subject that status shall carry with it an inherent right to the franchise.

Mr. GUTHRIE: I do not think, Mr. Chairman, I can add very much to what I have said both on a former occasion this session and eleven months ago when this question occupied several days of the time of this House. I think my hon. friend from North Waterloo (Mr. Euler) himself realizes that perhaps the strongest point of his case rests in the fact that the clause as now drawn might operate to place at a disadvantage some men who fought for Canada and who voted at the last general election. That fact was not drawn to my attention before. But my hon. friend from Selkirk (Mr. Hay) has made some suggestions which I think the House might take into consideration. I would not favour the motion of my hon. friend from North Waterloo to strike out the clause in the present Bill, but I think it might be altered to the extent of enabling those who voted at the last election to continue to vote without requiring them to get a certificate.

Mr. CAMPBELL: Do you mean those who actually voted or those who were entitled to vote?

Mr. GUTHRIE: Both. That would cover minor children. I am told that in many ridings there are hundreds of men who came to this country as children and became British subjects through the naturalization of their parents and have been voting for many years. That objection might be removed.

Then there is one further suggestion which my hon. friend from Selkirk likewise made to me that I would not take exception to, to the effect that the clause should not apply even to women who voted at the last general election or who had a right to vote. It is said there were women whose sons were at the war and who voted. I do not think there should be any discrimination against those women now, whether they be mothers or sisters or wives; if they had the right to vote then I would not object to its being continued.

Those are limitations which have been suggested by my hon. friend from Selkirk, and while I cannot favour striking out the clause as moved by hon. friend from North Waterloo—that is too sweeping in my judgment—I would not be the one to oppose some limitation of the clause in the way I have suggested. If the committee is ready to deal with the motion of my hon. friend from North Waterloo I think that

an amendment will probably be moved on the lines which I have just suggested. It would remove all difficulty in the case of children who have grown up in this country and in the case of people who voted or were entitled to vote at the last election. But the restriction would still apply to married women who have become British subjects by reason of naturalization of their husbands and who have made no declaration, from whom no oath or naturalization has ever been taken. All they would have to do would be to go before a judge and get a certificate.

Mr. MacNUTT: That would not apply to Germans or Hungarians?

Mr. GUTHRIE: Oh yes, to everybody.

Mr. MacNUTT: Because they were not entitled to vote at the last election.

Mr. GUTHRIE: No, I suppose that Germans and Austrians were not.

Mr. MacNUTT: Would you cut them out?

Mr. GUTHRIE: It would just depend on how the amendment was drawn. I would not be in favour of cutting out a boy who fought for the Allies. I would be in favour of giving him a vote if the clause can be so drawn.

Mr. WHITE: Would you be in favour of giving votes to female relatives, mothers and sisters, as was the case with soldiers overseas during the war?

Mr. GUTHRIE: That is what I said.

Mr. MacNUTT: I had intended to make some remarks somewhat along the lines of those made by the member for North Waterloo, but he has presented the arguments so clearly that it is not necessary that I should repeat them. However, I should like to recount some of my experiences in the practical application of this Act. We had a plebiscite in Saskatchewan last fall on the question of the importation of liquor into the province, and the same qualification of voters were required as in the case of a Dominion election. The people did not understand the new Act and I was frequently called upon to explain it. I had a great deal of correspondence in that connection and also addressed some meetings. I was unable to answer some of the questions as to when a judge would be available and what evidence he would require before giving a certificate, and on this account I think a great many were prevented from applying for the certificate. It happened that the resident judge

[Mr. Guthrie.]

at Yorkton had died and had not been replaced. I wired to the Justice Department at Ottawa and was advised that Judge Farrell, of Moosomin, a long distance from there, was to take up the work of that locality. But Judge Farrell had a tremendous territory to cover and it would be only occasionally and for short periods that he would be able to visit any one point in the district. In fact, it was impossible to find out where he would be. Only a resident judge can do justice to this matter of granting certificates; a judge on circuit has a great deal of work to do; he certainly has not time to take evidence and issue certificates. As it was, a great many had to travel forty or fifty miles, perhaps, more, to reach Yorkton, and it was impossible to find out when Judge Farrell would be there. There was a rumour that he would be there at a certain time. A large number of people visited Yorkton, hoping to see him, but were disappointed, and they would not risk it again. Later on I discovered that Judge Farrell would visit Yorkton for a short time commencing on a certain date. I notified the people as well as I could, and they found out from other sources as well. A number journeyed to Yorkton, some of them for the second time, showing that they were anxious to get the certificates and to exercise the franchise. One young man had been reeve of the municipality in which I live; he was born in Iceland and came out as a very small boy; his wife was born in Iceland and came out as a very small girl. This man had voted on several occasions. The Minister of Immigration knows him very well; he voted for him more than once. He was so anxious to be able to vote that he made a second trip with his wife in order to see the judge. Some seventeen or eighteen others, mostly all of them Icelanders, journeyed to Yorkton on the chance of getting a certificate. I went with them, at their request. I saw Judge Farrell at lunch and asked him what sort of evidence he would require. He said that under the Act he could require birth certificates, marriage certificate, naturalization certificates, and educational tests as well. But the matter is left entirely to him. The Act provides as follows for the form of the certificate.

This is to certify that from evidence submitted before me I am satisfied that A. B. of . . . . . in the province of . . . . . occupation . . . . . is a person naturalized as a British subject by operation of law, who, but for such naturalization or for any disability contained in the naturalization Act, 1920, is qualified and

would be entitled at the date of this certificate to be personally naturalized in Canada.

So that the matter is left entirely to the judge. Now, the applicants do not have any idea as to what evidence will be required, and this causes them to be reluctant to take the time and incur the expense involved in chasing the judge on the half-chance of getting a certificate. Judge Farrell, however, was kind enough to tell me that he would accept a statement from me vouching for the candidates, but I did not feel able to vouch for them all. I knew some of them, but about the others, especially the young people, I did not know very much. But the Lutheran minister had come up with them, and I asked the judge if he would accept this minister's statement vouching for the candidates; he very kindly agreed to do so, and they got their certificate. Among these persons was an Ice-lander who came to this country in 1887 with his wife and one little girl. Three of his boys were at the front; one of them was killed. The other two, being born in Canada, were entitled to vote, and he, him-

self, of course, was entitled to vote. The mother and the sister of these three boys had to journey to Yorkton, a distance of 28 or 30 miles, to obtain the necessary certificates. It seems to me that that is very unjust treatment indeed; these people felt that they were being discriminated against. I could mention a large number of cases of that kind. The Acting Solicitor General has stated that he will bring in an amendment.

Mr. GUTHRIE: No, I did not say that I was bringing in an amendment.

Mr. MacNUTT: Well, he suggested that an amendment might be brought in to do away with the serious objections regarding the status of men who voted at the last election but never were personally naturalized. At the last election many who had voted before and who were naturalized, were not entitled to vote, and consequently, they would be debarred. I think, now that the war is over, an amendment of that kind should be passed to cover all that were entitled to vote before the War-time Elections Act was enacted. The matter of discrimination in favour of those who were born in North America is a very serious objection to this clause. Supposing a Hungarian comes to Pennsylvania and is married to a woman of the same nationality born in the United States. They have a family and they move to Canada. This is

typical of hundreds of cases. The man becomes naturalized, and his wife and children are by process of law naturalized. They are all allowed to vote if they are of age and are otherwise qualified, without having to obtain a certificate. Supposing a Hungarian comes to Canada directly under the same circumstances. His wife and his children after they come of age must have this certificate before they can vote. There is no particular reason, however, to expect that the wife and children of the Hungarian who came directly from Hungary—and the same thing is true as regards any of the other European countries—knows more about our institutions than the Hungarian who comes from the United States; so that this is a discrimination that should be struck out altogether.

If the intention of the Government is to retain this clause and not to accept the amendment of the hon. member for North Waterloo, (Mr. Euler), it should be made a good deal easier for applicants to obtain this certificate to which they are entitled. I have already mentioned that district judges cannot grant certificates to all who may want them. They have too much work to do; they are, perhaps, only half a day or a day at one particular point; there might be fifty or a hundred applicants for certificates, and they must make their dates. Under certain conditions others, for instance, reeves of municipalities or mayors of certain towns, might be qualified to give certificates. Further, it should be set forth what kind of evidence is required, and this should not be left to the judge or whoever may be administering the Act. People will not travel, perhaps, fifty or seventy-five miles on the off chance of having access to a judge and not knowing what evidence is required. Women may have to bring their husbands along with them; they may have to make affidavits as to their identity, but they do not know what is required of them. If that point were made clear, more would take advantage of this provision. Two things are required. Better facilities should be given for obtaining these certificates, and the applicants should know what evidence they have to bring before the judge or whoever may have power to grant the certificates. The Government will be very well advised to accept the amendment of the hon. member for North Waterloo.

Mr. WHITE: The ground has been so well covered by the hon. member for North Waterloo (Mr. Euler); he has made such

a strong argument in favour of this amendment being accepted and has pointed out the injustice that is going to be done to a large number of citizens, that I think it is unnecessary to dwell very much on that point. If we look back over the last twenty-five years before we made such discriminations as are proposed in this Bill and these unnecessary divisions, this country was getting along pretty well, and we were getting a fairly intelligent expression of opinion from the provinces in which these people reside. I can remember that in the constituency which I represent, the Conservative candidate in 1908 got 53 per cent of the foreign vote as we figured it out. I can see no reason for this discrimination unless it is feared that, owing to the injustice done to these people in the last election, the Government is afraid that it will not get their support. No other good reason has been offered. These people behaved well during the war; while every precaution was taken and the Mounted Police, as I pointed out once before in this chamber, worked through those districts, there was not, in any of the three northern constituencies, one case proved of sedition or treason. That was a fair test of citizenship when people of the same blood as our enemies and many with relatives fighting against us, did not show even by one word that they were not loyal or worthy of citizenship.

As regards the hardships that has been pointed out by the hon. member for North Waterloo, the Acting Solicitor General (Mr. Guthrie) may not be aware of the difficulties and obstacles that these people will meet with in a new country if they try to secure their citizenship. Take, for instance, a large number, not only those of alien origin, but people from Belgium, France and other countries supposed to be friendly to Canada, who reside in the northern part of Alberta and in the Peace river district. It would cost some of them \$500 and many days' travel to appear before a judge. The Acting Solicitor General knows that a judge visits these districts only every three months, and there are many streams to cross and only one railroad into this section of Canada. Some settlers reside as much as 100 miles away from where the court is held; they are really disfranchised, and there is no possible chance of their securing their vote. While we are trying to build up citizenship and to make Canadians out of these people, this discrimination will keep them from becoming citizens. In 1917, there was a pro-

[Mr. White.]

vincial election and the women were given the vote; the foreign-born women all voted as well as the men. In the fall of 1917, many of the men and all of the women were not allowed to vote. A provincial election is almost due again and it may take place this summer. There is one taking place in Saskatchewan now. On June 13, or whenever the election is held, every woman will go to the polls and be able to vote under the old naturalization law, and the same is true with regard to the Alberta election, but in the Dominion election, they will not be allowed to vote unless certain conditions are complied with. The only reason must be that the Government are afraid of how these people will vote at the polls on account of the injustice that has been done to them. I do not see what other reason there can be for imposing these conditions. The behaviour of these people has not been bad, even under a very severe test, and the only explanation I can think of is that the Government fear they will vote against the party. We cannot expect to make good citizens of these people when we have one law for the province and another for the Dominion. The minister has stated that these women have the privilege of applying for their certificate just the same as their husbands, but even apart from the difficulty of getting to the place where the judge is holding court, it must be remembered that the men have other reasons for acquiring their certificate. For instance, citizenship is one of the conditions required before they can secure their land. I think the effect of this provision will be that many women will be apt to neglect getting a certificate. I think it would be in the interests of the country if the Government would treat all citizens alike; either refuse them citizenship altogether and keep them out of the country, or give them all the same privileges in regard to Canadian citizenship. I do not think there is a single argument in favour of keeping these people out of their rights, and I trust that if the minister will not accept this amendment as it stands, he will accept it in a modified form at least, in order to remove the hardship which at present exists in the law.

Mr. THOMSON (Qu'Appelle): I do not wish to repeat the arguments that have been made in support of the amendment, with which I thoroughly agree, nor do I propose to argue the merits of an amendment which may come up later on, as there will be opportunity to discuss it when it comes up. I want to emphasize, however,

some of the things that have been said, and said very frequently, in the presence of the minister, and which have never yet been replied to by him so far as I have heard.

We have heard of the difficulties in the matter of interpretation. If this committee were strung out as a class, and certain questions were put to them as to the meaning of this subsection, I am afraid there would be a tremendous variation in the answers. I do not think one quarter of the members of this committee have any clear idea of the meaning of the subsection with which we are dealing, and that point has been brought to the attention of the minister frequently. I do not know whether the minister has any clear idea of it himself. I would like to know his opinion as to the real meaning of this subsection. My hon. friend from Saltcoats (Mr. MacNutt) has mentioned the case of a judge who did not know just what information to ask for, and had no settled policy, and there is no doubt at all that different judges will follow different lines. It seems to me that we ought to have something definite in the Bill for the guidance of the judges in the first place, as to what questions they are to ask, and if that is necessary for the guidance of the judges, surely it is more necessary that we should let the people who are going to apply for the certificates know what information will be required of them. I think if the members of this committee were asked just what information should be given under this section, most of them would not have a very clear idea, and we can therefore hardly expect the people who are applying for certificates to have a very clear understanding of what is required.

Is it necessary for a person who is to apply for a voting certificate to bring along a marriage certificate, naturalization certificate, and all these other papers? Is it necessary for them to prove that they have a knowledge of either English or French? Is it necessary for them to bring witnesses to testify to their good reputation? Just what is necessary? It would be a simple matter to have inserted in the Bill itself just what information is required, so that these people will know what is expected. As it is, they do not know what information they will be expected to produce before the judge.

I would also urge on the minister what has been so often urged before, that there should be some more convenient way provided for these people to get their certificates. Some members have spoken of their experience in the recent vote on prohibi-

tion. In my locality there are many women, and sons of naturalized British subjects under our present law, but I do not think a single one of them in my particular locality applied for a voting certificate. No matter how they felt on the question, the difficulties were so great that they did not trouble. In regard to this matter of making the machinery more convenient, the minister has "passed the buck" so to speak, to the Provincial Governments. He contends that they should make provision for sittings. No doubt they can make provision for sittings for hearing ordinary legal cases, but I think some direction should be given to the judges from here as to whether or not they are to take cases of this kind, not only at the judicial centre, but at other places where they may hold court. I know that in the matter of naturalization some of the judges will not consider an application except at the judicial centre. I think it should be clearly understood whether or not the judges have the right to grant a certificate except at a judicial centre. Will it be necessary for a person who is applying for a voting certificate to go through all the forms and ceremonies that have to be gone through when applying for naturalization? Will it be necessary to have notice of the application posted up in the office of the clerk of the court for a certain length of time in advance? I think we ought to get a little information from the minister along these lines.

Mr. ARCHAMBAULT: Did I understand the minister to say that he would bring in some amendment as suggested as by the member for Selkirk (Mr. Hay)?

Mr. GUTHRIE: I said that when this motion was disposed of, I understood that an amendment would be submitted by the hon. member for Selkirk.

Mr. ARCHAMBAULT: I would bring to the attention of the committee again the case I cited last year, of a Frenchman who came to Canada in 1904 with his wife and son. He was naturalized in 1912, and of course his son and wife became naturalized by operation of law.

Mr. GUTHRIE: Was his son a minor then?

Mr. ARCHAMBAULT: He was a minor. When the war broke out the son went to the front; he fought in the French army and was decorated by the French Government. He came back in 1920. In 1917 he had the right to vote. Now, however, if he wishes to vote he will have to go

before the judge and get a certificate, and his mother, who devoted herself to war charities in Montreal, will have to do the same. It seems to me that this is most unjust, and there are many similar cases.

Mr. GUTHRIE: The amendment I have read covers that.

Mr. ARCHAMBAULT: It is not before the committee.

Mr. MACKENZIE KING: Are we to understand that the minister is prepared to endorse the amendment he has referred to?

Mr. GUTHRIE: I do not know; I want to hear it discussed.

Mr. MACKENZIE KING: I understand that my hon. friend wants to drop this motion which is before the committee.

Mr. GUTHRIE: No; I want to take the sense of the committee on it; I did not ask to drop it.

Mr. MACKENZIE KING: Let me understand what the minister wishes.

Mr. GUTHRIE: I do not wish anything; I want the matter to proceed. There is an amendment before the Chair, and after it is disposed of, I understand that it is proposed to move another amendment to which I have referred.

Mr. MACKENZIE KING: I think the attitude of a good many of us on this side would depend upon how far we felt the minister was disposed to go towards overcoming this obvious injustice of requiring a number of British subjects to get a certificate before being entitled to vote, and to do so under conditions which make it absolutely impossible for them to obtain that certificate. The amendment my hon. friend from North Waterloo (Mr. Euler) has moved, aims at remedying that injustice. The minister has just stated that he understands an amendment will be presented a little later on that goes the length of suggesting that men and women entitled to vote at the last election—that is to say, those who belong to the class naturalized by operation of law—should have the right to vote at any subsequent election. I am sure the minister would not wish to perpetuate discriminations that were created by the War Time Elections Act. There may be something to be said for the amendment he has just referred to, but there is certainly this to be said against it, that it is perpetuating discriminations created by the War Time Elections Act, and it helps to establish a privileged group

[Mr. Archambault.]

of citizens, both men and women, created under a measure which it was distinctly stated had reference to the war alone, and which was repealed by Parliament after the close of the war. I can hardly think that it will make for better citizenship if we keep alive an injustice such as that measure created. I put this suggestion to the minister, because we are all anxious to come to some arrangement that will overcome this injustice: Would he be prepared to consider with equal favour the suggestion that men and women, naturalized by operation of law prior to the war, should be entitled to vote without having to obtain a certificate where it may be impossible for them to do so?

Mr. GUTHRIE: I considered that matter at the last session, and after giving careful study I intimated that I personally and the Government as well were not prepared to accept it.

Mr. MACKENZIE KING: For what reason?

Mr. GUTHRIE: It is too broad; it is much too sweeping.

Mr. MACKENZIE KING: Much too sweeping in what way?

Mr. GUTHRIE: In my judgment it is much too sweeping in its application. The suggestion I made—and I see my hon. friend has tried to lug in the War Time Elections Act with it—was pretty broad itself. What I have heard urged time and again by the hon. member for North Waterloo, and what he always specifies, are cases of men who fought for Canada, who had votes at the last election, and who cannot vote now. Those are glaring cases, and if no amendment is moved in respect thereto, perhaps I will move one myself to remedy that situation.

Mr. MACLEAN (Halifax): Is not that a perpetuation of the War Time Elections Act?

Mr. GUTHRIE: No.

Mr. MACLEAN (Halifax): It is a deliberate and specific continuation of the War Time Elections Act.

Mr. GUTHRIE: Not as I would frame it.

Mr. MACLEAN (Halifax): It is a qualification based on war service.

Mr. GUTHRIE: No; it is based on this principle, that any minor child who came to Canada is legally a British subject on the naturalization of his parent. Under section 29 that minor child has to get a

certificate. I would remove that disqualification in respect of that minor child without reference to the war at all, but in its operation it would cure the cases which my hon. friend from North Waterloo cites, of boys who went to the war and voted at the last election and who cannot vote now without a certificate.

Mr. EULER: Is not the very reason why you will remove it the fact that he was in the war? If so, that perpetuates the War Time Elections Act.

Mr. GUTHRIE: I am not removing it because he was in the war, because it would be removed from tens and hundreds of thousands of others who were not in the war.

Mr. CRERAR: What about the child's mother?

Mr. GUTHRIE: The other suggestion I made was that if the mother hitherto had the right to vote at a general election, I saw no objection to removing the disqualification in respect of her. In its application it might mean that only those women who voted at the last general election would be entitled to vote under the proposal I have just made. However, I am not going to insist on the suggestion. If my hon. friends think it is objectionable, as perpetuating the War Time Elections Act, let us do away with it.

Mr. MACKENZIE KING: I might ask my hon. friend whether any women had the right to vote at the last election apart from the War Time Elections Act?

Mr. GUTHRIE: No.

Mr. MACKENZIE KING: Well, is not this perpetuating that Act?

Mr. GUTHRIE: Well, let us drop that part of it.

Mr. MACKENZIE KING: It is not to the credit of the Government to attempt to perpetuate the War Time Elections Act as they are seeking to do. Here is a case where there are hundreds, yes thousands, of women, British subjects, who have the right to vote given them by law, but who are required to do something which it is impossible for them to do before they can exercise that right. There is no justice in legislation of that kind. All that we ask is that the Government remove from certain classes of people an obstruction which it has set up with the deliberate purpose of depriving them of the right to vote. When you have a constituency in which there are only one or two judges

holding court on one or two days in one or two months of the year, to oblige thousands of individuals to go before them to get certificates before they are entitled to vote is deliberately to disfranchise and that is the injustice which we complain of and which is complained of throughout the whole Dominion. To try to remedy that situation by introducing the War Time Elections Act and perpetuating discriminations created thereby is to make confusion worse confounded and to add insult to injury.

Mr. McGIBBON (Muskoka): Where was the insult and where was the injury.

The CHAIRMAN: Is the committee ready for the question?

Mr. CRERAR: No, Mr. Chairman, I would like to ask the minister who is in charge of this Bill a question. It is quite within the power of an enumerator in a rural district, or of a registrar in an incorporated town or city, to place on the list a person who is disqualified under clause 2 of section 29. Well, take the case of a rural enumerator. Here is a woman, the wife of a foreign-born resident who has since become naturalized and is a British subject entitled to vote. The enumerator places this woman's name on the list. It may be that he thinks the woman in question will vote the candidate he favours. When the woman's name is on the list has she the right to vote?

Mr. GUTHRIE: No, she is just in the same position as anybody else who is on the list. When she comes for her ballot and takes the oath I suppose they will not stop her from voting, but if she does, she renders herself liable to prosecution.

Mr. CRERAR: What oath will she take?

Mr. GUTHRIE: That question was very much discussed in the Privileges and Elections Committee. The oath which is now in the Bill was framed by the Chief Electoral Officer and he said it covered all disqualifications. The first clause requires that she shall not belong to one of the disqualified classes. If she swears to that and does belong to one she will get into trouble.

Mr. CRERAR: Under the amending Bill what are the disqualified classes?

Mr. GUTHRIE: I am not going to discuss this because I gave my hon. friend from Qu'Appelle an intimation a few moments ago that if there was anything wrong with the oaths in the forms I would very much prefer to have a conference with

the Chief Electoral Officer to which anybody who likes can come. These forms at first were badly framed, but they have been very carefully revised. Mr. Alexander Smith of Ottawa, I think, was at the conference when this oath was prepared. He was at the meeting and suggested that it should be changed, but I would not like to undertake any changes in the forms themselves unless Colonel Biggar, the Chief Electoral Officer, was present. If hon. gentlemen think there are any defects in them I would be very glad if they would point them out.

Mr. MACLEAN (Halifax): My hon. friend would save himself and the country a great deal of trouble by accepting the amendment of the hon. member for North Waterloo. I was always against the War Time Elections Act. I spoke against it when it was introduced, owing to the way in which it was enacted, and I have never varied my opinion since. I say this is merely a continuation of it, and I should be heartily ashamed to support the retention of that principle in the Act. I say that the Government, in the interests of the country and of fair play and justice, should accept the amendment of the hon. member for North Waterloo.

Mr. McGIBBON (Muskoka): What principle in that Act would my hon. friend be ashamed of?

Mr. MACLEAN (Halifax): I would be ashamed of accepting the principle in the Act as it now stands.

Mr. McGIBBON (Muskoka): Answer my question. You made the statement and you should be prepared to explain it.

Mr. MACLEAN (Halifax): The discrimination against certain classes of Canadian citizens, that is all.

The CHAIRMAN: Is the committee ready for the question?

Mr. CRERAR: The minister intimated a moment ago, if I understood him aright, that he would be prepared to have a reconsideration of the oaths submitted in the case of such a person as I mentioned a moment ago. Might I suggest to my hon. friend that he should let the matter stand until such a conference could take place and have the thing cleared up?

Mr. GUTHRIE: No, not on the question of forms. The Chairman has ruled that the forms were passed the first night this Bill was before the House; but if any-

[Mr. Guthrie.]

body has any suggestion to offer, particularly in regard to defective forms, I would be very glad if he would let me know and I will arrange an interview. I am pretty well satisfied the forms now are as perfect as human ingenuity could make them. I am not expert enough on these questions to be able to say, but the forms have been already adopted by this committee.

The CHAIRMAN: It was so ruled.

Mr. CRERAR: There is no doubt, Mr. Chairman, that the forms may be defective, and it is exceedingly kind of my hon. friend to arrange an interview after the legislation is passed and we will have no opportunity of making any change whatever. That does not get us anywhere, that is simply trifling with the question if my hon. friend will permit me to say so. We want to settle this matter right off, if it is possible to do so, and get it right. This legislation does contain a grave discrimination, I have no hesitation in saying to the committee that it is un-British legislation absolutely, and as a Canadian I am ashamed to see it on the statute books of Canada. If it is possible to clear this matter up let us get it cleared up; but when my hon. friend says we can have a conference, what use will that be after the legislation is through? I submit that the Government should accept the amendment offered by my hon. friend from North Waterloo.

Mr. GUTHRIE: That is not on the question of forms.

Mr. CRERAR: I know it is not on the question of forms. I am not discussing the question of forms at the present moment, I am discussing the principle of this legislation. It is discriminatory legislation and it is not fair. My hon. friend suggests that he might possibly consider an amendment by my hon. friend from Selkirk if he sees fit to move an amendment, but I submit the whole course of the Government in this matter has been un-British.

Mr. McGIBBON (Muskoka): Of course, Mr. Chairman, we all realize that when the hon. member for Marquette has spoken the last word has been said and there is nothing left to do but sing the Doxology and go home. But I submit, Mr. Chairman, that my hon. friend has to produce better evidence than he has done that this legislation is un-British. I submit that he has no right to make such a statement without proving it.

Mr. ARCHAMBAULT: Is my hon. friend rising to a point of order?

Mr. CRERAR: I decline to be lectured in political morality by my hon. friend. I will say more for the benefit of my hon. friend from Muskoka. If any legislation of this kind—

Mr. GUTHRIE: Order. Who has the floor?

Mr. CRERAR: My hon. friend from Muskoka sat down.

Mr. McGIBBON (Muskoka): Let him go on.

Mr. CRERAR: The minister should not get excited over this matter?

Mr. GUTHRIE: I am not excited.

Mr. CRERAR: I submit, Mr. Chairman, that if legislation of this character was introduced by a responsible member in the British House of Commons he would be driven from public life. That is one reason why it is discriminatory legislation.

Mr. McGIBBON (Muskoka): What is your authority for this statement?

Mr. CRERAR: My authority for the statement is that every British subject heretofore has had the right to vote. Under this legislation as it stands now that right is taken away from him. Not only is it taken away from him, but it is taken away from British subjects who have gone overseas to fight. Indeed I know of cases of the kind. They were mentioned when the matter was under discussion here before in the case of a man—

An hon. MEMBER: Louder.

Mr. CRERAR: Very well, I will speak louder. Some of my friends opposite have defective hearing apparently, and I do not wonder at it when they are considering this legislation.

Mr. EDWARDS: Do not get excited.

Mr. CRERAR: Take the case of an Icelander who came to this country forty years ago. He brought with him infant children. He qualified as a British subject and he has exercised the franchise for years. His male children when they reached the age of twenty-one years also exercised the franchise. Those children enlisted, went overseas and fought in the war under the Canadian flag. They voted when they were overseas. Now they have come back here and under this legislation they must go to a judge and get a certificate before they can vote. I put it to my hon. friend from Muskoka if that is British legislation. I ask him the question. Why, Sir, the thing

is absurd. I hope the minister who is considering this legislation will accept the amendment of my hon. friend from North Waterloo. It is a reasonable amendment that will commend itself to the judgment of the people of the Dominion, and will at least remove the disgrace that attaches to this legislation now whereby men who went overseas and fought for Canada are put to the humiliation of going before a judge to get a certificate to enable them to exercise their rights of citizenship. The whole question is one that does not reflect any credit on the Government.

Mr. JOHNSTON: The hon. member for Saltcoats and also the hon. member for Qu'Appelle pointed out to the minister and to the committee the great hardship and difficulty it was for these people to get certificates. When this matter was before the House some time ago the minister stated that if these people thought anything of the franchise they would see to it that they got a certificate. I might say to the minister and to the Committee that we will know in the case of compiling voters' lists in the cities that although notices are posted at every street corner residents have almost to be driven to personally register. In the case of these people I pointed out last year that many of them would have to travel miles and would have to remain from home over night at considerable expense in order to get this certificate. I have in my hand a clipping from a Western paper about this matter. It is headed:

Many Foreign Women Unable to Cast Votes Reside Too Far From Judicial Center to Secure Certificate From Judge

A very considerable number of women of foreign birth in Saskatchewan, who are legally entitled to vote on the prohibition referendum on Monday will be unable to exercise the franchise on account of the restrictions prescribed under the Dominion Elections Act of 1920, according to Rev. Hug Dobson.

I would not ask the hon. member to pay much attention to my word, but probably he will think the word of a reverend gentleman is worthy of notice.

Mr. McMASTER: Was he a Presbyterian?

Mr. JOHNSTON: This clipping continues:

Mr. Dobson referred to women of foreign birth who are wives of British subjects by birth or naturalization or wives of men born on the North American continent.

"Such woman," said Mr. Dobson yesterday, "who were disfranchised under the War Time Elections Act are now permitted to vote under the amending act but before doing so they are required to secure a certificate from a judge.

There are large numbers of these women who reside anywhere from 50 to 300 or 400 miles from a judicial center and they have little opportunity of securing the required certificate.

I was very conservative, Mr. Chairman, when I brought this matter to the attention of the minister last year and told him that in my constituency there were sections from which women would have to travel fifty or sixty miles.

"The act," continued Mr. Dobson, "does not provide for the judge to go out into these districts for the purpose of giving certificates, and so far as I am aware, there is only one judge in the province who has done so.

"In other words," said Mr. Dobson, "while the new act ostensibly repairs the disfranchisement clauses of the War Time Elections Act, in actual practise it does not do so in very many cases."

That is the impartial opinion of men who was brought in close contact with the working of this Act.

Another matter brought to the attention of the minister to-night by the hon. member for Qu'Appelle was the questions to be asked by the judge of applicants for this certificate. I think it is fair to say that no two judges would ask the same questions. What do these applicants know about the matter before going to the judge? Are they to take their naturalization certificates or their marriage certificates, or what do they require? It is only fair that these people should know what is required of them before they start out on their journey to the judge.

I think it has been pointed out on many occasions that some people seem to be labouring under the misapprehension that those who are protesting against this legislation are seeking something for foreigners. This is not the case. These people are British subjects, and this legislation is discriminating against them. The hon. member for Macdonald asked if these people who have become British subjects by operation of law should not do something in a personal way to show they were worthy of naturalization. If that principle is to be accepted, Mr. Chairman, should it not also apply to all others of that class? But it does not so apply. I think the hon. member for Marquette did not speak too strongly in expressing his objection to this legislation. Under the War Time Elections Act the people knew exactly what it meant; under this they do not; and I think the Government should accept the amendment offered by the hon. member for North Waterloo.

Amendment (Mr. Euler) negatived on division: yeas, 46; nays, 72.

[Mr. Johnston.]

Mr. HAY: If I am now in order, Mr. Chairman, I should like to move an amendment to section 29 of the Elections Act. I did not support the amendment of the hon. member for North Waterloo because I thought it was a little too sweeping in character. I see no reason why women who were minors when their parents became naturalized or were not naturalized through marriage should object to establishing their right to be placed on the voter's list by applying to a judge and obtaining a certificate to the effect that they are qualified to appear on the list. That is one reason why I did not vote for the amendment. With reference to the present provision of the Bill I believe that if it is allowed to remain it will prove to be a great hardship to a large number of people in Western Canada, especially in the older districts. In the towns and villages it might not work any great hardship, but in the outlying districts, particularly in the western provinces, it certainly would work great hardships. The settlements in the West are scattered over a large area. Courts are held at very few points, perhaps in an electoral division and a man or a woman would have to

1 a.m. travel a great distance in order to establish the right to be placed on the list. It would mean not only a great loss of time but a financial loss as well, and the pioneer settlers on the western prairies are not, as a rule, very well fixed financially. That is one reason why I object to the Bill as it stands. It should be the aim of the Government to make it as easy as possible for men and women who are qualified to have their names put on the voter's list, and under this Bill as drafted it will be difficult for them to do that. Now, I do not agree with all the arguments advanced by the mover of the amendment which has just been voted down. He said that the passing of the Bill in its present form would place a stigma on women and would be the means of keeping them from appearing before a judge. We must remember that at present women have to appear before the officers charged with the duty of preparing the lists in order to establish the right to have their names placed thereon. Now, it is not my intention to deal with this matter at any length. I wish to move an amendment, as follows:

Section 29 of the said Act is amended by adding at the end of subsection 2 thereof the following:

Provided also that the provisions of this subsection shall not apply to persons who originally

came to Canada as minor children of parents who have subsequently become British subjects by naturalization, nor to women who became British subjects in consequence of marriage and who voted or were entitled to vote at the general election held in the year 1917.

That amendment, if accepted by the Government, will, I think, largely meet the demands made by hon. gentlemen opposite and will do justice to those who come under its operation.

Mr. GUTHRIE: I think that if the committee is to adopt the amendment it should be adopted as section 2A. Then I suggest a little change in the wording. I would make the last clause read as follows:

Nor to women who became British subjects in consequence of marriage and who have hitherto voted or have been entitled to vote at an election for the House of Commons.

It simply leaves out the reference to the 1917 election. Will that suit the hon. member for Selkirk?

Mr. HAY: That is satisfactory.

Mr. CAMPBELL: Why put in the words "who have hitherto voted"? The words "entitled to vote" cover the whole thing.

Mr. GUTHRIE: I was not sure whether in the by-election held in Saskatchewan women had votes. I have so worded it that any woman who either voted or was entitled to vote at any election for the House of Commons should not be required to get a certificate.

Mr. THOMSON (Qu'Appelle): Then a woman who voted improperly may be able to vote again?

Mr. GUTHRIE: I do not suppose there will be many of that class.

Mr. THOMSON (Qu'Appelle): Well, if there are any at all they should not come in under this provision. In any case, the words "hitherto voted" are surplusage.

Mr. GUTHRIE: Well, we will make it read: "who have hitherto been entitled to vote."

The CHAIRMAN: The amendment as corrected by the hon. Acting Solicitor General reads as follows:

Section 29 of the said Act is amended by adding at the end of subsection 2 thereof the following words:

Provided also that the provisions of this subsection shall not apply to persons who originally came to Canada as minor children of parents who have subsequently become British subjects by naturalization, nor to women who became British subjects in consequence of marriage and who have hitherto been entitled to vote at an election for the House of Commons.

Mr. EULER: I am reminded to-night somewhat of the situation last year when the Government was kind enough, if I may put it in that way, to yield a part of what we then desired. To-night, they have given a little more, and, perhaps, next year they will give us the whole of it. I want to give the minister and the Government fair warning now that if I am fortunate or unfortunate enough to be here next year if the thing is not settled right now, I am going to move again an amendment along the lines of my amendment of this year.

Mr. CALDWELL: In case of an acclamation in 1917 where no lists were prepared, no names were put on the lists, how would this work out?

Mr. GUTHRIE: As long as these people were entitled to vote, no lists are necessary.

Mr. CALDWELL: In case of those women who have to secure a certificate in order to vote, do they have to secure a certificate at every election, or does the one certificate entitle them to vote forever afterwards.

Mr. GUTHRIE: I think one certificate would entitle them to vote forever afterwards.

Mr. McKENZIE: Why should the Government differentiate between children born in Canada and children who came to Canada very young? If you are going to allow children of foreigners who have become naturalized to get the benefit of the naturalization of their parents, why should you make any difference because they were born before they came to Canada? Are they not entitled to the same rights as if they were born in Canada? As I understand this amendment, it covers only children who came to Canada as minors. Why should not the same rights be given to children born in Canada of foreign parents?

Mr. GUTHRIE: They are British subjects if they are born in this country.

Mr. McKENZIE: If the naturalization of the mother is not recognized, how does her child become naturalized?

Mr. GUTHRIE: By our Naturalization Act, children born in Canada are British subjects, but children coming as minors to Canada—

Mr. McKENZIE: In the Act itself in one breath you say that this woman is a British subject but you immediately turn around and say that she is not entitled to vote.

Mr. GUTHRIE: I thought my hon. friend was talking about the children.

Mr. McKENZIE: I was talking about the children. I am talking about the children now. I look upon it is a foul blot upon our humanity and upon our statutes that we have a law which solemn, wise men enact in this Parliament to say that children born in Canada of a woman who is a British subject, are entitled to vote because they are born of that mother in Canada, but that the woman herself is not permitted to vote. I see that the Minister of Justice (Mr. Doherty) is getting a lot of fun and amusement out of my remarks. He is entitled to all the fun that he can get out of them. He is the last man in this country that I would expect to stand up for tyranny of this kind. It is nothing but tyranny; it is nothing but discrimination of the foulest kind; it is nothing but an exhibition of fear or cowardice, for fear that those people, if they are given the right, will exercise that right to blot this Government out of existence. That is why the Minister of Justice is, with glee, supporting this amendment, or having the law remain as it is. Were it not for that fear, were it not for that cowardice, every member of the Government would wipe this off the slate and give us a clean sheet and a clean law such as we ought to have. The Minister of Militia or the Acting Solicitor General (Mr. Guthrie) is such a learned, correct, delightfully comprehensive man, that he will not allow an ordinary member of the House to say a word without immediately taking him to task. I must tell the hon. gentleman that whenever I have anything to say which, I think, is in the interest of the people, of democracy, of fair play, of citizenship in this country, I will say it in my own blunt, Scotch way, regardless of the frowns or threatenings of the hon. gentleman. His frowns and threats are on that side of the House today; and let me tell the Prime Minister (Mr. Meighen) that when things change and the fates and emoluments are on our side of the House, he will see that he can play marbles on his coat-tails getting back. I see that the Government has been yielding a little each time that this matter comes up. We are almost clear of this thing altogether. This does not apply to women who were entitled to vote at the last election. Children who came here as infants, small children, are now clear of it. Is it worth while for us to have it apply to the remnant? It is not worth while; it is so cut down; it has been so chipped off from time to time that it will be better

[Mr. McKenzie.]

to dispose of it altogether, and I hope that the minister will do so.

Mr. EULER: I was merely going to point out that the only person left in the family is the poor old mother or wife. All the rest can qualify; they need not apply for a certificate. Will the Solicitor General kindly tell me what is meant by the words "personally naturalized" which appear in the certificate? Do they mean what I think they mean, that the expression "personally naturalized" refers to the power of a person to go personally before a judge and obtain, not a voting certificate, but a naturalization certificate?

Mr. GUTHRIE: My idea of that is that she would have all the qualifications that are required under the Naturalization Act of a person who goes personally before a judge to make application. But as my hon. friend pointed out this evening, a married woman is not entitled to apply for naturalization. If she fulfills the requirements of the Act, she gets a certificate to that effect, and that is the meaning of the expression "personally naturalized" in the certificate.

Mr. EULER: I am not a lawyer, and, perhaps, my impression is not well founded; but after all the certificate says that the person who applies for it must be qualified and would be entitled at the date of the issue of this certificate to be personally naturalized in Canada. She must be capable of obtaining that naturalization certificate, I would judge.

Mr. GUTHRIE: Were it not for the marriage disqualification.

Mr. EULER: There is no power for a married woman to obtain naturalization. Is it not possible then that when she applies before the judge, he will say to her: "There is nothing in the law that enables you to obtain personal naturalization. Therefore, I cannot give you a certificate." Is there any point in that?

Mr. GUTHRIE: Is not that the point we threshed out last year? I know we amended that provision last year at the request of my hon. friend.

Mr. EULER: But after that, we passed a new naturalization Act, and that clause was dropped out. I think it means that the woman who applies must have the qualifications necessary under the Naturalization Act. In that Naturalization Act there is no provision for the naturalized married woman at all.

Mr. GUTHRIE: That is the reason she has to apply for a certificate. If she could get a naturalization certificate she would not want this.

Mr. THOMSON (Qu'Appelle): I did not hear what the minister said in reply to my hon. friend from North Waterloo, but it seems to me—it did not strike me before—that it is quite impossible for that naturalization certificate to be granted by the judge. I do not know whether it is necessary to bring it to the minister's attention but it seems to me that these women cannot obtain certificates of naturalization, and therefore if the judge is strict he is not entitled to grant a voting certificate. If I am right in my understanding of the Act, none of these women can possibly get personal naturalization. Therefore, it seems to me there is no one who will fill the bill here. The certificate under section 29 of the Dominion Elections Act of 1920 reads:

I am satisfied that A B . . . is a person naturalized as a British subject by operation of law, who, but for such naturalization or for any disability contained in the Naturalization Act, 1920, is qualified and would be entitled at the date of the issue of this certificate to be personally naturalized in Canada.

Am I not right in interpreting that to mean that these women could not be granted that certificate?

Mr. GUTHRIE: That is not my view. I take the other view.

Amendment agreed to.

By unanimous consent, the committee returned to the consideration of section 11—hours of polling:

Mr. FRASER: A number of Canadians living in the border cities work over in the United States and in order that they may have the opportunity to vote I move to add the following to section 11, as (6) A:

(6A) Upon application to the Chief Electoral Officer by any municipality situated upon or near the international boundary line the Chief Electoral Officer may in his discretion authorize a change in the hours of polling for all polls in such municipality in order to accommodate electors who are resident in Canada but whose occupation renders it necessary for them to be absent from Canada during the ordinary polling hours.

Such application for change of polling hours must be made to the Chief Electoral Officer at least ten days before the day appointed as nomination day and the Chief Electoral Officer shall notify the Returning Officer of any change in the hours of polling authorized by him and the same shall be duly announced by the Returning Officer at the time appointed for the nomination of candidates.

Mr. MACLEAN (Halifax): Is there any definitions of "municipality" in this Act? Is there any way further of compelling a municipality to make this request? Does it ensure any of the rights of a possible elector?

Mr. GUTHRIE: It just gives the municipality the right to ask the Chief Electoral Officer to change the hours of polling in the border cities situated at or near the international boundary line. The chief Electoral Officer has absolute discretion whether to grant or refuse the request, and also as to the hours that shall be fixed. There are just three cities that are interested in the matter, I think, and they have all made the request. They are Niagara Falls, Windsor and Sarnia.

Mr. CAHILL: What about Sault Ste. Marie?

Mr. GUTHRIE: The conditions there are practically the same.

Amendment agreed to.

Section as amended agreed to.

On section 31—election officers, disqualification of:

Mr. GUTHRIE: Colonel Biggar has drawn to my attention a defect that I think should be cured. It involves the first part of section 31 of the Elections Act.

The section provides:

The following persons shall be disqualified and incompetent to vote at an election for the electoral district for which, or for a portion of which they hold their offices or positions:—

(a) Returning officers and election clerks, but not deputy returning officers, registrars, poll clerks or constables, whether appointed by the returning officer or by a deputy returning officer, employed in connection with the election;

(b) Any person who, at any time, either before or during the election, has been or is employed by any other person to act at the same election or in reference thereto as counsel, attorney, solicitor, agent or clerk, or agent at any polling station at such election, or in any other capacity, and who has received, or expects to receive, either before, during, or after the said election, from any person, for acting in any such capacity, any sum of money, fee, office, place or employment, or any promise, pledge or security for any sum of money, fee, office, place or employment.

The Chief Electoral Officer points out that it is possible, if the real effect of the provisions of the present section 31 became widely known, that difficulty might be met in securing the services of election officers, and that it might be advisable to repeal the section and substitute the following amendment, which I beg to move:

"2B. Section 31 of the said Act is repealed and the following substituted therefor:—

31. Subject to the exceptions hereinafter contained, every person employed by any person for pay or reward in reference to an election in any electoral district shall be disqualified from voting and incompetent to vote in such electoral district at such election.

(2) This section shall not extend to disqualify or render incompetent to vote the following persons (provided that such persons are otherwise qualified to vote and not disqualified from voting) namely,—

(a) The returning officer in case of there being an equality of votes on the final addition of the votes or on a recount as hereinafter provided.

(b) Any person employed under the authority of this Act as registrar, revising officer, deputy returning officer, poll clerk, messenger, interpreter or constable.

(c) Any person, except the election clerk necessarily and properly employed by the returning officer for the conduct of the election.

(d) Any person employed as clerk to a revising officer.

(e) any person necessarily and properly employed by a registrar or revising officer in preparing copies of lists of voters authorized by this Act to be prepared.

(f) Any person necessarily employed by any election officer for his conveyance while travelling on duties relating to the election.

Mr. McKENZIE: This amendment might disqualify a man who was hired to drive a candidate. I might go into a district and hire a man to drive me in his automobile, which would be a proper thing to do, and that man would be disqualified.

Mr. GUTHRIE: No, the amendment is to overcome that objection. The chief objection to the clause as it appears in the Act is that there are so many necessary people in the work of an election that if the provisions of section 31 were to be enforced, it would be doubtful whether you could get the needed assistance.

Mr. BUREAU: The amendment now proposed reads:

Every person employed by any person for pay, etc.

If I hire a chaffeur to drive me around he would be disqualified under that amendment.

Mr. GUTHRIE: The Chief Electoral Officer thought that the language in last year's section was too broad and he has submitted the clause I have just read. I do not think it goes as far as subsection (b) of last year's Act. Everyone who is lawfully doing election work should be entitled to vote, but would be disqualified as the Act now stands.

Mr. BUREAU: It seems to me that if I hired a man to put up a poster for me that man would be disqualified.

[Mr. Guthrie.]

Mr. GUTHRIE: He would be under the law as it stands, and I understand that the amendment seeks to obviate that difficulty.

Mr. LEMIEUX: If a candidate retained the services of counsel to supervise the lists, that person would be disqualified.

Mr. GUTHRIE: The section as I have read it has been the law for a long time and no one has ever taken advantage of it. That was section 68 in the old Act, and my attention was drawn to it by the Chief Electoral Officer. He mentioned that he would prepare a section more definite and more reasonable, and that is the section he sent me in a letter a couple of days ago.

The CHAIRMAN: Shall the new clause carry?

Section agreed to.

The CHAIRMAN: Shall the title carry?

Mr. LAPOINTE: There is a schedule containing forms which we have passed without scrutinizing them very much and I wish, with the permission of the committee, to have a change made in form 20 which deals with the nomination papers. The law requires that the nomination paper shall be accompanied by a statement of a candidate giving his consent to the nomination, and then giving his address for the serving of any notice under the Dominion Controverted Elections Act or otherwise. Form 20 in the Act passed last year had this statement:

Nomination Paper etc.

I, the said \_\_\_\_\_, nominated in the foregoing nomination paper, hereby consent to such nomination, and name as my address for the serving of process and papers under this Act and under the Dominion Controverted Elections Act (here insert address).

Now that is omitted from this Bill. This is a statement which is very important. If the nomination paper is presented, without the candidate's consent and the giving of the address, the nomination paper will either be set aside or the election voided. This omission, therefore, may conduce to dangerous mistakes. I do not see why this statement contained in form 20 of last year's Act is not inserted in the new form.

Mr. GUTHRIE: I have mislaid the letter of the Chief Electoral Officer on this point. It was brought to my attention by the chairman of our committee some days ago, and I referred the matter to the Chief Electoral Officer. He wrote me saying that he had omitted it after consideration. He said it should not be in the Act, but he also said incidentally in his letter that as a matter

of fact it was printed on the nomination papers forwarded in connection with the elections. I have not his letter before me now.

Mr. McMASTER: Where should this consent be?

Mr. GUTHRIE: I do not know that any form is necessary under the statute. The section of the Act which applies is section 40 which requires the consent of the candidate:

No nomination paper shall be valid or acted upon by the returning officer unless it is accompanied by,—

(a) the consent in writing of the person therein nominated, except where such person is absent from the electoral district in which the election is to be held, when such absence shall be stated in the nomination paper.

There is nothing in the Act to say there shall be a form.

Mr. PROULX: This form does not contain the consent?

Mr. GUTHRIE: No.

Mr. PROULX: The form in the last Act did contain the consent.

Mr. GUTHRIE: Well, that is the point I raised with the Chief Electoral Officer and he said, as a matter of fact there should not be a consent in the form. He gave a very positive opinion about it.

Mr. BUREAU: Why not?

Mr. GUTHRIE: The reason, I believe, is that the Act does not require any particular form.

Mr. LAPOINTE: The law requires the consent.

Mr. GUTHRIE: Yes, it does, the consent in writing, but it does not say you can only do it in one form.

Mr. LAPOINTE: Why not do as I suggest? Where is the harm?

Mr. GUTHRIE: I have no objection to putting it in, but I like to be guided in these things by the man who has made a study of the Act and he expressly stated, "I deliberately left it out and it should not be in."

Mr. LAPOINTE: Of course the forms sent out by the Chief Electoral Officer will contain such a statement, but people are not bound to use those forms; they may use forms prepared by themselves.

Mr. GUTHRIE: I do not think the Chief Electoral Officer sends out any nomination papers, does he?

Mr. LAPOINTE: Then it is all the more necessary that the form which goes with the Act should contain this statement to prevent mistakes.

Mr. BUREAU: The Act requires that no nomination paper shall be valid unless it is accompanied by the consent in writing of the person nominated therein. In order to avoid confusion it might perhaps be better to leave out the form entirely, and let the candidate be guided by the section in the law.

Mr. GUTHRIE: That is just what I say. That is the reason Colonel Biggar has not put in the form. He says it is not required by the Act and no particular form is necessary for that consent.

Mr. PROULX: I submit that a man should send in his consent in the form required by the Act.

Mr. GUTHRIE: All it says is that the consent in writing must be obtained of the person nominated.

Mr. McMASTER: Then I understand this consent does not have to appear on the nomination paper, it may be in a letter handed in to the returning officer?

Mr. GUTHRIE: The sections says the nomination paper has to be accompanied by "the consent in writing of the person therein nominated". In practice I know the forms that have always been distributed by the various political parties I have had any thing to do with have always had endorsed on them "I hereby consent to the nomination". The consent accompanies the nomination paper, that is all the Act requires.

Mr. McMASTER: Would it not be well, in order to make for ease and correctness in procedure, to have the acceptance endorsed on the form of nomination?

Mr. THOMPSON (Qu'Appelle): The minister has been good enough to suggest that he would consider forms in conjunction with the Chief Electoral Officer. So long as that is done before the Bill is finally passed I suppose these forms could be altered if the minister found it necessary.

Mr. GUTHRIE: If the Bill is through committee we can on the third reading get the Chief Electoral Officer up here. I do not like to make any change without his positive instructions. We went over the matter and he said that to have this form was improper. The reason he gave, if

I remember right, is that there must be a nomination in the form provided in section 40 of the Act. As I have already stated, paragraph 8 of section 40 provides that the nomination shall be accompanied by the consent in writing of the person nominated.

Mr. McMASTER: There might surely be a form such as "I hereby accept this nomination" or words to that effect. That might be endorsed.

Mr. GUTHRIE: That might mislead somebody. That person might not be present, but he would have the privilege of sending a letter. I do not think we should change the language of the Act.

Mr. LAPOINTE: It has always been the form. Why make the change when everybody seems to agree that there is danger in making the change?

Mr. GUTHRIE: I do not know that the Act was always in the same form as it is now.

Mr. LAPOINTE: I have great respect for the opinion of the Chief Electoral Officer, but the members of the House must have some rights. I think it is the general consensus of opinion that this form should be amended.

Mr. GUTHRIE: I move that you report the Bill, Mr. Chairman.

Mr. LAPOINTE: Is not that a reasonable suggestion? Really my hon. friend should accept that. We are not unreasonable in asking it.

Mr. GUTHRIE: I would have no hesitation in accepting it had not the point been specifically brought to my attention, and had I not specially applied for a ruling, which ruling was what I have given. It would look rather odd if in spite of that I should do what the Chief Electoral Officer says should not be done.

Mr. BUREAU: But the opinion of hon. members should be regarded.

Mr. GUTHRIE: It is improper to put in a form where the statute does not say there shall be one. I am satisfied that on the strict language of the statute the Chief Electoral Officer is right. It might be a convenience to adopt the suggestion of my hon. friend for Quebec East, but I hesitate very much after the positive opinion I received that it should not be done.

Mr. BUREAU: That refusal ought to be based on some reason other than the opinion of the Chief Electoral Officer. We

[Mr. Guthrie.]

know that in the country they are guided by these forms. While I have, like my hon. friend from Quebec East, every respect for the opinion of the Chief Electoral Officer, surely members of the House are the judges in the last resort, and unless good reasons are shown I do not see why we should not add this form.

Mr. GUTHRIE: The reasons he gave me satisfied my judgment that his ruling is correct on the language of the statute. I am going to point this out to my hon. friend, and he knows it as well as I do, that in practice these nomination papers come from the respective political parties all ready to be filled in; the Government does not supply these forms.

Mr. BUREAU: Even so, the forms should be copied from the statute.

Mr. GUTHRIE: When my hon. friend is getting out the nomination form that statement is printed on it, but that does not deprive him of the liberty of putting in a letter too.

Mr. LAPOINTE: The returning officer in every constituency has always had the form supplied to him, formerly by the Clerk of the Crown in Chancery and now by the Chief Electoral Officer. I happened to be present in Yamaska when the nominations were filled in, and I myself filled in the nomination paper of the candidate who was elected by 1,700 majority. That form was given to him by the returning officer, to whom it had been sent by the Chief Electoral Officer.

Mr. GUTHRIE: Had it the consent endorsed on it?

Mr. LAPOINTE: Yes, the statement was on that form.

Mr. GUTHRIE: Because it was in the former Act, of course.

Mr. PROULX: If the Solicitor General has any objection to putting the consent on, I would ask him to put a note on this form that this nomination paper must be accompanied by the consent in writing of the candidate.

Mr. GUTHRIE: That is in the statute.

Mr. PROULX: Sometimes the candidate does not look at the section but at the form.

Mr. BUREAU: If we are going to make a form that is to be a kind of skeleton the same as in the Bill, why not put it all in or take it all out so it will not mislead anybody? If there is no form the section will be followed.

The CHAIRMAN: I must point out to the committee that this discussion on the forms has been carried on more or less by unanimous consent owing to the fact that they were hurriedly passed at the last meeting of the committee. But the forms were voted, and no amendment could now be legally proposed to them without the unanimous consent of the committee. In the absence of such consent, it would perhaps be better to put the motion which is now before the committee: shall the title carry?

Title agreed to.

Bill reported and amendments read the first and second time and concurred in.

On motion of Mr. Guthrie that the Bill be read the third time:

Mr. EULER: I move an amendment, seconded by Mr. White:

That Bill No. 130 be not now read a third time, but be referred back to the Committee of the Whole House, with instructions to insert as Clause 22 the following:

That subsection 2 of Section 29 of the Dominion Elections Act, 1920, be and is hereby struck from the Bill in its entirety.

Mr. SPEAKER: While the amendment is quite in order, I suggest that it might better be worded "is hereby repealed" and if there is no objection I would put the motion in that form:

That subsection 2 of section 29 of the Dominion Elections Act, 1920, is hereby repealed.

The House divided on the amendment of Mr. Euler, which was negatived on the following division:

YEAS	
Messrs.	
Archambault,	Lanctôt,
Béland,	Lapointe,
Buchanan,	Léger,
Cahill,	Lemieux,
Caldwell,	Maclean (Halifax),
Campbell,	MacNutt,
Cannon,	McDermand,
Chisholm,	McKenzie,
Copp,	McMaster,
Crerar,	Molloy,
d'Anjou,	Pardee,
Delisle,	Parent,
Demers,	Pelletier,
Duff,	Proulx,
Euler,	Reid (Mackenzie),
Fafard,	Séguin,
Fournier,	Sinclair (Antigonish
Gould,	and Guysborough),
Halbert,	Sinclair
Johnston,	(Queens, P.E.I.),
Kennedy (Essex N.),	Stein,
Kennedy (Glengarry	Thomson (Qu'Appelle),
and Stormont),	Truax,
King,	White,
Knox,	Wright—48.
Lafortune,	

NAYS

Messrs.

Anderson,	Hay,
Argue,	Henders,
Ballantyne,	Lang,
Ball,	Long,
Blake,	MacKelvie,
Bolton,	McGibbon (Muskoka),
Bonnell,	McIntosh,
Bowman,	McIsaac,
Boyce,	Martin,
Brien,	Meighen,
Casselman,	Morphy,
Chaplin,	Mowat,
Charters,	Munson,
Clark (Bruce),	Myers,
Clarke (Wellington),	Redman,
Clements,	Scott,
Cooper,	Shaw,
Cowan,	Simpson,
Crowe,	Smith,
Davidson,	Steele,
Doherty,	Stevens,
Edwards,	Stewart (Hamilton),
Finley,	Thompson (Weyburn),
Fraser,	Thompson (Hastings),
Fulton,	Thompson (Yukon),
Glass,	Tolmie,
Green,	Tudhope,
Guthrie,	Tweedie,
Halladay,	Wilson
Harold,	(Saskatoon)—60.
Harrison,	

PAIRS

(The list of Pairs is furnished by the Chief Whips).

Messrs.

Middlebro,	Robb,
Kemp (Sir Edward),	Kay,
Elkin,	Lesage,
Bristol,	Jacobs,
Porter,	Gordon,
Lalor,	Marcil (Bonaventure),
Manion,	Casgrain,
McCurdy,	Pedlow,
Drayton (Sir Henry),	Bureau,
Peck,	Power,
Mackie (Edmonton),	Hunt,
Nicholson (Algoma),	McCrea,
Nesbitt,	Leduc,
Crothers,	Pacaud,
Hughes (Sir Sam),	Boivin,
Charlton,	McCoig,
Chabot,	Devlin,
Foster (Sir George),	Papineau,
Spinney,	Fielding,
Blair,	Davis,

Mr. McCOIG: I was paired with the hon. member for Norfolk (Mr. Charlton). Had I voted I would have voted for the amendment.

Mr. McCREA: I was paired with the hon. member for Algoma (Mr. Nicholson). Had I voted I would have voted for the amendment.

Mr. BUREAU: I was paired with the hon. Minister of Finance (Sir Henry Drayton). Had I voted I would have voted for the amendment.

Mr. KAY: I was paired with the hon. member for East Toronto (Sir Edward Kemp.) Had I voted I would have voted for the amendment.

Mr. MACKIE (Edmonton): I was paired with the hon. member for Compton (Mr. Hunt). Had I voted I would have voted for the motion of the Acting Solicitor General.

Mr. ROBB: I was paired with the hon. member for North Grey (Mr. Middleton). Had I voted I would have voted for the amendment.

Mr. SPEAKER: I declare the amendment lost. The question is on the main motion.

Mr. ERNEST LAPOINTE (Quebec East): Mr. Speaker, I am sorry to have to take up the time of the House at this hour, but it will only be for a minute or two. This Act is in the nature of an experiment, and it is only through its being worked out at elections that we can see its merits and demerits. Section 3 of the Bill provides that judges of the respective judicial districts shall be revising officers, and subsection (b) provides that judges may appoint substitutes to revise the lists, such substitutes, with respect to the lists, "to exercise all the powers and perform all the duties of such judge," I must say that this subsection may lead to grave abuses. There has been an election quite recently in the province from which I come. The judge happened to be sitting for the judicial district in which the constituency was situated and he appointed a certain gentleman as revising officer. Now, I do not say anything against him. I know him very well; he was a colleague of mine in this House, and was a member of this Government after 1911. He was a candidate at the last elections, in 1917; he was the mover of the resolution which nominated one of the candidates at a convention of his party. He took an active part in the recent by-election, spoke at different meetings, and when not speaking disturbed order at the meetings. I say that this is a grave abuse and that judges and judges only should sit as revising officers and be the final judges of the lists to be used at an election. Surely such an abuse will not inspire any confidence on the part of the electors in this law. I thought I should call the attention of the Government to this section, and if it is still possible to repeal

[Mr. Bureau.]

subsection (b) and allow judges and judges only to revise the lists, that should be done.

Main motion (Mr. Guthrie) carried on division, and Bill read the third time and passed.

The House adjourned at 2.17 am Wednesday.

Wednesday, June 1, 1921.

The House met at Two o'clock.

#### JUDGES ACT AMENDMENT

Right Hon. C. J. DOHERTY (Minister of Justice) presented the report of the Free Conference with the managers of the Senate with respect to Bill No. 60, to amend the Judges Act. He said: I beg to move that the amendment agreed to in the Free Conference to the Bill to amend the Judges Act be considered and agreed to, and that a message be sent to the Senate to acquaint their honours therewith. I make this motion with a great deal of reluctance. I feel very strongly that it would have been much wiser to deal with the matter in a manner that would have afforded greater opportunity for consideration. It is more than doubtful whether the proposed amendment will meet the purpose of those who have made it, but it is a very much less sweeping provision than was originally embodied in the amendments of the Senate. I think that, in view of the importance of the Bill, the wisest course is to acquiesce in this action of their honours. In saying this I believe I am expressing the views of the other gentlemen who were acting as managers on behalf of the House of Commons.

Mr. SPEAKER: I am not altogether sure that this procedure may not be somewhat out of order, inasmuch as no notice has been given. I assume, however, that at this period of the session, and in view of the nature of the report of the conference, there will be no objection to the motion.

Motion agreed to.

#### FUEL SUPPLY

Mr. MICHAEL STEELE (South Perth) moved:

That the evidence taken from day to day during the current session by the Special Committee appointed to consider the future fuel

supply of Canada be indexed and issued in pamphlet form to the number of 1,000, and that Rule 74, relating thereto, be suspended; and further, that the distribution of such copies be and is assigned to the clerk of the committee, who is hereby instructed to cause them to be forwarded to educational institutions, public libraries, boards of trade, boards of commerce, and such other public bodies as may desire them.

Mr. PARENT: How many copies will be printed in French?

Mr. STEELE: I understand there is an unwritten rule that a certain proportion of such copies shall be printed in French. If not, it could be specified in the motion.

Mr. BELAND: It is generally stated in the motion that so many copies shall be printed in English, and so many in French.

Mr. MEIGHEN: The proportion is 700 to 300.

Mr. BELAND: Yes.

Mr. STEELE: In view of the fact that the provinces most interested in the coal situation are English-speaking provinces, perhaps a lesser percentage of French copies will be sufficient.

Mr. BUREAU: I move to make it 800 and 200.

Motion as amended agreed to.

#### INCOME TAX ACT CONSOLIDATION

Hon. Sir HENRY DRAYTON (Minister of Finance) moved for leave to introduce Bill No. 221, to consolidate the Income Tax Act. He said: The question regarding the income tax amendments has been brought before the House several times, and I have promised to bring down legislation dealing with the subject of penalties. The last time the matter was under consideration the question was raised as to whether we were going into the whole question at the present time in view of the fact that some amendments which were contemplated were more or less controversial. I stated that under the circumstances it was my opinion that what ought to be done now was to reduce our penalties somewhat. The purpose of the penalties, I am glad to say, has largely disappeared. The collection of income taxes in every country is more or less difficult, and hon. gentlemen have pointed out that our collections in the past have not been

nearly as good as the collections in other countries; and Australia and New Zealand were mentioned as particular illustrations of this fact. I desire to give to the House some figures in connection with the proposal I now make to reduce our penalties. I shall not give the odd numbers. In Canada, the first year we had an income tax collection, we gathered \$9,000,000; that was in the year 1917. Australia's first year was 1915. She, of course, has a much larger urban population than Canada, and her collection for that first year amounted to \$18,000,000—double ours. New Zealand's first year was 1891, and her initial collection was \$327,000. In our second year, we collected \$20,000,000, while Australia in her second year collected \$27,000,000, and New Zealand, \$366,000. Our third year amounted to \$46,000,000, Australia's third year to \$34,000,000, and New Zealand's third year to \$437,000. There is also an interesting matter in connection with the collection of taxes in the different countries, something which illustrates the effect of the generous exemptions granted in Canada. We find that for the first year the general average of the taxation in Canada was \$200 per ratepayer paying taxes, and in Australia it was \$76. In the second year in Canada the amount was \$207, and in Australia \$105. The third year in Canada the amount was \$244 as against \$110 in Australia. I think, Mr. Speaker, the House will also be pleased to know how we are getting along with collections of the current year. The collections for this year have been very gratifying. Since the closing of the books of the last fiscal year, and under assessment on and by the ratepayers themselves for the first time the sum of roughly \$39,000,000 has already been collected to date.

Motion agreed to and Bill read the first time.

#### QUESTIONS

(Questions answered orally are indicated by an asterisk.)

#### CIVIL SERVICE—CLASSIFICATION AND REORGANIZATION

Mr. SINCLAIR (Guysborough):

What is the gross amount paid to Arthur Young and Company and to Griffenhagen and Company for their services in connection with the classification and organization of the Civil Service from the date when Arthur Young and Company were first employed in 1918 up to the

30th of April, 1921, including transportation, living expenses, and all other outlay of every description?

Hon. Sir HENRY DRAYTON:

1. \$158,333.49 made up as follows: (a) classifying service and reorganizing staff and office procedure, \$51,199.83; (b) fitting classification to personnel Post Office Department, \$6,260.11; (c) fitting classification to remaining personnel, \$63,106.25; (d) bonus work, \$4,078.18; (e) reorganization Department Public Printing and Stationery, \$33,689.12. The above figures cover the period inclusive from August, 1918, when the Arthur Young Company were first employed, until October, 1920, when their contract with the Civil Service Commission ceased. The gross amount paid to Griffenhagen & Company up to April 30, 1921, was \$113,603.08.

ONTARIO HIGHWAYS

Mr. ANDERSON:

- 1. What route will the Toronto-Guelph-Sarnia highway take and what towns and cities will it pass through?
- 2. What is the estimated cost in Peel and Halton respectively and the distance traversed in each county?
- 3. What specifications were called for on this road?
- 4. Has the Dominion Government approved of the route and specifications?
- 5. What roads have been proposed in Peel and Halton?
- 6. What roads have been approved in Peel and Halton?
- 7. What is the estimated cost of the Dundas street highway, what is the estimated cost of the parts in Peel and Halton respectively, and what is the distance in each of these two counties?
- 8. Does any portion of the Dundas street highway traverse over or near the lands of the Minister of Public Works of Ontario, in the county of Wentworth?
- 9. Does the Dominion Department of Public Highways permit the Ontario Department of Public Works in arriving at the cost of a highway to figure in the overhead charges such as road-making machinery?
- 10. On whose recommendation does the Dominion Government pay over the Federal share of the cost of a highway to the province?

Hon. Mr. REID:

1. From Toronto along Dundas St. to Cooksville, thence northerly to Brampton; thence westerly through Georgetown, Acton, Rockwood to Guelph; thence through Kitchener, New Hamburg, Stratford, St. Marys, Elginfield, Ailsa Craig, Parkhill to the Arkona Road; thence southerly through Arkona to the Sarnia

[Mr. Sinclair.]

Gravel Road; thence westerly on the Sarnia Gravel Road to Sarnia.

2. Complete estimates for sections in Peel and Halton have not yet been prepared. Peel county, 18.73 miles; Halton county, 20.55 miles.

3. Project statement calls for bituminous macadam, cement concrete being laid for 2½ miles east from Sarnia; asphaltic concrete 4 miles east from Cooksville.

4. The plans of this route so far approved are Dundas street and the section of the Stratford-London road between Stratford and Elginfield.

5. In Peel county, Dundas street; Cooksville, Owen Sound; Brampton, Stratford. In Halton county, Dundas street; Brampton, Stratford.

6. Dundas street.

7. The estimated cost of Dundas Street Highway is \$749,865. The estimated cost of the parts in Peel and Halton respectively, and their distances are as follows: Peel county, 9.5 miles, \$209,475; Halton county, 15.5 miles, \$416,775.

8. The Ontario Department of Public Highways reply "No."

9. No.

10. The recommendation of the Federal Department's inspecting engineer and auditor.

Mr. WILSON (Wentworth):

- 1. What price per square yard did the Warren company get for the completed Hamilton-Brantford highway?
- 2. Has a royalty to be paid to any one for Warren Bithulithic Pavement? If so, how much, and to whom is it paid?
- 3. What property was purchased in order to widen the road between the starting point (Paradise Road) and the village of Ancaster?
- 4. What are the names of parties from whom this property was purchased, and the price paid, respectively?
- 5. Have all the owners of property on that portion of the road between Paradise Road and Binkley's Corners on the Hamilton-Brantford highway been paid for their property?
- 6. What amount of road machinery and motor trucks have been imported by the Public Works Department of the province of Ontario since the present Ontario Government came into power?

Hon. Mr. REID:

1. The Warren Company's prices for the completed Hamilton-Brantford highway, as given by the Ontario Highways Department, were as follows:

24,336 square yards bituminous top at	
\$2.60 . . . . .	\$63,273.60
30,420 square yards macadam base at	
80 cents . . . . .	24,336.00

278 cubic yards earth excavating, at \$1.50	417.00
16,712 lineal feet ditching, at 60 cents	10,027.20
94 cubic yards broken stone concrete, at \$20	1,880.00
30,420 square yards Scar. and rolled, at 10 cents	3,042.00
6,084 square yards bituminous shoulder, at \$1.80	10,951.20
1,655 lineal feet tile drain, at 70 cents	1,158.50
20 cubic yards concrete slabs over culverts, at \$17.50	350.00
Cost of watermin macadam	1,566.56
35,849 tons screening, at \$3.60	12,905.64
	<hr/>
	\$129,907.70
3,151.6 tons of crushed stone used in macadam base	11,345.76
	<hr/>
	\$141,253.46

2. The Ontario Department of Highways advise that no royalty is payable on work done by the Warren Company for the Provincial Government.

3, 4, and 5. In determining the amount to be paid under the Canada Highways Act for the improvement of any road no expenditure in connection with right-of-way or the widening of right-of-way is allowable, therefore no information on such matters is available in Federal Department of Highways.

6. No information; the Canada Highways Act does not permit of the payment of any portion of the cost of purchasing machinery, trucks, etc.

**Mr. WILSON (Wentworth):**

1. What length of pavement has been laid between the T. H. & B. railway tracks on the Hamilton-Brantford highway, and the village of Ancaster?

2. What property has been, or will be, purchased on this same section of road, and at what price?

3. What is the estimated cost of the proposed subway at Binkley's Corners under the T. H. & B. tracks on Hamilton-Brantford highway?

4. When the statement is made, that on a provincial Dominion highway the province pays 40 per cent, the Dominion 40 per cent, and the municipality 20 per cent, what is meant by the municipality, is it the township through which the road passes or the county in which road is located?

5. Who pays for the upkeep of the provincial Dominion highways?

**Hon. Mr. REID:**

1. 4,100 feet.

2. The Federal Department of Highways has no information.

3. About \$60,000.

4. The county.

5. Province 80 per cent; county 20 per cent.

**RETURNED MEN—UNEMPLOYMENT RELIEF**

**Mr. GORDON:**

1. What was the reason for the Department of Soldiers' Civil Re-establishment terminating the unemployed relief granted to returned men in Peterborough on April 23, 1921?

2. In what cities in Ontario is this unemployment relief being continued?

3. At what date was this unemployment relief discontinued in the cities of Ontario?

**Hon. Mr. GUTHRIE:**

1. The granting of relief to returned men resident in Peterborough was not finally discontinued on April 23. The granting of relief by the Department of Soldiers' Civil Re-establishment during the months of January, February and March to unemployed ex-service men was authorized by Order in Council P.C. 43 of January 10, 1921. Towards the end of March it was apparent that the granting of relief in a modified form was still necessary, and provision was made under authority of P.C. 1007 of March 24 to continue relief to married men or single men with dependents until April 23. This date was extended later under authority of P.C. 1615 of May 13 until May 28, 1921.

2. The provision of relief is not limited to ex-service men resident in any particular city or town, but is available to all necessitous cases amongst married or single ex-service men with dependents. In Ontario, relief is administered from the unit offices of the department situated at Toronto, London and Ottawa.

3. The authority under which relief is being granted by the Department expires on May 28, 1921.

**CANADA TEMPERANCE ACT**

**Mr. KAY:**

1. How many cities and counties in Canada have come under the provisions of the Canada Temperance Act by vote?

2. What are the names of the said cities and counties?

**Sir HENRY DRAYTON:**

1. Seventy-three. The Act has been repealed or suspended in all of these except eleven.

2. Fredericton, N.B.; York, N.B.; Prince, P.E.I.; Charlotte, N.B.; Carleton, N.B.; Charlottetown, P.E.I.; Albert, N.B.; King's, P.E.I.; Lambton, Ont.; King's, N.B.; Queen's, N.B.; Westmoreland, N.B.; Northumberland, N.B.; Inverness, N.S.; Pictou, N.S.; Cumberland, N.S.; Yarmouth, N.S.; Oxford, Ont.; Arthabaska, Que.;

Simcoe, Ont.; Stanstead, Que.; Stormont and Dundas, Ont.; Queen's, P.E.I.; Marquette, Man.; Digby, N.S.; Queen's, N.S.; Sunbury, N.B.; Shelburne, N.S.; Lisgar, Man.; King's, N.S.; Halton, Ont.; Annapolis, N.S.; Colchester, N.S.; Cape Breton, N.S.; Hants, N.B.; Chicoutimi, Que.; Frontenac, Ont.; Lincoln, Ont.; Middlesex, Ont.; Guysboro, N.S.; Ontario, Ont.; Victoria, Ont.; Peterborough, Ont.; St. John (County) N.B.; Bruce, Ont.; Huron, Ont.; Dufferin, Ont.; Renfrew, Ont.; Norfolk, Ont.; Brant, Ont.; Leeds and Grenville, Ont.; Kent, Ont.; Lanark, Ont.; Lennox and Addington, Ont.; Brome, Que.; Carleton, Ont.; Drummond, Que.; Lambton, Ont.; Wellington, Ont.; Portland, N.B.; Richmond, Que.; District of Manitoulin, Ont.; City of Thetford Mines, Que.; Peel, Ont.; Huron, Ont.; Perth, Ont.; Missisquoi, Que.; Compton, Que.; Quebec, Que.; Guelph (City), Ont.; Northumberland, and Durham, Ont.; Elgin, Ont.; St. Thomas, Ont.

The Act is at the present time in force in the following places:—

Ontario—District of Manitoulin.

Quebec—City of Thetford Mines, City of Quebec, and Counties of Brome, Stanstead, Compton and Missisquoi.

Nova Scotia—Counties of Digby and Guysborough.

Manitoba—Lisgar and Marquette.

#### MR. JUSTICE EBERTS' REPORT

Mr. McINTOSH:

1. Has Mr. Justice Eberts, a Commissioner duly appointed in 1919 by Order in Council, to investigate fishery conditions in certain fishery districts in British Columbia, submitted a report? If not, why?

2. If a report has not been received from the said Commissioner, what action, if any, is contemplated to compel submission of report?

3. What amount has Mr. Justice Eberts received as such Commissioner from the Government?

Hon. Mr. BALLANTYNE:

1. No. No information.

2. The Department of Justice has been requested to do anything it can to require submission of the report.

3. Nothing.

#### UNITED STATES TARIFF—CANADIAN DUTIES

On the Orders of the Day:

Hon. RODOLPHE LEMIEUX (Maison-neuve and Gaspé): On the 26th of May [Sir Henry Drayton.]

last I asked the Minister of Finance if, in view of the Emergency Tariff Bill in the United States, it was the intention of the Government to introduce new tariff resolutions. The answer of my hon. friend was that no such report had yet reached him, and he certainly had no proposals to make to the House at present. I suppose the words "at present" were used in view of the probability of the Government taking action in the matter by Order in Council. I read in the Montreal Gazette of this morning, the statement that as the result of the United States Tariff now being in force and of prohibitive duties being applied to Canadian agricultural products, countervailing duties have been decided upon by the Canadian Government. I shall not read the whole of the article, but simply quote the announcement made by the Collector of Customs of Montreal, Mr. Weldon.

Mr. EDWARDS: Are we on the Orders of the Day?

Mr. LEMIEUX: Yes.

Mr. EDWARDS: I rise to a point of order, then. I question the right of the hon. gentleman to make a speech.

Mr. LEMIEUX: I am not going to make a speech.

Mr. SPEAKER: I might say that if it were an earlier stage in the session I would ask the hon. member to put his question without any remarks. At the present stage, however, in view of the fact that there will be little or no opportunity of eliciting information by placing questions on the Order Paper, I felt I would be justified in granting to hon. members a little more latitude than would be allowed at an earlier period.

Mr. LEMIEUX: I was just about to state that Mr. Weldon, Collector of Customs at Montreal, is reported in this morning's Gazette to have stated at the Board of Trade on Saturday that he had received word from Ottawa to apply duties on the following articles as provided by Order in Council passed on June 6th, 1919. The quotation I wish to give is as follows:—

Mr. Weldon said that on Saturday he had received word from Ottawa to apply duty on the following articles, as provided by Order in Council passed June 6th, 1919.

Wheat, from country imposing a duty on Canadian wheat, 12 cents a bushel, and wheat flour and semolina 50 cents a barrel, and potatoes 20 cents a bushel, with a duty of 30 per cent on dried or desiccated potatoes.

I would like to know if the Government has acted by Order in Council in the manner described by Mr. Weldon, and whether that is the proper course to follow while the House is in session?

Sir HENRY DRAYTON (Minister of Finance): No action has been taken, and what I said the other day stands. We have items in the customs tariff which are dependent upon the action of other countries. In addition to that, Orders in Council have been made from time to time in the past reducing duties—those are the only Orders in Council that are made. Following the wording of the Customs Act in certain items, the orders that deal with such reduction of duties apply on imports from countries that reduce duties upon our exports. For example, in the United States the Underwood Tariff gave free wheat, free flour and other things to countries that admitted wheat and flour from the United States free of duty. Canada accepted the offer in just so many words; it gave free admission to American imports into this country exactly in the same way. That free admission stood, or was in effect, just as long as the United States were not taxing similar products from Canada. When they tax those products, the ordinary customs tariff takes effect automatically.

#### NAURU ISLAND

On the Orders of the Day:

Hon. W. L. MACKENZIE KING (leader of the Opposition): A day or two ago I mentioned to the right hon. Minister of Justice (Mr. Doherty) that I would take an opportune moment to ask him a question in regard to the island of Nauru and the monopoly of the rich phosphate deposits there alleged to have been given to Great Britain, New Zealand and Australia, to the exclusion of any benefit on the part of Canada. I should like to put the question formally:

Is it true that the Government, through its representatives on the British Empire Delegation to the Peace Conference, agreed to the granting of a monopoly of the raw materials of Nauru Island, including the largest reserves of high grade phosphates in the world, to the United Kingdom, Australia and New Zealand, and to the exclusion of Canada from any benefits accruing under the mandate for the administration of Nauru Island, which mandate the Allied and Associated Powers conferred

upon the British Empire as a whole; and, if so, why?

Right Hon. C. J. DOHERTY (Minister of Justice): The hon. gentleman did speak to me, and I told him I would make certain of the situation. I have to confess that I overlooked his inquiry, but I will give him a definite answer later. In the meantime I may say my very strong impression is that there was no such agreement.

#### INQUIRY FOR RETURN

On the Orders of the Day:

Mr. J. A. C. ETHIER (Laval-Two Mountains): Mr. Speaker, on the 11th day of April last an Order of the House was issued for a return showing the number of civil servants appointed to permanent positions on April 1, 1921, the names of such employees, their classification, and so forth. That return has not yet been brought down. May I ask the Government if it is their intention to bring it down before the end of the session?

Right Hon. ARTHUR MEIGHEN (Prime Minister): Mr. Speaker, I understand that the return called for the number of employees in the Civil Service as of a certain date, their names, classification, and date of appointment, and that it passed some time in April. I am informed by those around me that the return is down, but if it is I am surprised, for I would not expect that such a return could be prepared in the time which has elapsed. But if it is not down it will be prepared just as quickly as possible.

#### PRIVILEGE—MR. DESAULNIERS

On the Orders of the Day:

Mr. ARTHUR L. DESAULNIERS (Champlain): Mr. Speaker, I wish to call attention to an omission in Hansard of yesterday. When the vote was registered upon the amendment of the hon. member for West Lambton (Mr. Pardee) on Bill No. 216 respecting the lake of the Woods and other waters, I was in my seat and voted for the amendment. I note that my vote has not been registered, and I ask that the necessary correction be made in the revised Hansard.

Mr. SPEAKER: I think that through inadvertence the name of Mr. Deslauriers was inserted instead of the name of the

hon. member (Mr. Desaulniers), but I will see that the necessary correction is made

#### PRIME MINISTERS' CONFERENCE

Mr. ERNEST LAPOINTE (Quebec East): In view of the despatch from London which appeared in the newspapers this morning to the effect that naval defence and the contribution of the dominions to it would be one of the main topics to be discussed at the meeting of Prime Ministers in London, may I ask the right hon. Prime Minister (Mr. Meighen) if there has been any change in his determination, as stated in the House the other day, that Canada's intention was that such topics should not be discussed this summer?

Right Hon. ARTHUR MEIGHEN (Prime Minister): I am not agreeable to the expression of my determination by the hon. member for Quebec East (Mr. Lapointe), but I can inform him that there has been no change whatever, either in my own view or that of the Government, towards the Prime Minister's Conference and its agenda, from that expressed in this House.

#### COPYRIGHT AMENDMENT ACT

##### SENATE AMENDMENTS

Right Hon. C. J. DOHERTY (Minister of Justice): I beg to move that the amendments made by the Senate to Bill No. 12, to amend and consolidate the law relating to copyright be concurred in. They are nine in number, but I do not think that any of them materially affects the provisions of the Bill as it left this House. The first two amendments to section 13 were both necessitated by an accident that happened in the re-printing of the Bill as it came from the committee of this House. That committee had amended the section precisely as it is now amended by the Senate, but in re-printing, those two particular alterations were overlooked. Subsection 6 of section 13 dealt with the case where two or more persons made application for a license, and as the Bill was originally drafted and left this House the provision was that in such a case the license should be awarded to the applicant proposing the highest retail selling price, and if there were two applicants proposing the same retail selling price the license should be awarded to the applicant whose application was first received. The committee of this House amended that by substituting the applicant proposing terms

[Mr. Speaker.]

that in the opinion of the minister were most advantageous to the author, for it is obvious that there might be other considerations than the mere question of the highest retail selling price. That modification necessitated in the next line the same modification to make it correspond; that is, that in the case of two persons proposing terms equally advantageous to the author then the license would be awarded to the applicant whose application was first received.

The next amendment of the Senate consists in amending paragraph (a) of subsection 9 of the same section by substituting two months. The Bill as it left this House required that the licensee should within thirty days print the work for which he had a license. Their honours seem to have had information leading them to believe that that was perhaps too short a period. The change does not seem to be open to serious objection.

In paragraph (b) of the same subsection 9 the Senate has amended the Act by inserting "in such manner as may be prescribed by the minister." The subsection, in defining the obligations of the licensee in this paragraph, stated, among other obligations, the obligation to print the book from the last authorized edition in full without abbreviation, alteration, and so forth. The Senate represented that there might be conditions that ought to be imposed other than the mere requirement I have stated. This gives added protection to the author.

In section 14 the provision for the publication of serials provided that such serials might be republished here if the publication of a book is lawfully begun as a serial elsewhere than in His Majesty's Dominions or a foreign country to which section 4 of this Act applies. That was intended to include other countries of the Union, and it was suggested that if we excepted the foreign countries to which subsection 1 of section 4 applies the result intended would be produced and the provision would be made absolutely clear.

The next amendment is also to section 13; it is simply to make clear that the proviso inserted at the end of subsection 12 applies to the entire section and not merely to that subsection. Then there is an amendment to section 18, subsection 6 paragraph (b). That subsection provided that no royalty should be payable in respect of contrivances "lawfully made before the commencement of this Act."

The Senate have amended by making the subsection read:

That no royalty shall be payable in respect of contrivances lawfully made and sold by the manufacturer before the commencement of this Act.

The amendment seems unobjectionable. Then, on page 20, line 18 there is an amendment to section 39 of the Act, which deals with the effect of the registration or the absence of registration. The provision as it left this House was that any transfer by assignment of a license of a copyright should be void against any subsequent assignee or licensee for valuable consideration without actual notice—

—“unless such assignment or license is registered in the manner directed by this Act before the registering of the instrument under which a subsequent assignee or licensee claims.

The Senate have added to the section the following words:

—and no grantee shall maintain any action under this Act, unless his and each such prior grant has been registered.”

I think that in denying action against any person for infringement their Honours of the Senate have gone further than was logical or necessary, but I do not think any serious objection is presented. I move concurrence in the amendments.

Amendments read the second time and concurred in.

## CIVIL SERVICE ACT AMENDMENT

### RECOMMENDATIONS OF PENSIONS COMMITTEE

Right Hon. ARTHUR MEIGHEN (Prime Minister) moved that the House go into committee to consider the following proposed resolution:

Resolved, that the provisions of Bill 122, “An Act to amend the Civil Service Act,” be amended by adding thereto the provisions of the Bill reported to the House by the Select Committee on Pensions, Insurance and Re-establishment of Soldiers, which provides, that the following be enacted as section thirty-nine of the Civil Service Act, 1918:

“39. (1) Immediately after each examination a list of the successful competitors in the case of a competitive examination, and of successful candidates in order of merit in other examinations, shall be made out and published in the Canada Gazette.

“2. The Civil Service Commission shall prepare and maintain a special list of persons in receipt of pensions by reason of their services in the war, nineteen hundred and fourteen to nineteen hundred and eighteen, who

“(1) have from causes attributable to such service lost capacity for physical exertion to an

extent which makes them unfit efficiently to pursue the avocations which they were pursuing before the war.

“(ii) have not been successfully re-established in some other avocation, and

“(iii) desire to be placed on such list.

The commission shall obtain as full particulars of each person on such list, including particulars of his age, education, physical and mental condition, resources and responsibilities, as it is possible to obtain from all available records.

In all examinations for entrance into the Civil Service the persons named on such list who are found to possess the necessary qualifications shall be placed in the order of merit on the list of successful candidates above all other candidates.

“(3) In all examinations for entrance into the Civil Service all persons other than those mentioned in subsection two of this section who have been on active service overseas on the military forces or who have served on the high seas in a seagoing ship of war in the naval forces of His Majesty or of any of the Allies of His Majesty during the war, nineteen hundred and fourteen to nineteen hundred and eighteen, who have left such service with an honourable record or who have been honourably discharged, or when any persons who have served as aforesaid have died owing to such service the widows of such persons, and who in either case obtain sufficient marks to pass such examinations, shall, irrespective of the marks they have obtained, be placed in the order of merit on the list of successful candidates next after any candidates who are on the special list mentioned in subsection two of this section and above all other candidates.

“(4) The provisions of any statute or regulation prescribing the age limit and physical requirements with respect to any appointment in the Civil Service shall not apply to any persons with the military and naval service mentioned in subsection two or three of this section.”

He said: Mr. Speaker, before you leave the Chair, may I say that I am informed by the parliamentary counsel that the proper course in this case is to instruct the Committee of the Whole prior to the House going into committee, in the following language:

That it be an instruction to the Committee of the Whole in connection with Bill 122 as reported by the special committee appointed to consider the same, that it shall have power to consider and deal with and, if so advised, include in said Bill the amendments to the Civil Service Act recommended in the report of the Special Committee on Pensions, Insurance and Re-establishment of Soldiers.

Mr. SPEAKER: I am inclined to think that the better practice would be to go into committee and deal with the resolution and after it has been considered and reported back to the House it could, on motion, be referred to the Committee of the Whole to be considered in connection with Bill 122. That would be in line with the practice followed yesterday and in entire conformity with the ordinary practice of the House.

Mr. MEIGHEN: Very well.

Motion agreed to, and the House went into committee on the resolution, Mr. Boivin in the Chair.

Mr. MACKENZIE KING: I should like to point out to my right hon. friend that we have not yet considered Bill No. 122, and there are some features of it that, I think, are contentious. It may be that the Bill will meet with a sad end. It would be better to have Bill No. 122 considered before we have these amendments made to it. Of course, I understand that this is only a resolution, to be followed by a Bill, but I think it is worth while pointing this out.

Mr. MEIGHEN: There is no reason why the resolution should not pass. I do not know what the objection can be to Bill No. 122, but if it turns out that there is objection to Bill No. 122, we shall have to deal with it accordingly.

Mr. EULER: I was a member of the special committee appointed to consider Bill No. 122, and the report of that committee has not yet been adopted. Is it the intention that further clauses are to be added to that Bill and to refer it back to that committee for further consideration? If not, in what position does this leave the committee?

Mr. MEIGHEN: This resolution has no relation to Bill No. 122 as it stands. Each is an amendment to the Civil Service Act, but they are utterly foreign to each other. The only point in common between them is that they are amendments to the same Act. It was thought better to have one amendment to the Civil Service Act rather than two, and that is the reason why this method of procedure is adopted.

Mr. EULER: Is it a fact that the report which has been laid on the Table is not to be dealt with now in connection with this matter?

Mr. MEIGHEN: The Bill as reported by the special committee appears as No. 29 on the Orders of the Day, and it will be dealt with there.

Mr. MACKENZIE KING: Do I understand my right hon. friend to say that these resolutions, which are based upon the report of another committee altogether, are intended primarily to amend the Civil Service Act and that Bill No. 122 is to amend the Civil Service Act?

Mr. Speaker.

Mr. MEIGHEN: Yes.

Mr. MACKENZIE KING: Will matters be so arranged later that Bill No. 122 may be discussed in the form in which it is now, before adding these amendments to it; or will they be incorporated in Bill No. 122?

Mr. MEIGHEN: They will be incorporated in Bill No. 122; but Bill No. 122 may be amended; what is left in it may be struck out, and this left, if that is the will of the House. There will not be two Bills to amend the Civil Service Act.

Mr. MACKENZIE KING: An unfortunate confusion might arise in the effort of hon. gentlemen on this side to oppose certain features of Bill No. 122 as it now stands. We might be very strongly misrepresented as opposing the amendments that are now being made in the interest of returned soldiers. I do not think that we shall have any exception to take to any amendments brought in as a result of the report of the Committee on Soldiers' Civil Re-establishment; but we are going to take strong exception to some features of Bill No. 122, and I would not like to see the two things confused.

Mr. MEIGHEN: If there are in this House hon. gentlemen who oppose the present provisions of Bill No. 122 and to whom these amendments are acceptable, they certainly could protect themselves on second reading or at any other time by moving an amendment.

Mr. LEMIEUX: That would be confusing.

Mr. MEIGHEN. An amendment would not be confusing.

Mr. ETHIER: I was a member of the special committee appointed to consider Bill No. 122. We discussed the Bill; we amended it, and a report has been laid on the table of the House. If it is the intention of the Government to incorporate this resolution in that Bill which has been reported as amended by that special committee, this resolution has not been laid before that special committee for discussion, so that it is quite a different matter. The Committee of the Whole, in examining Bill No. 122 on second reading, as Order of the Day No. 29, will have to deal with a resolution which was not discussed by this special committee and with which the report of the special committee does not deal at all. Therefore there might be confusion. We are incorpor-

ating in Bill No. 122, the conclusions of Select Committees on 'Soldiers' Civil Re-establishment, Pensions, Insurance, etc., which conclusions the special committee appointed to consider Bill No. 122 have no cognizance of.

Sir ROBERT BORDEN: I do not see that there is any occasion for confusion. Bill No. 122 was referred to a special committee and that committee has reported the Bill. That Bill stands now for consideration by the Committee of the Whole House. It is perfectly competent for any hon. member, a member of the Government or otherwise, to move an amendment to that Bill. It so happens that the amendments now suggested require notice, and, I suppose, the assent of the Governor General. That course has been taken, simply because it is required by the rules of the House. It is perfectly competent for the committee to deal with the whole question, and as the Prime Minister pointed out, it is not desirable to have two separate Bills each dealing with proposed amendments to the Civil Service Act.

Mr. FIELDING: It is a pity that we did not take up Bill No. 122 and then, in consideration of that Bill in committee, these amendments could have been very properly moved. The present procedure is, I think, confusing. It ought, however, to be fairly understood by those members who may not want to support the Civil Service Bill proper that, in assenting to this resolution, they reserve the right to oppose the main Bill. The procedure is a little confusing, but the result will be the same.

Mr. MACKENZIE KING: What would be the effect of having this amendment read:

Resolved, that the provisions of the Civil Service Act, 1918, be amended—

And so forth? It would mean two amendments to one Act, but it would avoid a confusion which, I think, would be most unfortunate and unfair. The procedure that I suggest will get matters through just as quickly. I should like to avoid, if possible, confusing the issue as between anything that is being done on the recommendation of the committee that dealt with the soldiers and Bill No. 122, which is objectionable from so many points of view.

Mr. MEIGHEN: I do not see where the confusion comes in. There are many Bills to some clauses of which hon. members

are opposed and other clauses which they support. Evidently this is to be one of those Bills. If you are going to pass an amendment to the Civil Service Act, and then, following right on that, another Bill amending the Civil Service Act, that is a very unusual and undesirable course to take. The confusion would then be permanent; the amendments of this session would be in two Bills, and that confusion would go on down; whereas by combining the amendments in one Bill there is no need for confusion at all. We are all surely able to distinguish between the original Bill and this amendment. The rules of Parliament give ample opportunity for any hon. member to put himself on record, both by speech and vote, as in favour of part and against the rest. That does not confuse matters at all.

Mr. MACKENZIE KING: Bill No. 122 as it stands now, has two sections and, if both of them are not objectionable, one certainly is.

While we on this side in opposing Bill No. 122 may not, in the minds of many members in this House, appear to be opposing the suggestions from the Committee on Soldiers' Civil Re-establishment, if they are incorporated in Bill No. 122, the country will get that impression.

Mr. MEIGHEN: Move an amendment.

Mr. MACKENZIE KING: I think the whole trouble arises from the irregularity in the way in which the Government is proceeding.

Mr. MEIGHEN: The Government are proceeding in the regular way. If we had known beforehand what amendments would be necessary we could have brought in one Bill with the amendments but of course, we could not know that until the Special Committee on Pensions, Insurance, and Re-establishment had dealt with the matter. Hon. gentlemen are in the same position now; they can oppose some clauses, and support others. If the hon. gentleman's plan were followed generally, it would mean that if certain clauses of a Bill were objectionable, and others were not, the Government in order to make everything clear should make two Bills of it, or perhaps three or four.

Mr. MACKENZIE KING: Surely it is not regular to amend a Bill that is not before the House?

Mr. MEIGHEN: It will be. Then you can move to amend.

Mr. LEMIEUX: I appeal to my right hon. friend not to confuse the issue; I do not say that he is doing it intentionally. I, for one, am opposed to the other Bill. I think it means a return to patronage. I shall not discuss that now, as it is not before the committee; I shall, however, oppose it and vote against it in committee. But this is another question altogether that has been dealt with by a Special Committee of the House. We have seen in the same session two or three Bills, amending one particular Act. I do not see why, when we have two principles absolutely distinct bearing on the same subject matter, we should include them both in one Bill. It only confuses matters. There is no difficulty in introducing two Bills based upon resolutions passed by two different committees dealing with two different subjects. The one is a reversion to patronage, in my humble judgment, although my right hon. friend may not share my view; I am opposed to that Bill. The other is simply doing justice to the returned soldier; I am in favour of that, and shall vote for it. We should not deal with the two together, as it will only confuse the issue.

Mr. MURPHY: May I put the matter before the right hon. gentleman in a way that seems to be slightly different from that in which it has hitherto been discussed. If we had Bill No. 122 before us in the regular way, it would, I submit, be quite in order for the right hon. gentleman, or for that matter, for any member of the House, to propose as amendments to that Bill the sections that are set out in the resolution that is now before the committee. In view of the substantial agreement upon the principle involved, but the very general disagreement as to the order of procedure, may I suggest to the right hon. gentleman that the object that all seem to have in view might be obtained if this order were discharged, and the resolution as it is now before the committee were moved as an amendment when Bill No. 122 is under discussion.

Mr. MEIGHEN: That is just what we would do, only for the reason stated by the right hon. member for King's (Sir Robert Borden). The law calls on us to have a resolution passed before we can deal with the Bill. We would not be allowed in Committee of the Whole to move this

[Mr. Mackenzie King.]

resolution as an amendment, because it involves the expenditure of money.

Mr. MURPHY: I have looked at it since the hon. member for King's (Sir Robert Borden) spoke, but it is not clear to me that it does involve the expenditure of money.

Mr. MEIGHEN: In that case there would be no need for the resolution at all. The officers of the House must have come to the conclusion that there was need of this resolution.

Mr. MURPHY: Frankly, it looks to me like a mistake.

Mr. FIELDING: I think it is a confusion of the matter to deal with it in this way. I do not think it has been brought forward in the usual way. More than that the Special Committee on Pensions would hardly make a report recommending a money Bill in this way. I do not think the resolution calls for an expenditure of money. It is a matter of detail.

Mr. MEIGHEN: It would be just the same, of course, afterwards. What we can do is to pass the resolution in case it does turn out to be necessary. If it is not necessary, we will let it lie there, and in committee on the Bill we will move its provisions by way of amendment to Bill 122. That Bill will not be introduced, in that case, just as it is.

Resolution reported and concurred in.

On the motion of Mr. Meighen the resolution was referred to Committee of the Whole to be considered in connection with Bill No. 122, to amend the Civil Service Act.

#### RETURNED SOLDIERS' INSURANCE

On the motion of Right Hon. Arthur Meighen (Prime Minister) the House went into Committee of the Whole—Mr. Boivin in the Chair—to consider the following proposed resolution:

Resolved, That it is expedient to amend the Returned Soldiers' Insurance Act, chapter fifty-four of the statutes of 1920, as provided in the Bill reported by the Special Committee on Pensions, Insurance and Re-establishment of Soldiers, which provides:—

1. That subsection one of section three of the said Act be amended by deleting the words "domiciled and resident in Canada" in the second line, and the words "so domiciled and resident" in the third line thereof.

2. That subsection two of section three be repealed and the following substituted therefor:

"The said payment shall, as to an amount not exceeding one thousand dollars, be made on the death of the insured and the remainder, if any, or the portion thereof to which any beneficiary is entitled, shall at the option of the insured be payable as a life annuity, or as an annuity certain for five, ten, fifteen or twenty years, or as an annuity guaranteed for five, ten, fifteen or twenty years, and payable thereafter as long as the beneficiary may live."

3. That section six of the Act be repealed and the following substituted therefor:—

"If the insured is an unmarried man, or a widower, or a widower without children, the insurance contract shall be for the benefit of his future wife or of his future wife and children, and the insured may apportion the insurance money among them as he deems fit; but, subject to section four of this Act, the insured may designate an alternative beneficiary, or beneficiaries, to whom the insurance money shall be paid in the event of his death unmarried, or a widower without children. If the insured at his death is still unmarried, or a widower without children, and has not designated an alternative beneficiary or beneficiaries, the money shall, subject to sections four and eleven of this Act, fall into and become part of the estate of the insured."

4. That section nine be amended as follows:—

(a) Subsection one is amended by the addition of the following words:

"Provided, however, that the insured may designate in such declaration a person or persons subject to section four of this Act, to whom such shares will be paid if at the time of his death he is unmarried, or a widower without children."

(b) Subsection three is amended by inserting the following words at the end thereof:—

"or if he is unmarried or a widower without children at the time of his death such other person or persons, subject to section four of this Act, as he may designate."

(c) Subsection four is repealed and the following substituted therefor:—

"If the insured survives his wife and all his children the insurance money shall, subject to section four of this Act, be payable to such other beneficiary or beneficiaries as he may designate. If he does not designate some other beneficiary the insurance money shall, subject to sections four and eleven of this Act, fall into and become part of the estate of the insured."

5. That section ten be amended by inserting after the word "Act" in the second line thereof, the words:

"or the Pension Laws of the United Kingdom or of any of His Majesty's Dominions or of any of His Majesty's Allies or Associated Powers in the Great War;" and by the addition of the following sentence:

"Provided, however, that this section shall not operate when the beneficiary of the insurance is the wife of the insured and a pension is awarded under the Pension Act to some other person or persons named in section four of this Act."

6. The proposed legislation based upon these resolutions shall become effective on the first day of July, nineteen hundred and twenty-one, and shall be retroactive to the first day of September, nineteen hundred and twenty.

Mr. GUTHRIE: Paragraph 5 of the resolution reads:

Or the pension laws of the United Kingdom or of any of his Majesty's Dominions.

The word "other" should be inserted after the words "His Majesty's" so as to exclude the Dominion of Canada; otherwise we should be brought into conflict with the Military Pensions Act, the Naval Pensions Act, and another Act the title of which I have forgotten.

Mr. MEIGHEN: I move that the word "other" be inserted in the fourth line of paragraph 5, after the words "His Majesty's," and that the last words of the resolution be struck out, namely:

And shall be retroactive to the 1st day of September, 1920.

The hon. member for London (Mr. Cronyn), has explained why it is necessary to delete these words.

Mr. FIELDING: Is it quite clear that the word "other" has the effect which the Acting Solicitor General (Mr. Guthrie) desires? It would depend on what precedes. This is a portion of the section, and perhaps the Acting Solicitor General would read the preceding words of the section which it is proposed to amend.

Mr. GUTHRIE: Section 10 of the Returned Soldiers Insurance Act, which it is proposed to amend, reads:

If, on the death of the insured, the pension becomes payable under the Pension Act, or the pension laws of the United Kingdom, or of any of His Majesty's Dominions, etc.

I propose to add the word "other" to make it clear that these dominions do not include Canada.

Mr. FIELDING: The use of the word "other" implies that there has been a preceding reference to the Dominion of Canada, which is not so in this case.

Mr. GUTHRIE: Perhaps it would be better to say "or of any of His Majesty's Dominions, other than the Dominion of Canada."

Mr. FIELDING: That would be clear.

Mr. MEIGHEN: I move, then, to add the words "other than the Dominion of Canada" after the word "dominions," in the fourth line of the section.

Mr. FIELDING: This is an illustration of the bad drafting which I have more

than once brought to the attention of the House. We are enacting a part of a sentence when it would be wiser to repeal the section and re-enact it in proper form, so that one might not be under the necessity of looking up the Bill to find out what the amendment intended.

Mr. McKENZIE: In listening to the very admirable report of the member for London, I heard him make reference to cases of soldiers having died between the time they made application for insurance and the completion of the policy. I did not quite catch what he said. I know of a case in my part of the country where a soldier made application for insurance and paid the premium, and while some details were being attended to as between himself and the department, he died. The department now declines to take notice of his policy. I was pleased to see that the matter had been dealt with, but I did not learn what the committee had suggested to the House in this regard.

Mr. CRONYN: The practice hitherto followed by the Returned Soldiers' Insurance Department has been that established by general insurance law, that until the policy is actually issued and delivered to the insured, no binding contract exists between the insured and the assurer, in this case the Dominion. In such cases as my hon. friend has mentioned, which seem to be unfair to the returned man, after a quite lengthy discussion the committee decided that when a returned soldier had made his application in due form and in good faith, and had sent it in with the initial premium to the office of the Returned Soldiers' Insurance Department, and the application had been approved by the proper officers, it should be held that the man having done everything that he could, the contract should be as binding as if the policy had been actually delivered to him. The House will understand that there might be a delay, after the approval had been given, of some days, perhaps a week or more, before the policy was actually written and put into the mails. The proposal, then, is to make the contract binding as soon as the insured has, in good faith, done all that he is called upon to do, the application has been approved and the premium paid.

Mr. McKENZIE: Will there be legislation to amend the Act to that effect?

Mr. CRONYN: No, it was held that no legislation was necessary. The change will

[Mr. Fielding.]

be made in the regulations, and all cases arising in the meantime will be reviewed in the light of that change. The case to which my hon. friend refers will therefore come under review by the department.

Mr. NESBITT: Did we not insert the word "retroactive" to cover cases that are being considered now?

Mr. CRONYN: I do not understand that these words refer to cases now being considered. The point taken by the department and by the parliamentary counsel in requesting us to delete these words, which were in the first place inserted by the department, is that there are some 2,400 contracts of insurance already in force, and it would be unfair to make some of the restrictive conditions contained in the proposed Bill apply to contracts now in existence. It was felt it would be better to let the contracts continue under the terms that existed at the time they were entered into, rather than attempt to alter them. These restrictive conditions will therefore apply only in the future.

Amendment agreed to.

Resolution reported and concurred in.

Mr. MEIGHEN thereupon moved for leave to introduce Bill No. 222 to amend the Returned Soldiers' Insurance Act, 1920.

Motion agreed to, and Bill read the first time.

#### PENSION ACT AMENDMENT

On the motion of Mr. Meighen the House went into committee on the following proposed resolutions, Mr. Boivin in the Chair.

Resolved, That it is expedient to amend the Pension Act, chapter forty-three of the statutes of 1919, as provided in the Bill reported by the Special Committee on Pensions, Insurance and Re-establishment of Soldiers, which provides:—

1. That section eleven of the Pension Act as enacted by chapter sixty-two of the statutes of 1920, be amended by adding at the end thereof the following words: "as such."

2. That section twelve of the said Act, as amended by said chapter sixty-two, be amended by adding thereto the following words: "prior to the coming into force of the Pension Act."

3. That subsection six of section thirty-four of the said Act, as enacted by said chapter sixty-two, be amended by striking out the words "sons" and "son" in the second and fifth lines thereof and substituting therefor the words "children" and "child" respectively.

4. That subsection seven of section thirty-four of the said Act, as enacted by said chapter sixty-two, be amended by adding thereto the following words—"such income being considered to include the contributions from children re-

siding with or away from her whether such contributions have actually been made or are deemed by the commissioners to have been made."

5. That section thirty-nine of the said Act be repealed.

6. That the said Act be amended by adding thereto the following section immediately after section forty-seven B, as enacted by said chapter sixty-two:—

"47C. The pensions which are now being paid to or in respect of members of Canadian Naval or Military Forces who were killed, had died or were disabled on Active Service, during drill or training or on other military duty previous to the outbreak of the Great War, shall, during the continuance of the residence in Canada of the recipients of such pensions, hereafter be in-

creased to the rates set forth in Schedules A and B of this Act."

7. That schedules A and B of the said Act be repealed and the schedules A and B to these resolutions be substituted therefor.

8. That all cases affected by this proposed legislation shall be reviewed and future payments shall be made at the rates and in accordance with the provisions set forth herein. Provided that when death or disability has occurred previous to the coming into force of the proposed Act, the provisions of the proposed Act shall not operate to remove from any applicant for pension any rights which he had in virtue of the Pension Act.

9. That the legislation based upon these resolutions shall come into force on the first day of September, 1921.

**SCHEDULE**  
**SCALE OF PENSIONS**

PERCENTAGE OF DISABILITY—CLASS

Rank or Rating of Member of Forces.	Rate per Annum.	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8
		Total 100%	99%-95%	94%-90%	89%-85%	84%-80%	79%-75%	74%-70%	69%-65%
		\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.
All Ratings below Petty Officer (Naval); Rank and File (Military)....	Pension....	600 00	570 00	540 00	510 00	480 00	450 00	420 00	390 00
	Bonus.....	300 00	285 00	270 00	255 00	240 00	225 00	210 00	195 00
Chief Petty Officer and Petty Officer (Naval); Squad., Battery or Company Serjt.-Major and Q.M. Serjeant (Military); Serjeant, including Staff Serjt. and Colour-Serjeant (Military).....	Pension....	637 50	605 63	573 75	541 88	510 00	478 13	446 25	414 38
	Bonus.....	262 50	249 37	236 25	223 12	210 00	196 87	183 75	170 62
Naval Cadet and Mid- shipman (Naval); Mas- ter Gunner not W.O. (Military); Regimental Serjt. Major not W.O. (Military); Regimental Q.M. Serjt (Military)..	Pension....	775 00	736 25	697 50	658 75	620 00	581 25	542 50	503 75
	Bonus.....	125 00	118 75	112 50	106 25	100 00	92 75	87 50	81 25
Warrant Officer and Chief Warrant Officer (Nava- l); Warrant Officer (Military).....	Pension....	850 00	807 50	765 00	722 50	680 00	637 50	595 00	552 50
	Bonus.....	50 00	47 50	45 00	42 50	40 00	37 50	35 00	32 50
Sub-Lieutenant (Naval); Lieutenant (Military).	Pension....	900 00	855 00	810 00	765 00	720 00	675 00	630 00	585 00
Lieutenant (Naval); Cap- tain (Military).....	"	1,000 00	850 00	900 00	850 00	800 00	750 00	700 00	650 00
Lieutenant Commander (Naval); Major (Mili- tary).....	"	1,260 00	1,197 00	1,134 00	1,071 00	1,008 00	945 00	882 00	819 00
Commander and Captain under three years' seni- ority (Naval); Lieu- tenant-Colonel (Mili- tary).....	"	1,560 00	1,482 00	1,404 00	1,326 00	1,248 00	1,170 00	1,092 00	1,014 00
Captain (Naval); Col- onel (Military).....	"	1,890 00	1,795 00	1,701 00	1,606 50	1,512 00	1,417 50	1,323 00	1,228 50
Commodore and higher ranks (Naval); Briga- dier-General and high- er ranks (Military)....	"	2,700 00	2,565 00	2,430 00	2,295 00	2,160 00	2,025 00	1,890 00	1,755 00
Above Ranks.....	Additional pension for Mar- ried mem- bers of the Forces.....	300 00	285 00	270 00	255 00	240 00	225 00	210 00	195 00
Additional pension for children for above ranks.....	First child..	180 00	171 00	162 00	153 00	144 00	135 00	126 00	117 00
	Second child.....	144 00	138 00	132 00	126 00	120 00	114 00	108 00	102 00
	Subsequent children..	120 00	114 00	108 00	102 00	96 00	90 00	84 00	78 00

The bonus payments set forth in this Schedule shall be paid during the year commencing the first day of September, 1921.

Members of the forces who are, at the time of retirement or discharge, or who later become disabled to an extent Schedule. The amount of such final payment in cases of disability between five and nine per cent shall not exceed and shall be determined in accordance with the extent of the disability and its probable duration. Members of the forces permanently disabled between five and nine per cent shall receive three hundred dollars. If an election has become greater in extent, in which case the pension shall be adjusted for the past period in accordance with the extent to accept a final payment the consent of his wife must be secured. All payments of pensions made subsequent to the ment.

[Mr. Meighen.]

A

FOR DISABILITIES.

AND ANNUAL AMOUNT OF PENSIONS.

Class 9 64%-60%	Class 10 59%-55%	Class 11 54%-50%	Class 12 49%-45%	Class 13 44%-40%	Class 14 39%-35%	Class 15 34%-30%	Class 16 29%-25%	Class 17 24%-20%	Class 18 19%-15%	Class 19 14%-10%	Class 20 9%-5%
\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.
360 00	330 00	300 00	270 00	240 00	210 00	180 00	150 00	120 00	90 00	60 00	30 00
180 00	165 00	150 00	135 00	120 00	105 00	90 00	75 00	60 00	45 00	30 00	15 00
382 50	350 63	318 75	286 88	255 00	223 13	191 25	159 38	127 50	95 63	63 75	31 88
157 50	144 37	131 25	118 12	105 00	91 87	78 75	65 62	52 50	39 37	26 25	13 12
465 00	426 25	387 50	348 75	310 00	271 25	232 50	193 75	155 00	116 25	77 50	38 75
75 00	68 75	62 50	56 25	50 00	43 75	37 50	31 25	25 00	18 75	12 50	6 25
510 00	467 50	425 00	382 50	340 00	297 50	255 00	212 50	170 00	127 50	85 00	42 50
30 00	27 50	25 00	22 50	20 00	17 50	15 00	12 50	10 00	7 50	5 00	2 50
540 00	495 00	450 00	405 00	360 00	315 00	270 00	225 00	180 00	135 00	90 00	45 00
600 00	550 00	500 00	450 00	400 00	350 00	300 00	250 00	200 00	150 00	100 00	50 00
756 00	693 00	630 00	567 00	504 00	441 00	378 0	315 00	252 00	189 00	126 00	63 00
936 00	858 00	780 00	702 00	624 00	546 00	468 00	390 00	312 00	234 00	156 00	78 00
1,184 00	1,039 50	945 00	850 50	756 00	661 50	567 00	472 50	378 00	283 50	189 00	94 50
1,620 00	1,485 00	1,350 00	1,215 00	1,080 00	945 00	810 00	675 00	540 00	405 00	270 00	135 00
180 00	165 00	150 00	135 00	120 00	105 00	90 00	75 00	60 00	45 00	30 00	15 00
108 00	99 00	90 00	81 00	72 00	63 00	54 00	45 00	36 00	27 00	18 00	9 00
96 00	90 00	84 00	78 00	72 00	63 00	54 00	45 00	36 00	27 00	18 00	9 00
72 00	66 00	60 00	54 00	48 00	42 00	36 00	30 00	24 00	18 00	12 00	6 00

Members of the forces permanently disabled to a less extent than five per cent shall be entitled to a final payment not exceeding \$100.

of between five and fourteen per cent may elect to accept a final payment in lieu of the pensions set forth in this three hundred dollars and in cases of disability between ten and fourteen per cent shall not exceed six hundred dollars forces permanently disabled between ten and fourteen per cent shall receive six hundred dollars. Members of the been made to accept a final payment such election is final unless the disability of the member of the forces concerned of the disability and the amount paid as a final payment shall be deducted. If a married pensioner desires to elect time at which an award of fourteen per cent or under is made shall be deducted from the amount of the final pay-

**SCHEDULE B.**  
**SCALE OF PENSIONS FOR DEATHS.**

Rank or Rating of Member of Forces.	Rate per Annum.		
	Widow or Dependent Parents.	Child or Dependent Brother or Sister.	Orphan Child or Orphan Brother or Sister.
	\$ cts.	\$ cts.	\$ cts.
All ratings below Petty Officer (Naval); Rank and file (Military).....	* 480 00		
Bonus.....	* 240 00		
Chief Petty Officer and Petty Officer (Naval); Squad., Battery or Company Sergt.-Major and Q.M. Sergeant (Military); Sergt., including Staff-Sergt. and Colour-Sergt. (Military).....	* 510 00		
Bonus.....	* 210 00		
Naval Cadet and Midshipman (Naval); Master Gunner not W.O. (Military); Regimental Sergt.-Major not W. O. (Military); Regimental Q.M. Sergeant (Military).....	* 620 00		
Bonus.....	100 00		
Warrant Officer and Chief Warrant Officer (Naval); Warrant Officer (Military).....	* 680 00		
Bonus.....	40 00		
Sub-Lieutenant (Naval); Lieutenant (Military).....	* 720 00		
Lieutenant (Naval); Captain (Military).....	* 800 00		
Lieutenant Commander (Naval); Major (Military).....	* 1,008 00		
Commander and Captain under three years' seniority (Naval); Lieutenant-Colonel (Military).....	* 1,248 00		
Captain (Naval); Colonel (Military).....	* 1,512 00		
Commodore and higher ranks (Naval); Brigadier-General and higher ranks (Military).....	* 2,160 00		
Additional pension for children or dependent brothers or sisters for above ranks.....	First.....	* 180 00	* 360 00
	Second.....	* 144 00	* 288 00
	Subsequent.....	* 120 00	* 240 00

\*Pensions awarded to parents or brothers and sisters may be less than these amounts in accordance with the provisions of this Act.

The bonus payments set forth in this Schedule shall be paid during the year commencing the first day of September, 1921.

Resolutions reported and concurred in.

Mr. MEIGHEN thereupon moved for leave to introduce Bill No. 223, to Amend the Pension Act, 1919.

Motion agreed to and Bill read the first time.

**RETIREMENT OF CIVIL SERVANTS**

On motion of Hon. Mr. Calder the House went into committee on the following proposed resolutions, Mr. Boivin in the Chair.

Resolved, That it is expedient to amend the provisions of Bill No. 107, entitled "An Act to amend an Act to provide for the Retirement of certain Members of the Public Service," by providing:—

1. That the following words be added after the words "part time" at the end of paragraph (b) as proposed to be enacted by section two of the said Bill:—

[Mr. Meighen.]

"And any officer, clerk or employee in the said service who has been continuously employed from year to year for a period of not less than eight months in each year, or who, having been continuously employed, receives a daily, weekly or monthly rate of wage or salary, but shall not include any person appointed for a temporary purpose or any person who, while employed in the public service, does not give his entire time to the service."

2. That the following subsection be added to section two of the said Bill:—

"(2) If in the opinion of the Civil Service Commission the provisions of the Act should be made applicable to any officer, clerk or employee not included under paragraph (b) of subsection one of this section, the Commission shall report the same to the Governor in Council, setting forth the circumstances and the reasons therefor, and in the event of the Governor in Council approving such report, such officer, clerk or employee may be retired as provided by this Act."

3. That the following subsection be inserted in the said Bill immediately after subsection two of section three thereof:—

"(2a). The said section three is amended by adding thereto the following subsection:—

Section (6). In case there are any special circumstances relating to the appointment, employment, length of service, remuneration, salary or allowance of any officer or employee to be retired under the provisions of this Act that in the opinion of the Commission should be taken into consideration in determining the gratuity or annuity of such officer or employee the Commission shall report the same to the Governor in Council, indicating to what extent, if any, such special circumstances should be taken into consideration in fixing the gratuity or annuity of the officer or employee to be retired, and upon approval of such report the gratuity or annuity in question shall be fixed accordingly.

Mr. BUREAU: Do I understand that the object of this resolution is to amend the Act so as to give the Civil Service Commission and the Governor in Council a certain amount of discretionary power in cases which merit special consideration?

Mr. CALDER: That is the purpose of the third proposed amendment. There are three distinct amendments proposed to the Bill now before the House. I think we might first correct an error that has crept into the first line. I therefore beg leave to move the following amendment:

In the first line of paragraph 1 to replace the words "part time" at the end by the following words "work 'salary' in the third line."

The Civil Service Retirement Act deals with the retirement of members of the Civil Service. The word "officer" is used throughout the Act, and we are proposing to change the definition of that word by the Bill now before the House. In the old law, the Act passed last session, "officer" is defined in this way:

Officer means any officer, clerk or employee who is employed in the public service and who receives a stated annual salary, but shall not include any person appointed for a temporary purpose or on part time.

In other words, under the law as passed last session, persons in the employ of the Government could be retired if they received a stated annual salary, but persons could not be retired under that Act if they were appointed for a temporary purpose or on part time. That is to say, the only persons who could be retired under the law of last session were those who were permanently appointed and receiving a stated annual salary.

Mr. BUREAU: I suppose those who were appointed temporarily and worked eight months in the year would be retired?

Mr. CALDER: Let me read it again:

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"Officer" means any officer, clerk or employee who is employed in the public service and who receives a stated annual salary.

Under that only those who hold permanent positions in the service and who receive a salary at an annual rate could be retired. Now it is proposed to amend that section to read as follows:

"Officer" means any officer, clerk or employee who is employed in the public service—

And then we add these words:

—and any officer, clerk or employee in the said service who has been continuously employed from year to year for a period of not less than eight months in each year, or who having been continuously employed receives a daily, weekly, or monthly rate of wage or salary, but shall not include any person appointed for a temporary purpose, or any person who while employed in the public service does not give his entire time to the service.

Briefly, the purpose of that is to make provision for the retirement of seasonal employees and of persons who receive a daily, weekly, or monthly wage instead of an annual rate of salary. Let me give one or two illustrations. We have, for example, in the Department of Railways and Canals a fairly large number of employees who are engaged only for eight months in the year, men who have been in the service for twenty or thirty years, and the time has come for their retirement. Under the old law they could not be retired because they do not give their time throughout the entire year to the public service. It will be for the committee to decide whether or not this law should be made applicable to that class of civil servants. Then there is another class in connection with the Department of Militia and Defence, and the minister of that department will be able to give the details; but I understand there is a certain group of men at Halifax who have been employed in the militia service for a long period of years under a daily wage, and as a consequence the law which was passed this session is not applicable to them. In brief, the amendment in the Bill, plus this amendment, provides for the retirement of persons who are employed continuously at an annual rate of salary; it provides for the retirement of those who are employed at least eight months continuously at a stated rate of salary; and, also, it provides for the retirement of certain persons who are employed continuously but are receiving only daily, weekly, or monthly rates of wage.

Mr. NESBITT: Why does the minister fix the time at eight months?

Mr. CALDER: I doubt if there are any in service who are employed seasonally for a less period than eight months.

Mr. CLARK (Red Deer): There are in the case of sessional servants around this chamber.

Mr. NESBITT: That is what I had in mind.

Mr. CLARK (Red Deer): We do not stay here for eight months every year, thank God.

Mr. CALDER: It is just for that reason that representations were made to me to the effect that the law passed this session and the amendment we are now considering will not cover certain classes, and I concede that that is possible; it is for that reason I have suggested the second proposed amendment as indicated in this resolution, which is to the effect that if there are any other classes that are not covered by this definition, and the Civil Service Commission is of opinion that these classes should be retired under this law, then they may report the facts to the Governor in Council, and if the Governor in Council approve, those classes may be retired under this Act.

Mr. FIELDING: There is another class working part time which the hon. gentleman has not dealt with. This eight months refers to what I might call seasonal appointments, to men who do not work during the winter; but there are men working all the year round who are disqualified under this Act, and I think cases of injustice can be cited. Take, for example, Customs officials who are working all the year round. In many instances those officials are receiving but a very small salary, and the department seems to have made up its mind that if the salary is very small the man cannot be devoting all his time to the public service. Of course, he cannot; he must live. But he is bound to be on the spot for the discharge of his official duties.

Mr. BELAND: But he is not included?

Mr. FIELDING: He is deliberately shut out from this provision, and I do not think he ought to be. The only reason for excluding a man of that class is that he is not giving his whole time to the service, but he is obliged to be at hand. I mentioned a case of this kind to the minister last session. It appears to me that if the man's duties require him to be there continually you cannot call him a part-time official; and if he is not paid a living salary

[Mr. Nesbitt.]

he has to do other work. Take the case of a customs officer at a sub-port. He is getting \$200 or \$300 a year, but he cannot live on that, and is bound to take some little local appointment to be within reach of his daily work; his salary is so insignificant that he must do something else. Why should you regard him as a part-time employee while you oblige him to be there constantly?

Mr. STACEY: If I understand the minister correctly, I think he has failed to make provision for one class of civil servants that should have recognition. I can best illustrate my meaning by citing a case in point. I have in view a man, representative of a large number of men, who is approaching the age of seventy, and who has been in the employ of the Government for over thirty-five years working full time, ten, twelve, fourteen and even fifteen hours per day. He has not been in receipt of a stated salary, but the Government has taken good care to see that the allowance is practically the equivalent of a stated salary, and under the provisions of the Act of last year he cannot be given anything on retirement. Am I to understand that the present amendment makes provision for men of that type?

Mr. CALDER: If the second amendment proposed in this resolution is carried, then the Civil Service Commission may, if they deem it advisable, include the class that the hon. gentleman has referred to and make their retirement possible under the provisions of the retirement Act. The Bill itself does not cover the class to which he refers, except that we give to the Civil Service Commission power, if they think cases of that class are deserving, to recommend to the Governor in Council that they should be retired.

Mr. STEWART (Lanark): If there are certain definite classes entitled to consideration, it seems to me there is no good reason why the rights of those classes should be consigned to the tender mercies of the Civil Service Commission. If they have rights, surely those rights should be protected in the Bill itself. There is another definite class that the Bill could take care of—employees in post offices where the remuneration of the postmaster himself is partly salary and partly commission. Now, that is the condition that obtains in most of the country towns throughout the Dominion. In post offices of that kind persons who are employed year in and year out—comprising a staff of five, six or seven—are paid by the local postmaster out

of his fees, and I understand that under this Bill they will not be considered as civil servants. I have in mind a man who for forty years has been continuously employed in the same post office, giving his entire time to the performance of his duties; under this Bill he will have no claim. I fail to see why the rights of these people should not be protected in the Bill itself; why we should leave it to the Civil Service Commission to decide a matter upon which we ourselves have definite views. I think the minister should take care of the class to which I refer. Here is a man—and he is only one of a class—who has devoted his entire life to the performance of his duties as an employee of the Post Office Department, and under a system which has grown up simply because the postmaster is paid by fees and his whole staff is paid by him out of those fees, that staff are not to be considered as members of the Civil Service. In the particular case I have in mind this man for the past two years has been a civil servant, but there has been no change in the system of paying him, except, possibly, in the way of ordinary increases in the amount he is receiving. I submit to the minister that that class is sufficiently numerous and its interests are sufficiently important to justify a specific provision for them in the Bill itself. The matter of deciding what their rights shall be should not be passed on to the Civil Service Commission.

Mr. BELAND: Paragraph 1 of the resolution provides:

—any officer, clerk or employee in the said service who has been continuously employed from year to year for a period of not less than eight months in each year, or who, having been continuously employed, receives a daily, weekly or monthly rate of wage or salary, but shall not include any person appointed for a temporary purpose or any person who, while employed in the public service, does not give his entire time to the service.

According to the first part of this provision, any employee who has served nine months in the year is included, because he has served not less than eight months in a year, but according to the last part of the section he is not included, because he does not give his entire time to the service. I would like the minister to explain this apparent anomaly.

Mr. CALDER: The drafting may not be altogether what it should be. The last expression: "who does not give his entire time to the service" is intended to cover what is ordinarily called a part-time em-

ployee, that is, a person who gives only a portion of his time each day to the service. For example, we have in the Customs Department what are called, I think, preventive officers, men who receive anywhere from \$25 to \$100 a year and who some days are not employed at all. We have a certain number of officers who give only a very small portion of their time from day to day to the service. This phraseology is intended to cover that class. The other class are included in what are called seasonal employees, men who give their entire time during so many months in the year. As I say, the phraseology may not be the best.

Mr. BELAND: Why not insert after the word "service" in the second last line the words "every day"?

Mr. CALDER: That would do no harm.

Mr. FIELDING: As to the case mentioned by the hon. member for Lanark (Mr. Stewart), while expressing some sympathy for this employee in the special circumstances, I do think that the case does not come within the four corners of this Bill. That officer would not be eligible for retirement under this Bill even if he had a favourable report from the Civil Service Commission, because he is not and never was an officer of the public service. He may be in the employ of the postmaster; there are many such persons all over the country, though they do not usually stay in that employ for forty years. I am surprised that the man my hon. friend mentions has been in the department for forty years without being promoted by some government to be postmaster, for he has surely earned it by his length of service. But I have in mind the case of a customs official, a collector at an outport—his official title is sub-collector of customs—who receives anywhere from \$300 to \$500 a year. Now, he cannot live on that amount, nor can he leave the place in which he is employed and go out to the Banks in a fishing vessel. If he does anything at all it has to be something which can be done within a short distance or easy access of his office. He may do a little local business, keep a little shop, or something of that sort—I believe that is allowed in certain cases. But he must be every day on duty; he must be available if a vessel is coming in or clearing, and his duties are important from the standpoint of the accommodation of the public and the protection of the revenue. In short, his duties oblige him to be available

every working day, and he can hardly be regarded as a part-time man. I do submit that the minister should consider cases of that kind. I think the case I make out is a very strong one and that it is absolutely just that such men should come under the provisions of this Act.

Mr. CALDER: There is a good deal to be said in favour of the contention put forward by my hon. friend. The difficulty, however, is that a large number of these are officers employed all over Canada, many of them receiving as low as \$25 a year, \$40, \$50, and so on. If one of these men held his position for twenty years and was entitled to come under this Act, he would receive as an annuity for life a very small sum indeed. In fact, the idea of providing an annuity for a man who has received not more than \$50 a year is more or less preposterous. If a line could be drawn in accordance with the importance of the duties performed, the problem would not be so difficult, but once you establish a law including this class, every one receiving the smallest salary would be entitled to his annuity. It seems to me that we would be going too far if we provided a law of that character. Moreover, the Civil Service Commission, I believe, have taken into consideration the fact that these are only part-time employees and have fixed their salaries accordingly; their remuneration is a little higher than it would be for persons performing full-time duties in the permanent Civil Service.

Mr. FIELDING: I quite agree that it might be unreasonable to apply the Act to persons receiving such small amounts as \$20 and \$30 a year. I am taking the case of an officer who has some responsibility. He is a sub-collector of customs; he is a collector of customs at an outpost; he is responsible to some collector at a central point, but within his own community he is a collector of customs. He is not getting \$25 a year; he may be getting \$200, \$300, or \$400 a year. He cannot leave the outpost, even though he may collect only a trifling sum during the year; it is a great mistake to measure the importance of a customs official by the salary he receives or by the amount of revenue he collects. His duty is to protect the revenue against fraud and any one who knows anything about the sea-coast knows how important a duty this is. I am sure the hon. member for Yarmouth and Clare (Mr. Spinney) is familiar with these cases on the sea-coast, and he can bear me out when I say that quite a number of these men are important

[Mr. Fielding.]

men in their particular communities. They cannot go away from the port, and they must earn something in addition to what they receive from the Government. I claim that this class of men should come within the scope of this measure. Of course such a man can get an annuity only on the basis of his salary, but this legislation is excluding him altogether.

Mr. GUTHRIE: I am a good deal impressed by what the hon. member (Mr. Fielding) says regarding the subcollector. Expressing my own opinion, I think they should be included, and I think there is something in the contention of the hon. member for Beauce (Mr. B eland). As I read this clause—and I have read it a good many times—I am not satisfied that it carries out the meaning of the minister; I think it should be re-drafted. The particular part of the clause, however, which relates to employees in the Department of Militia and Defence is the provision regarding men who give all their time to the service but who are paid a daily wage. It happens that, at the present time, at Halifax and Quebec we have forty-nine such men who have been in the service for fifteen, eighteen or twenty years and who have now reached that time of life when, I think, their services might fairly be dispensed with. Many of these men came in as employees when the British garrison had charge at Halifax. They have grown old in the service, but they have always been paid a daily wage running from \$2 to \$2.50 and some as high as \$3 a day. Their places when vacant will not be filled, but it is a hard thing to turn them out on the world without some compensation.

Mr. SINCLAIR (Guysborough): What kind of work are they employed in?

Mr. GUTHRIE: I had a list of them, but have not it under my hand. They were caretakers, armourers—men of that class. We do not need their services any longer, but it is a very hard thing to throw them out on the world. It was held, under the Act passed last session, that they were not entitled to a gratuity. They are really permanent employees but they are paid a daily wage.

Mr. SINCLAIR (Guysborough): I think this clause is broad enough to cover day labourers, and the Government have in their employ a considerable number of day labourers in addition to the men at Halifax and other points referred to by the Minister of Militia and Defence. The provision applies to "officers, clerks and em-

ployees." The man who works in the greenhouse shovelling earth is a day labourer; he is an employee of the Government. He works the whole year round, but he receives a daily wage. Under the language of this clause he would seem to be included as entitled to a retiring allowance. Has the minister made any inquiry as to the number of people whom this clause will cover throughout the Dominion?

Mr. CALDER: The only persons who have come to my attention are those referred to by the Minister of Militia and Defence. I understand that these were a number of men who were previously in the British army, and when we took over the fortifications and so on at Halifax, these men became part of our service. Conditions are such now that their services are no longer required. Under the terms of their engagement they have been paid a daily wage. If they had been receiving an annual salary, there would have been no question about their being entitled to be retired under the Act of last session.

Mr. CLARK (Red Deer): I feel sure that a number of tax-payers of this country will heave a sigh of relief when they become acquainted with the fact that the Minister of Militia and Defence (Mr. Guthrie) states that there are some vacancies occurring in the Civil Service that will not be filled again. If that process could be extended very considerably, that sigh of relief would be repeated. That is the proper end at which to save expense on the Civil Service. I suppose numbers of members of this House share my feelings when they receive every two or three days a long list of fresh appointments, at large salaries, of people to various positions in the different departments. These lists have been the cause of considerable alarm to me, and I suppose that alarm must come to other members who receive them. It is almost a universal opinion in the Civil Service itself that it is overmanned and that the proper way to cure it is to look rigorously after fresh appointments. Do not use the Civil Service as a political machine; use it in the interests of the country, and watch fresh appointments. As regards what the minister is doing, therefore, in principle, I agree. We ought, while we rigorously watch fresh appointments, to follow the course of all civilized countries, namely, to treat with reasonable regard and decency those who have been many years in the public service. But I think the point taken by the hon. member for Lanark (Mr. Stewart) is a good one as regards what the

minister proposes. We are not responsible; the Government are responsible for extending the list of those upon whom public moneys will be expended in the days that are left to them after they retire from the public service. That is a responsibility which the Government have taken upon their shoulders. Having taken it upon their shoulders, I do not think they are pursuing a logical course in the way that they are carrying this out. The minister must have felt that there was some weight in the argument of the hon. member for Lanark when he introduced the extreme case of a man who received just \$50 a year as one who could scarcely look for an annuity. Those cases must be few, I should imagine, and special provision might be made for them. But, for my part, I associate myself with my hon. friend from Lanark in seeing a want of logic, in the first place, in the arbitrary procedure of fixing eight months as the period which shall ensure these benefits. In an interjection a minute ago, I pointed out that this will bear hardly upon sessional servants within these precincts. Why should they not come under the provisions of this measure? It is a perfectly arbitrary procedure to take a period of eight months, and it is specially illogical for the Government to make arrangements for certain civil servants by enactment and to hand other cases over to the Civil Service Commission whose recommendations must be carried out by Order in Council. I wish the minister could see some other method than that of dealing with these cases. It is an illogical method; it is a method which is liable to lead to patronage evils. An Order in Council is an order of the Government, and if the Government is receiving its orders from the Civil Service Commission, there would be a danger arising from time to time that the Government and the Civil Service Commission would know pretty well the cases upon whom they were conferring benefits, and if ever we had in the service of this country "lewd fellows of the baser sort," they may find this a convenient method of returning to the patronage system. I think it would be possible to deal with the whole of these cases by enactment. I certainly think it would be possible to include the sessional servants within these precincts, many of whom will be hard hit if this arbitrary arrangement as to eight months is persisted in.

Mr. SPINNEY: I have listened with a great deal of interest to the remarks made by my hon. friend from Shelburne and

Queen's (Mr. Fielding), and I quite agree with him that there are many civil servants, more particularly in the Customs Department, who have served for many years at very low salaries. I am firmly of the opinion that they should receive consideration, and I think it my duty to express myself accordingly.

Mr. CALDER: I do not think we should take up too much time on this Bill at this stage of the session. I have included in this resolution two amendments, and if there is any serious opposition to them, I would suggest that we drop them. Unless we have sufficient confidence in the Civil Service Commission to warrant our leaving in their hands, subject to the approval of the Governor in Council, the determination as to whether or not there are other classes that might be brought under the Act, I think we might as well drop the legislation. If we are to make a review of the entire service in order to determine exactly what other classes should be brought under the Bill, that would require a very exhaustive study. Since I introduced the Bill early in the session, I have had a stream of letters and requests and suggestions as to the peculiar conditions and circumstances surrounding the cases of all sorts of employees in all parts of Canada, which I have been asked to take into consideration. Now, to boil all those suggestions down into concrete form and embody them in legislation would require a very exhaustive study and very careful drafting. That cannot be done at this stage of the session. As a consequence of the study I have given to these representations, I think we might very well leave the determination of these other cases to the Civil Service Commission, who can take all the peculiar circumstances into account and report to the Governor in Council, and upon approval by the Governor in Council action might be taken. This Bill is only to continue for one more year. So far as the operation of the law during the past year is concerned, from all I have seen and from all the recommendations that have come to council, I think that both the deputy heads of the departments and the Civil Service Commission have operated the law very sanely and very safely. When the Bill was before the House before, I had a list of those who had been retired up to that time, and I have it here if any hon. member wishes to see it. Outside of one or two complaints that have been made in the House with reference to gentlemen who received notice that they

[Mr. Spinney.]

were going to be retired, very few complaints have reached the Government with regard to any retirements that have been made. If there is any objection to the commission dealing with this matter in the manner I have stated, we might as well drop paragraphs 2 and 3 of the resolution and get on with our work. The only new suggestion, so far as this resolution is concerned, is simply the broadening of the present law so as to include sessional employees and certain classes of employees who have been engaged at daily, weekly, or monthly rates of pay. If it is the wish of the committee that the limitation of eight months, so far as sessional employees are concerned, should be reduced to six or even less, I do not object. On the other hand, if the suggestion of the hon. member for Shelburne and Queen's (Mr. Fielding) is to be carried out, and all persons in every branch of the public service throughout Canada, not only customs officers, but all employees who give what is called part-time service—

Mr. FIELDING: That is different.

Mr. CALDER: It may be in a sense, but you will find throughout the entire service a number of people in almost every department who do not give their entire time to the service day by day, and if you are going to apply this to the customs officers you must apply it to everybody else; you cannot make fish of one and flesh of another, you must treat the whole service alike in that regard. Then again, there is the question, where are you going to draw the line? If you are going to grant an annuity to the man who is drawing \$400 a year, are you going to grant one to the man who is drawing \$300 a year, or \$200, or \$100, or \$50, or \$25 a year? You must draw the line somewhere.

Mr. CLARK (Red Deer): What does the \$25-a-year man do?

Mr. SPINNEY: There are none with such a low salary as that.

Mr. CALDER: When the special committee was dealing with the Bill, the question was asked what these outpost men were receiving, and it was stated that some received as low as \$25 a year.

Mr. CLARK: He would have a very slim hold on the service.

Mr. CALDER: But the hon. gentleman will be the first to see the logic of my argument. If you are to provide an annuity for the man who receives, say, \$500 a year, you must draw the line somewhere.

Mr. CLARK (Red Deer): I think a good case could be made out, in logic, for the man who is receiving only \$25 a year receiving an annuity for the rest of his life.

Mr. CALDER: It all depends on what he is doing. Take another class of employees, those who are working for fees instead of a small salary. Take a wharfinger, for instance, who has been in the service for twenty years. You can easily compute what he had received on an average each year; say it amounts to \$200. He reaches the age of seventy-five, and wishes to retire. Are you going to provide that he shall get an annuity for the rest of his days? Then you would have all sorts of gradations among other classes, and among the wharfingers themselves. It is a very complex question, and it is difficult to know just where to draw the line. Personally, I think that for the present year we might very well leave these cases to the Civil Service Commission.

Mr. BELAND: What about the man who fires the noon gun?

Mr. FIELDING: If the case I mentioned fell within the scope of the Civil Service Commission, I should not make any further protest, but that case is absolutely excluded; the Commission cannot touch it.

Mr. CALDER: That is right.

Mr. FIELDING: My hon. friend asks, where are you going to draw the line? I would say this: draw it between the man who is free to go and come, and the man whose duties oblige him to give his time to the service every day. I would suggest that instead of the words "who, while employed in the public service does not give his entire time to the service," we say "whose duties do not require his constant attention." That is the vital question. Is he free to come and go, or is he obliged by the nature of his duties to be there from day to day? Even though you do not pay him a living wage, if he is obliged to be there from day to day, his case is different from that of the other man.

Mr. CALDER: I think I might accept that suggestion.

Mr. ARMSTRONG (Lambton): I merely rise for the purpose of supporting the suggestion of the hon. member for Shelburne and Queen's in regard to sub-collectors of customs and inland revenue. I believe that should be given consideration.

Mr. STEWART (Lanark): The minister has stated that the selection of a number of

these classes is a complex and difficult problem to solve, and for that reason it ought to be left to the Civil Service Commission. It seems to me that that is the very reason why it should not be left to the commission. I understand that the committee that has been appointed to consider the amendments to the Civil Service Act has come to certain conclusions that are presented by way of proposed amendments to the Act as it now stands, and that those conclusions are predicated upon the conviction of the committee that the commission have found it impossible to overtake the tasks they now have.

Mr. CLARK (Red Deer): Over-worked.

Mr. STEWART (Lanark): If the minister has arrived at the conclusion that there are certain classes referred to in this resolution that should be taken care of, it seems to me that they should be taken care of by definite legislation, and that after a conclusion has been reached with reference to the other classes it should be embodied in an amendment to be brought before the House at some future time. I do not think our experience so far has been such as would warrant us in delegating to the Civil Service Commission, or any other commission, matters which it is competent for the House to deal with. I think the minister should adopt the suggestion he himself has made, and drop the sections which deal with classes being passed upon by the commission.

Mr. NESBITT: I should not like to see the minister drop the proposal that is embodied here, because it takes care of some people who would otherwise get no consideration. I would suggest that it be allowed to go through for this year, at any rate, and experience may show us what to do in the future. This is a new departure altogether, I think, and with a year's experience we may be able to draw up an Act equitable and reasonable to all concerned. I would suggest to the minister, however, that he amend this section by substituting for the words "not less than eight months" the words "not less than an average of six months."

Mr. CALDER: I do not object to that.

Mr. FIELDING: In section 1 I think the minister might add after the words "shall not include any person appointed for a temporary purpose" the words "or any person whose duties do not require his constant attention."

Mr. CALDER: We might accept that. I therefore move to amend section 1 by replac-

ing the word "eight" in the fourth line, with the words "an average of six," and by striking out in the two last lines of the said paragraph, the words "who, while employed in the public service, does not give his entire time to the service," and replacing them with the words "whose duties do not require his attention."

Mr. McKENZIE: When this resolution was first drafted, it did include old and respected officers of this House who have been in the service perhaps twenty-five or thirty years, doing work of a very useful character to Parliament. I consulted the minister about this matter, and he told me that the Act would include such persons, but this eight months' provision disqualifies them for any consideration.

Mr. CALDER: We are reducing it to six months.

Mr. McKENZIE: Well, what is the use of that? This House does not sit on an average of six months. Why should an officer, who was appointed twenty-five or thirty years ago, and who has given very useful service to Parliament during all those years, because this House does not sit on an average of perhaps more than four months, and probably less—why should such an officer be deprived of the privilege which is given some one else who does not perform any more important duties, but who happens to be engaged in those duties for six months or more? Such a man can retire on pension, but the officers of the class I mention, if they retire, get nothing at all. That is a hardship. I should be pleased if the minister would fix as a basis for consideration in this matter the length of service instead of the time spent each year in the duties of an office. He might say that for any term of less than ten years he will give no consideration, but that the man who has been continuously for ten years or more in the employ of the Government, will receive some consideration when he is obliged to retire. That would be more equitable than to say that one man, because he works six months of the year, shall receive consideration, while another man who works four or five months, though he has been in the service of the country for a long term of years, shall receive nothing.

I have in mind officers of this House whose occupation is of a sessional character but who have been discharging these duties for twenty years or more. I think it would be well if the minister could work out some plan under which these men could be provided for when they reach an age which

[Mr. Calder.]

will unfit them for further service and have to go out in the world. I am very glad indeed that the minister has accepted the proposition of my hon. friend from Shelburne and Queen's in the case of customs officers. Many of those officers receive but a small salary and yet they must be almost continuously on duty. As to the officials of the House, to whose case I have referred, it is not a matter of immediate concern to myself and yet I feel that they deserve recognition. I have no personal interest in the matter because there is nobody from my county that I desire to have taken care of. I have never asked for the appointment of any person either to the staff of the House of Commons or to the Civil Service, and therefore I am not moving in the interest of any person in this particular case. But I do say that some regard should be paid to the situation of these men and I hope the minister will make provision for them.

Mr. CALDER: Personally I can see no objection to striking out that limitation as to months. As a matter of fact, if a person such as the hon. member has just referred to has been in the service from year to year—continuously employed each year but only for a portion of the year—I think his case might be considered. So we might possibly strike out the reference to months altogether and have the section read simply in this way:

And any officer, clerk or employee in the said service who has been continuously employed from year to year.

Then strike out the words "for a period of not less than eight months of each year" and insert "for a portion of each year." Of course a man who is employed for only three months would only get three months salary, and the amount he would be entitled to under the Retirement Act would be very small in proportion to what he earns.

Mr. EDWARDS: I would like to get a little light on this matter. Do I understand that the proposal is to provide pensions for all those men and women who are engaged while Parliament is meeting as sessional clerks, sessional messengers and so on? If you are going to adopt that as a principle I would like to know from the Government if it is proposed to extend the same principle to people employed outside of Ottawa who only give a portion of their time to Government duties? I can understand making provision for permanent employees, but how can you place in that

category dozens of persons employed in connection with this House, who only hold their position from one year to another and who have no guarantee if they obtain a position one session that they will be appointed to it the session following. It is true that from the fact of being appointed one session they have a better chance of being appointed at an ensuing session, but there is no guarantee that they will be so employed. If my understanding of what is proposed is correct it means the adoption of a very vicious principle.

Amendment agreed to and resolutions as amended agreed to.

Mr. LEMIEUX: I do not know that I am in order but whilst we are discussing pensions for—

Mr. DEPUTY SPEAKER: I fear the hon. gentleman is too late. The committee has agreed to report the resolutions, and I, as Chairman of the committee, had left the Chair.

Mr. LEMIEUX: I thank you for your courtesy.

Resolutions reported, read the second time and concurred in.

Mr. CALDER moved that the resolutions be referred to Committee of the Whole House to be considered in conjunction with Bill No. 107 to amend the Act to provide for the retirement of certain members of the Public Service.

Motion agreed to.

On the motion of Hon. Mr. Calder, Bill No. 107 to amend an Act to provide for the retirement of certain members of the Public Service was read a second time and the House went into Committee thereon, Mr. Boivin in the Chair.

On section 1—short title:

Mr. LEMIEUX: When my hon. friend introduced a similar Bill two years ago I asked him on behalf of civil servants who already were receiving pensions if they would benefit from any increase in view of the high cost of living.

Mr. CALDER: No. That would open up a pretty wide question of policy. Not only those retired under the Superannuation Act, but our mounted police pensioners and other classes would have to be dealt with. Unless we were prepared to place all on an equitable basis we could not deal with the question.

Mr. FIELDING: I quite appreciate the good purpose of the Bill and support my

hon. friend in regard to it. But cases have been brought to my attention of men advanced in years—some may think them old, I do not—being notified of their retirement, although they are still blessed with good health and strength, both physical and mental, and are well able to discharge their duties. I understand that those to whom I refer have stated to the Civil Service Commission their objections to being thus treated. But how is notification in such cases given—how is such a man dealt with? Is he notified of the fact that he has reached a certain age, irrespective of reports on his condition or are those reports first taken into consideration?

Mr. CALDER: This is what I understand takes place. There is consultation between the Civil Service Commission and the deputy head of the department as to those who, in the judgment of the department, should be retired. Then the facts are gathered as far as possible in regard to the persons proposed to be retired. Usually it is on the ground of ill-health—not being able to carry on and that sort of thing. I think, taking it all round, the principle has been very well observed. Notice then is sent to the party concerned, and he is given the right to appeal. A number of these appeals have been heard and some of them have not been sustained. I think that at one stage last year notices were sent out to the effect that unless the persons involved took advantage of this Act there was a possibility that there would not be an opportunity for them to do so afterwards. I think that was most unfortunate.

Mr. FIELDING: Yes.

Mr. CALDER: I do not think that notices of that kind should be sent, and I have no doubt that after the discussion which has taken place in the House that practice will be stopped. Because it is the general idea in the service that while this Act is only continued for one year, there is every likelihood that we will have before Parliament within a year or two at the very outside a general superannuation Act which will apply to all the service.

Mr. FIELDING: I know that those notices caused a good deal of embarrassment, and I am glad the minister has publicly declared that it was a mistake to send them out. But is there a report at the first stage from somebody as to the condition of an official, or is the first move made merely on account of his age?

Mr. CALDER: Oh, no.

Mr. FIELDING: No man will be notified unless a proper official has advised that his condition of life is such that in the public interest he should be retired?

Mr. CALDER: That in the main has been the practice in the past, and that is what the law contemplated last year. The Civil Service Commission in the first place were to ascertain the number of persons over sixty-five years of age, and then before any notice was sent to those people the commission were to ascertain, through consultation with the departmental heads and heads of branches, as to whether or not they were rendering proper and efficient service, and they were not to be considered as subject for retirement until those facts had been ascertained. The question of age alone was not taken into consideration.

Mr. EDWARDS: The minister has made it clear to us that the Civil Service Commission consults with the deputy minister in regard to the capacity of an official to carry on notwithstanding his age. Suppose the official in question is a deputy minister who has reached the age of sixty-eight or seventy, with whom does the Civil Service Commission consult as to whether he should be retired or not?

Mr. CALDER: The deputy minister, so long as he is there, even though he is over sixty-five years of age, is the person to be consulted under the law, and if he is not qualified to pass a competent judgment on the question of the efficiency of the servants under him, it is about time the Government itself should remove him.

Mr. EDWARDS: I do not think my hon. friend caught the point. We will say the deputy minister has reached the age of seventy years—I presume he would be the last person to think he was incompetent. The Civil Service Commission consults with him as to any person under him, but my question is: with whom does the Civil Service Commission consult when it is the deputy minister himself who has passed the age of sixty-five?

Mr. CALDER: I misapprehended the question. As far as deputy ministers are concerned, they are directly under the control of the Government. The Government appoints them, and the Government retires them when it sees fit.

Mr. EDWARDS: That is one case where you do not trust the Civil Service Commission.

[Mr. Fielding.]

Mr. FIELDING: Is the first move made by the department or by the Civil Service Commission? Who starts the ball rolling?

Mr. CALDER: In the case of those over sixty-five years of age the Civil Service Commission make the first move; in the case of those under sixty-five years of age, the department. Section 2 of the Act of last session reads:

The Civil Service Commission shall immediately after the passing of this Act and after consultation with the deputy head, prepare and submit to the Governor in Council a report of all officers of the age of sixty-five years and over.

That is, where they are over sixty-five years of age the first steps are taken by the Commission. In the case of those under sixty-five years of age the Civil Service Commission acts upon the orders of the Governor in Council.

Mr. SINCLAIR (Guysborough): I was going to ask my hon. friend if he forgets his promise of last session. I then brought to his attention the unbusinesslike way in which we are dealing with this question year by year, bringing in new statutes to provide for retiring allowances of certain people, then during the year my hon. friend finds some more people who would like to be retired at the expense of the country and he brings along another patchwork Bill. In the meantime nothing is being done to deal with this question on a business basis. I have been putting before my hon. friend and his Government for some years the necessity of cleaning up this pension business, and putting it on a basis similar to that adopted by banks and other big institutions, under which the employee contributes something himself to a retirement fund. It is degrading to put an employee on the pension list of this country and tax the people to keep him for the rest of his life without his contributing anything to the pension fund. We should have a system under which a certain amount of the employee's salary should be set aside as a sinking fund, and the Government should contribute a substantial amount as well. This is getting to be a serious matter. Men are poured into the departments at one end and taken out at the other as pensioners, and this year we are asked for \$37,000,000 as a pension fund. Part of that is for military pensions, in respect to which I have nothing to say; I will always support that part of the fund. But the Civil Service end should be dealt with in a different way. My hon. friend promised last session that consideration should be given to it, but we

are still going on in the same old way. When we talk of men being in the employ of the Government for six months in the year and getting a daily wage, not one of us has the slightest idea of how many men that covers or what kind of claims may later come in. This is not the practical way of dealing with the question. I want to know if my hon. friend has considered this matter and whether he will bring down at the next session some kind of measure by which we will get rid of this patchwork method of handling the retiring allowances.

Mr. CALDER: I have already expressed myself on the subject of having a permanent superannuation Act. I thoroughly agree with the idea; I think it is sound and that we should have some such enactment on our statute book. As to making a promise that I will have an Act of that character brought down at the next session, I am not prepared to do that. I can assure the hon. gentleman, however, that the Government has had the matter under consideration, and I hope that such an Act will be brought down at the earliest possible day.

Section agreed to.

On section 2—"officer" defined:

Mr. CALDER: I beg to move that clause 2 be amended by striking out all the words after the word "salary" in the eleventh line and substituting therefor the following words:

And any officer, clerk or employee in the said service who has been continuously employed from year to year for a period of not less than an average of six months in each year or who, having been continuously employed, receives a daily, weekly or monthly rate of wage or salary, but shall not include any person appointed for a temporary purpose or any person whose duties do not require his constant attention.

Mr. SINCLAIR (Guysborough): Do we not mention any period of years?

Mr. CALDER: The Act gives that. If a person is over sixty-five years of age and has been in the service ten years he is entitled to annuity. If he is between forty-five and sixty-five years of age he must have served at least twenty years before being entitled to annuity.

Mr. ETHIER: Take the case of the person whose salary was reclassified by Griffenhagen and Associates. Upon reaching the age of sixty-five years is he entitled to retirement upon the basis of the salary which he earned during his twenty or twenty-five years of service, or simply on the basis of the salary earned during the

three or four years since the reclassification came into effect? I understand that some injustice is done to civil servants who have been employed for twenty or twenty-five years; that persons appointed during the last three years and since attaining the age of sixty-five may receive a larger annuity than those employed for much longer periods.

Mr. CALDER: I can hardly argue the question without knowing the circumstances. The annuity payable to any person in the Civil Service who is entitled to retirement under the law is based upon his average salary during the last three years of his service. There is no discrimination in any part of the service in that regard. It might so happen that some civil servant, being retired, would get an annuity higher than the salary of some other civil servant who had been employed for, say, twenty years.

Mr. ETHIER: I am speaking of those who are to be retired in the future, not of those who were retired before the reclassification was made. It seems that a civil servant appointed three years ago at sixty-two years of age and who is retired at sixty-five may receive a larger annuity than a civil servant who has been in the employ of the Government for twenty-five years.

Section agreed to.

Mr. CALDER moved:

That the following subsection be added to section two of the said Bill:—

"(2) If in the opinion of the Civil Service Commission the provisions of the Act should be made applicable to any officer, clerk or employee not included under paragraph (b) of subsection one of this section, the Commission shall report the same to the Governor in Council, setting forth the circumstances and the reasons therefor, and in the event of the Governor in Council approving such report, such officer, clerk or employee may be retired as provided by this Act."

Motion agreed to.

Mr. CALDER moved:

That the following subsection be inserted in the said Bill immediately after subsection two of section three thereof:—

"(2a). The said section three is amended by adding thereto the following subsection:—

"Section (6). In case there are any special circumstances relating to the appointment, employment, length of service, remuneration, salary or allowance of any officer or employee to be retired under the provisions of this Act that in the opinion of the Commission should be taken into consideration in determining the gratuity or annuity of such officer or employee the Commission shall report the same to the Governor in Council, indicating to what extent, if any, such special circumstances should be taken into consideration in fixing the gra-

tuity or annuity of the officer or employee to be retired, and upon approval of such report the gratuity or annuity in question shall be fixed accordingly.' "

Motion agreed to.

Mr. FIELDING: Has the minister seen that the amendments in the resolution have been incorporated in the Bill?

Mr. CALDER: Yes.

Bill reported, and read the third time and passed.

#### CIVIL SERVICE ACT, 1918, AMENDMENT

On motion of Hon. Mr. Spinney, the House went into committee to consider Bill No. 122, to amend the Civil Service Act, 1918, Mr. Boivin in the Chair.

The CHAIRMAN: This Bill is as reported by the Select Special Committee appointed to consider the same, and is reprinted as reported by the said committee.

On section 1—Act not to apply to employees on railways or ships.

Mr. ETHIER: The special committee appointed to consider this Bill made a report. I may be mistaken, but I am not aware that this report has been concurred in by the House. How is it that we are going on now with this Bill in committee without having concurred in the report of the majority of the special committee? I understand that the minority intend to bring in a report also.

Mr. SPINNEY: It has been decided, I think, to have the committee deal with the Bill directly. I do not think it is compulsory to have the report dealt with by the committee as it has been laid upon the table of the House, and it is quite within the power of hon. members to study it.

Mr. ETHIER: In discussing the Bill we have the right to discuss the report of the special committee?

Mr. SPINNEY: Yes. Before the committee deals with this Bill, I want to encroach upon its time very briefly. When any legislation is presented to Parliament for enactment, it is logically necessary that some justification should be given for such application. In the introduction of Bill No. 122, to amend the Civil Service Act, 1918, it is my desire, as its sponsor, to inform the committee on that point.

I first wish to state that it is conceded that when the Civil Service Act was framed and enacted in 1918, the commission was

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given powers and obligations far in advance of those entered into by either the United States or Great Britain, imposing duties beyond the ability of any commission, however efficient they may be, to accomplish without some sacrifice to the public service.

On account of serious complaints against the administration of the Civil Service Commission, for reasons already assigned, from both inside and outside Parliament, it was deemed advisable to appoint a special committee of the House to make careful inquiries into actual conditions, and, if necessary, to offer practical suggestions in order that a remedy might be applied. As these complaints were in connection with the three classes in this Bill, while they were incorporated in a tentative form with an expressed understanding that they were not to be regarded in any manner to influence the action of the committee, yet they would form a basis on which to direct their inquiries, the committee entered upon and gave faithful consideration to the duties imposed upon them.

The committee held eighteen meetings and examined twenty witnesses, carefully weighing the evidence submitted.

In dealing first with Class A, Manual Labourers, there was a general agreement by all the witnesses that it was unnecessary and inadvisable for the Civil Service to intervene, as this class of labourers are required usually for a limited time all over Canada; much of their employment is of an emergency character and was usually engaged locally. It was generally agreed that responsible officers in charge of Government work could more quickly and more advantageously employ such labour than could the commission sitting in Ottawa.

The operations of the Civil Service Commission in regard to this class were shown as in the report issued by the Department of Agriculture, that an average delay of 91 days prevailed in filling the appointments by them.

Class B consists of postmasters whose remuneration consists, in full or in part, of a percentage of the receipts of the office; the task of drawing the line between the classes of postmasters was most difficult. Some postmasters, although paid on a percentage basis, by virtue of the size of the office and of the town in which the office is located, are more nearly on a par with permanent members of the Civil Service Commission than are postmasters in smaller towns and country localities.

The method employed in making such appointments to vacancies in smaller towns or rural post offices is through the post office inspector of the province where such vacancy occurs. He proceeds to the locality, investigates the conditions, consults prominent people in the locality, makes his recommendations to his chief, then is brought before the Civil Service Commission, which invariably acts on the recommendation. Members of the Civil Service Commission agreed that their intervention in a large number of these appointments is perfunctory, and admitted that these were now practically in the hands of the departments concerned.

In a statement received from the deputy postmaster general, it was disclosed that in the case of appointments of city postmasters an average delay in confirming these appointments was only 16 days, yet in the case of rural postmasters the average delay was 74 days; in many cases causing inconvenience and loss to the people relying upon that service in order to carry on their business operations.

With reference to class C, professional, scientific and technical officers employed for the performance of duties as such, much difficulty was experienced in defining precisely what "scientific and technical officers" might be. No form of examination by itself alone can disclose the fitness of the applicant for a professional position. In some branches where appointments of this class are required, other qualities than those determined by competitive examinations were necessary. It was also pointed out by some witnesses that professional men in good standing were in some instances reluctant to submit themselves to competitive examinations, fearing that, if unsuccessful, a certain reflection would be cast upon them. The evidence disclosed that in many cases where scientific and professional men of special qualifications were required, the deputy heads of departments would induce competent persons to forward applications to the commission, and in the majority of cases thus secured the appointment of the class of men they required. The system now employed being in a measure unnecessarily deceptive to those applying through advertised requests, such applicants would practically have no chance for appointment, thus involving the country in a very heavy expenditure.

The commission agreed that there were a number of classes which might be removed from their intervention. What

these classes were the commission was unable to say—before coming to a conclusion they must consider what the effect would be, not only on the classes which might be removed, but upon all classes which remained.

From the evidence submitted, the committee concluded that it is desirable in the public interest that the commission in consultation with deputy heads of departments should undertake a careful review of the entire service with a view to determining what classes of employees should be exempted, in full or in part, from the jurisdiction of the commission and the provisions of the Civil Service Act. The committee concluded that it would be unwise at present to attempt to name or define these classes by statute.

From the mass of evidence given, the committee finally reached the conclusion that the problem was not only complicated but involved longer examination and study than the time at its disposal would permit, and that the wisest course to pursue was to suggest certain amendments to the existing law that would leave no doubt as to the power of the commission in this regard, and that the commission itself before another session of Parliament should, in conjunction with deputy ministers, give careful study as to what classes of appointments and promotions might properly be removed in full, or in part, from the operations of the Civil Service Act, it being understood that in all such cases the commission retain the power as contained in the Act to make such regulations as are deemed advisable. This, in the opinion of the committee would ensure a proper procedure, whereby the advanced measure of Civil Service reform adopted by Parliament three years ago may be modified and adjusted to meet the actual needs of the Civil Service without impairing the chief object Parliament had in view in enacting the Civil Service Act. With that object in view the committee has reported Bill No. 122, an Act to amend the Civil Service Act of 1918, with amendments.

Before closing my remarks I wish to draw the attention of the members of this committee to a statement made by myself in my brief introduction of this Bill, as follows:—

If the introduction of this Bill amending the Civil Service Act of 1918 leaves the impression on the minds of any hon. gentlemen of this House that the Government has receded from the main principle of that measure, namely, the abolition of patronage, they may dismiss it.

This statement was emphatically endorsed by the Prime Minister and other members of the Government. The unwarrantable attack on that announcement both by some hon. members of this House, and very largely by the press of Canada, the cause for which may very easily be defined, was most unjustifiable, as shown by the report of the committee dealing with this investigation. An unprejudiced effort was undertaken for the purpose of eliminating such inconsistencies as now exist in the administration of the Civil Service Act, as was demonstrated in the evidence recently taken, with the earnest desire that the public interests may be better served.

Mr. LEMIEUX: Is that the report of the committee?

Mr. SPINNEY: No, it is my statement.

Mr. EULER: As a member of the Special Committee appointed to consider the Bill to amend the Civil Service Act, I desire to state my reasons why I am opposed to the amending of certain clauses of the Act. I might also say that it was expected on the part of those members of the committee who were opposed to the amendments that the report would be brought into the House and here debated. In fairness to the members of the committee it should be understood that the report presented by the hon. minister was not a unanimous report—that some six members, at least, of the committee of sixteen were opposed to the report as presented.

As stated by the minister, the committee examined a considerable number of witnesses, among whom were the Chairman and the Secretary of the Civil Service Commission, the deputy heads of departments, as well as the heads of other branches of the service. It is due to them to say that they gave their evidence in a frank and satisfactory manner. It is also fair to say that with a few notable exceptions—two or three, and one in particular—the majority of the witnesses favoured the retention of the present method of appointments to the Civil Service. It was the general impression of the committee that it is not readily practicable for the commission to appoint the manual labourers referred to as class A. The evidence showed that, under the present powers of the commission, the difficulty had been very well overcome by a common-sense working arrangement between the commission itself and the heads of the departments concerned. With regard to

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postmasters of the lesser class, the evidence showed that possibly some change in the method of appointment might be adopted. But even here it was admitted, or rather the evidence showed, that no public interest was prejudiced by the present method of appointing postmasters. Technical, professional and scientific employees, it was generally felt, should be appointed with the advice of the deputy heads of the departments. It should also be understood that in all cases of appointments of this kind, the deputy ministers have been consulted, and their nominations and advice have been usually followed by the commission. In that connection, I should say that in one case at least—perhaps in more than one case—the deputy head showed a decided disinclination to co-operate with the commission in making appointments in his department. While it is true the evidence showed that there was considerable delay in many cases, it did not show, as the report would indicate, that this was the fact in any preponderating degree. Indeed, speaking generally, the evidence showed that only in very few instances was the delay of such a nature that the public interest was seriously prejudiced. While there were some complaints of matters which might very well be remedied in connection with the application and administration of the Civil Service Act, it is fair to say that, according to the evidence, most of the difficulties resulted from the re-classification of the service, and these will disappear in due course. Despite the complaints and difficulties that have been encountered, however, the majority of the witnesses were still of the opinion that the safeguards and advantages provided under the present system far outweigh the disadvantages. I feel also that some features of the evidence as presented in the report rather unduly stressed some of the evidence as against the present system. While those of us who are opposed to the Bill favour one amendment which is proposed, and agree with a good deal of what is said in the report itself, personally I disagree absolutely with the amendment proposed to clause 38 of the Act. In that disagreement I think perhaps I come in conflict with members on the other side, not as to the advisability or otherwise of restoring the practice of political patronage, but as to the meaning of the amendment itself. For my part, I believe that the amendment proposed to section 38 of the present Act does make it possible to destroy the vital principle of the Act, namely, the abolition of political patronage.

Section 38 of the Civil Service Act reads:

It is provided that, in any case where the Commission decides that it is not practicable to apply this Act to any position or positions, the Commission, with the approval of the Governor in Council, may make such regulations as are deemed advisable, prescribing how such position or positions are to be dealt with.

The word that is to be noted here particularly is the word "practicable." If the commission decide that it is not "practicable" to apply the Act in certain cases, they may exempt such cases from the operation of the Act. That provision gives powers sufficiently wide for all purposes consistent with the principle of the Act.

In 1918, when Parliament decided that certain policies in connection with the Civil Service were in the public interest, chief of which was the abolition of political patronage, Parliament crystallised that decision into what is known as the Civil Service Act. When that Act was passed, it was an affirmation of the principle that there should be no further political patronage. That, to my mind, is the central principle and purpose of the Civil Service Act. The Act itself was intended to serve as a text, the practical working out of which was entrusted to the Civil Service Commission. The Act was a declaration of policy, and the work of the commission was merely administrative in its nature, just as the work of the builder is to carry out, in a practical way, the design of the architect. That law was the definite legislative decision of Parliament on a well-considered policy. The Civil Service Commission was placed merely in the position of an executive, or administrator of the Act. In considering the amendment to section 38, I contend that it makes possible the transfer of the legislative function from Parliament itself to the Commission. It makes it possible for the subordinate body to nullify the intention of Parliament.

I have already read that portion of the old Act which refers to this subject. I will now read the amendment:

In any case where the Commission decides that it is not practicable, nor in the public interest, to apply this Act to any position or positions, the Commission may exclude such position or positions, in whole or in part, from the operation of the Act.

That is the vital part of the amendment. In the old Act the commission could exempt from the operations of the law any positions which it found impracticable to deal with. In the proposed amendment it is given power to divest itself of the functions it has held, not only when it does not deem their exercise practicable, but when it does not

consider it in the public interest to apply the Act. My contention is that the inclusion of these words "in the public interest" gives to the commission a power which is really legislative and not executive. For example, if the commission honestly thought that the removal of any portion of the Civil Service were in the public interest, they could do so, patronage would be restored, and thereby the policy which this Parliament has laid down would be destroyed. That is admitted by the majority of members of the special committee. I know that a good many members of the House felt that the clauses enumerated in the original Bill 122—that is the clauses relating to labourers, to postmasters, and to scientific, professional and technical officers—were entirely too broad, and that under the term "technical officers" a great many employees could be included that it would not be wise to include, or that it would be proper to exempt from the operation of the Civil Service Commission. I saw in the press a day or two ago the headlines stating that the Spinney Bill was wiped out. That gave an impression to the public that all danger of the service going back under the control of political patronage had disappeared. Yet it is the fact that the members of the committee, including the vice-chairman, were of the opinion that the inclusion of the words now inserted "nor in the public interest" opened the door wider, and made the powers of the commission a great deal broader than they were under the clauses as they originally stood in the Bill.

Now I have stated my chief objection to the Bill itself. I believe that it transfers from the superior body—the Parliament of Canada, the legislative body—to the inferior body, the administrative body, powers which Parliament ought to retain for itself.

Mr. LEMIEUX: Did any of the commissioners who were heard before the committee express any desire to widen the powers of the commission?

Mr. EULER: In answer to that question I may say that the chairman of the commission was in favour of leaving the Act as it is. I do not think there is any doubt about that at all. I know that is the case, I know that is his preference.

Mr. CALDER: Would you quote his evidence to that effect?

Mr. EULER: I have not his evidence before me. The fact is as I have stated and the minister may give his view of it.

as he likes later. The Chairman of the Civil Service Commission, and perhaps the secretary—who were the only men connected with the commission that were examined—prefer that the present Act shall stand and be given another year to demonstrate what can be done. The chairman, desires that because, by reason of the difficulties arising out of the reclassification, the Act has so far not had a chance to be shaken down into proper working order. If he cannot have that, then I am quite sure the chairman of the commission is quite willing to have some change made that will perhaps vary or qualify his power. I do not believe that he has any desire that the words referred to should be inserted in order to give him the power that would be given him under the amendment.

Now I contend further, that under section 38, of the present Act, the commission has all the power that it should be given in order to carry out the legitimate purposes of the statute. The commission have had the conviction and the impression that they should not lend themselves to the exercise of political patronage. That view is being recognized by the public. As to the degree to which they have been able to carry out that conviction in practice, members may have different opinions. For my part, I am under the impression that the commissioners have tried to carry out the Act honestly and in accordance with what was expected of them by Parliament.

The report suggests that during the recess the commissioners themselves should consult the deputy heads of departments, with a view to deciding what other employees may be exempted from the operations of the commission. While I am entirely in accord with that proposal, they should not, in the meantime be given power to do as they please with regard to these exemptions. I quite agree—as I think all the members of the committee do—that there are certain employees who might very well be removed from the control of the commission.

An hon. MEMBER: What classes?

Mr. EULER: Possibly the postmasters. I only throw that out as a suggestion, however; I am not committing myself absolutely to that policy. There may be others as well. That does not destroy the principle upon which I am debating the question. But we do say there is no immediate haste. If there is, let the commission report to this House what classes should be

[Mr. Euler.]

exempted at once. Then let this Parliament legislate directly on the matter on its merits and retain the power it ought to retain. In that regard, the Bill we originally had before us recognized the proper principle. It was specific as to labourers, postmasters and other officers, and that was the proper way to deal with the question. Let the House itself deal with that and not abdicate its functions in favour of the Civil Service Commission. During the recess, the members of the commission and the deputy heads of departments might very well get together and later make a report to Parliament as to what else is desirable in the public interest. Then Parliament, at the next session, may legislate in accordance with what is recommended, or as it might see fit. I believe, Mr. Chairman, that only in that way can the vital principle of the Bill with regard to political patronage be safeguarded. When the Bill first came up I asked the chairman of the commission what his opinion was of the measure if it became law as it then stood. He replied that if it became law it would drive a coach and four completely through the Act.

Mr. CALDER: The original Bill?

Mr. EULER: The original Act of 1918. The minister himself admitted in the committee that if the present amendment is accepted it will open a wider door for that coach and four to go through than the original Bill No. 122 would have done.

Mr. LEMIEUX: Who suggested the amendment?

Mr. EULER: I am not sure, but I think it came from the Minister of Immigration and Colonization (Mr. Calder). However, I am open to correction on that point.

Now, I believe that if the commission is empowered to make these changes, and to exempt certain employees when they think it best in the public interest, they will be subjected to constant pressure on the part of members of Parliament—through the deputy heads or perhaps even through the ministers—to make such changes. For example, a minister may very well go to the commission and say “It is not in the public interest that the outside employees of my department should remain under the control of the commission,” and the commissioners might very well yield. They may say “The minister is best qualified to decide whether it is in the public interest that we shall continue to appoint these employees, or whether

they shall remain under our control"; and I think it possible they would be just human enough to yield to the higher authority. Under the present law they cannot be approached in that way. On the other hand, the personnel of the commission may change from time to time, and no doubt will. It is quite conceivable that we may have a majority of the members of the Civil Service Commission composed of men who honestly believe that the Civil Service should be controlled by political patronage. There are members of this House who believe that, and they have a perfect right to that belief. But if we had that condition, we would necessarily find that the commission would divest itself of its powers and the whole Civil Service would lapse back into the old practices of political patronage. I do not see how it could be otherwise.

Mr. CALDER: The hon. gentleman forgets that Parliament sits from year to year.

Mr. EULER: If, as I begin to suspect, a good many members are rather in favour of the return of political patronage, that perhaps would not be a safeguard.

Mr. SEXSMITH: Is it the hon. gentleman's information that under the old law political patronage was done away with?

Mr. EULER: I am not qualified to speak on that but I know it is done away with as far as I am personally concerned. I never was given opportunity to exercise it, nor do I desire it.

Mr. SEXSMITH: As far as I am personally concerned neither do I exercise any patronage, but that is not saying that it is done away with by the existing law.

Mr. LEMIEUX: Who decides patronage?

Mr. CURRIE: Ninety members, and the rest of us have not any patronage, according to the evidence.

Mr. LEMIEUX: Who said that?

Mr. CURRIE: The present chairman of the commission.

The CHAIRMAN: Order.

Mr. EULER: Whatever the opinions on that point may be, I hold that under this amendment it is made possible to revert to the old system. Members may argue whether we have political patronage now or not, but this much is certain—under the amendment you can revert to political patronage. I believe the merits of political patronage are arguable. Some hon. mem-

bers contend that as they are elected by the people, and as the Civil Service involves the expenditure of money, they themselves should have something to say as to these appointments. I think there is a certain amount of force in that view. But I am of opinion that this House and the country were under the impression that even though there may be something in that argument, it is nevertheless true that the advantages of that system are far outweighed by its disadvantages.

The point I want to make now is that I think members of the House should realize that the amendment as it actually comes before us raises the issue whether we shall make political patronage possible or not. Let us meet the real issue and fight it out without camouflage—shall we have patronage again or not? If Parliament believes that it was wrong in its judgment in 1918, then let it repeal the Civil Service Act either in whole or in part, recognizing quite frankly what we are fighting about. So far as I am personally concerned, I am opposed to the system of political patronage as it obtained in the past. The Civil Service Act may have its drawbacks, but even then its advantages, in my opinion, far outweigh its disadvantages, and where defects become apparent, Parliament should correct them specifically and not hand over their powers to an irresponsible commission. For that reason I am opposed to the Bill.

The CHAIRMAN: Shall clause 1 carry?

Mr. EULER: Mr. Chairman, I intended to move the following amendment:

That the words "nor in the public interest" in the second line of section 38B be struck out.

Mr. DAVIS: Mr. Chairman, it seems to me that there is an inconsistency in the addition of one part of that clause. It provides, as it is now, that:

—the Commission may, with the approval of the Governor in Council, exclude such position or positions in whole or in part from the operation of the Act,—

That power of exclusion is given to the commission with the concurrence of the Governor in Council. Then the section goes on that the commission may:

—make such regulations as are deemed advisable prescribing how such position or positions are to be dealt with.

Well, if those positions are excluded from the Act what further has the Civil Service Commission to do with them? Should not words be added there that the Governor in Council shall make such regulations? I want to make it clear that

that will be the position, and that these positions being excluded from the Act the commission have nothing more to do with them.

Mr. GRIESBACH: The words "in whole or in part" cover that.

Mr. DAVIS: Where it is in whole, I would answer the hon. member that then the commission has nothing to do with those positions; but where they are only in part excluded the commission may still have something to say about them.

Mr. GRIESBACH: That is what they do as a matter of fact.

Mr. CALDER: It strikes me that the approval of the Governor in Council covers both. With the approval of the Governor in Council they may exclude, and they may make regulations. That is, the Governor in Council would have to approve the regulations, as well as the exclusion of any positions in whole or in part.

With reference to the amendment and the discussion we have had, I doubt very much if any good purpose would be served by continuing it at length. My good friend from North Waterloo (Mr. Euler) expressed his opinions very strongly and very fully before the committee. We had some hours of discussion there, and we simply could not see eye to eye as to the effect of the words introduced into this amendment. I wish to say quite frankly for myself that, so far as the question of patronage is concerned, I am absolutely opposed to the old plan of having appointments made simply on the ground of political preference. I have been in public life something like fifteen or twenty years, and I know the evils, and in my judgment there is nothing that hurts a political party or a government more than political patronage. It has dragged down many a government in the past and will continue to do so so long as it is exercised. There are others who hold a different view, but in my judgment the further the Government and members of Parliament get away from patronage the better for themselves and the better for the service. So, if any person has any idea that this amendment is adopted with the view of introducing a "joker" into the law, well, so far as I am concerned, he is very much mistaken.

Now, what is the practical position? It is simply this, that Parliament, as the report states, whether wisely or unwisely,

[Mr. Davis.]

threw upon the Civil Service Commission a task that was absolutely impossible for it to carry out. We went further in our law than any country in the world. We are miles in advance of the United States in this regard. There they have lists upon lists of exemptions from the operation of their Civil Service law. In Great Britain there are exemptions but not so numerous as in the United States. But here in Canada two years ago we threw upon the Civil Service Commission an enormous task, which they were supposed to undertake immediately. We placed in their hands the classification of all employees in the Inside Service and the Outside Service of every class from messenger or charwoman up to astronomer, as our report points out. They had to classify all these employees. Some sixteen hundred classes have already been defined; they had to fix the salary ranges of all these persons; and in addition they had to undertake all appointments to the service, all promotions in the service and all other details covered by the Act. Now, the impression I got from the evidence, and I think I am safe in saying that those of us who sat on the committee and heard the evidence from day to day could come to no other conclusion, was that the public service of Canada has suffered during the past two years. But that is not the fault of the commission; they have done the best they could under the circumstances.

Mr. MARCIL (Bonaventure): Will the minister say in what respect the service has suffered—through shortage of employees, or what?

Mr. CALDER: No, it suffered on account of the almost impossible task that we assigned to the commission and asked them to undertake during the past two years.

Mr. LEMIEUX: Now, let us make that quite clear. How has the public service suffered? Will my hon. friend kindly explain that?

Mr. CALDER: I can give a dozen illustrations. Take, for example, the Agriculture Department. If the hon. gentleman will look at the report which was brought down to the House he will find a list of sixty or seventy, or more, persons who were to be appointed to all sorts of positions in the Agriculture Department, and that it took the commission on an average more than ninety days to make these appointments. Do you mean to say that in these circumstances the department

has not suffered? Or take the example given to the committee by the member for Lunenburg (Mr. Duff) where the commission was required to appoint a fishery inspector down in his part of the country. It took the commission, not weeks but months, to find a man for that position, and in the meanwhile the provisions of the statute required that certain duties should be performed by a fishery inspector in that district.

Mr. LEMIEUX: We have not appointed an ambassador to the United States, though we voted the salary three years ago.

Mr. CALDER: That is not the point at all. The evidence clearly discloses the fact that there were innumerable and vexatious delays of all kinds in making appointments to the public service.

Mr. EULER: Will the minister allow me a question? He has referred to the Department of Agriculture as a clear instance of delay in the making of appointments. Will he also admit that the Civil Service Commission were not called before the committee to defend themselves with regard to that particular department?

Mr. CALDER: The main point is this: we had case after case before us and the weight of evidence was that there were very vexatious delays in connection with appointments.

Mr. EULER: Is it not also true that the commission cannot act until the deputy head of the department makes application to the commission?

Mr. CALDER: The commission does not even start to make any appointment until application is received from the department.

Mr. EULER: And there have been delays in the departments themselves.

Mr. CALDER: But I say that until application on the part of the department is filed with the commission there is no move to make appointments. I am not blaming the commission. There were many reasons for these delays, and one of them—

Mr. ETHIER: Just on that point, I may say that the evidence brought out before the special committee—and it was the evidence of Dr. Roche, the chairman of the commission—that under the classification made they could not find men to accept the positions. The evidence shows that the basis of the trouble was the fact that the commission have been bound by this extraordinary classification.

Mr. CALDER: Well, that was true in some cases, but not by any means in the majority of cases. After all, I do not propose to proceed with the discussion along these lines. The main difference of opinion in the committee was as to the effect of the insertion of the words "in the public interest." The view taken by the majority, so far as the present law is concerned, was that the commission under that law has not sufficient latitude—and that was admitted by the commission itself. The commission has power to exempt from the law any class of employees whose appointment it is not practicable for the commission to make. I asked whether it would be practicable to make appointments in Rio de Janeiro, or in Madrid, or wherever else we might establish offices in foreign countries, and the commission had to admit that it was "practicable" to do it; that they could establish machinery for the holding of examinations in those places and make the appointments themselves without reference to the department. They admitted that, and the same was true in connection with other positions as well. So long as we allow the law to remain where it is, the commission will carry it out, and if the only reason for not making appointments is that of impracticability, then they feel that they are bound to carry out the provisions of the law and to make the appointments. But there are cases where it is not a question of practicability at all, but a question whether it is in the public interest that these appointments should be so made. Does any one say that it is not practicable for the Civil Service Commission to appoint men to positions involving manual labour? Certainly it is practicable; the commission can create the necessary machinery. It was pointed out that in the city of Chicago a commission was actually undertaking to appoint labourers, examining them as to their physical condition, their heart power, their lung power, and all that sort of nonsense—subjecting them to all sorts of tests. It is "practicable," then, for the Civil Service Commission to make appointments involving manual labour; to appoint men to work on our bridges, our survey and geological parties. So long as we provide by the law that only on grounds of impracticability may appointments be made by any one other than the commission, then the commission will feel bound to live up to the law; if they exclude any classes of people at present on any other ground, then they are breaking the law. It is because we want to put them in a position where they

will operate legally that we propose to insert these words.

Mr. MACKENZIE KING: Does the minister suggest that the Civil Service Commission should regard it as being not in the public interest that they should appoint the classes which he has just mentioned? Does he suggest that the Civil Service Commission should so construe the words "in the public interest" as to take these classes out of its control?

Mr. CALDER: No, I do not.

Mr. MACKENZIE KING: Then it comes down to the point of Parliament determining what classes should be included and what classes excluded, rather than leaving it to the commission.

Mr. CALDER: I quite agree that a year or two from now after sufficient study has been made of this situation, Parliament should incorporate in the law the exceptions which should be made. But I am quite sure that neither the committee nor Parliament is this year in a position to decide exactly what the exclusions should be.

We do not know enough about the situation to put in the statute itself the clauses that should be excluded. Let me give my hon. friend an example. I would not hesitate at all to say that the manual labour required on our survey parties, canoe men, paddle men, axe men and men of that class, who must be got away out in certain regions in the West and in the northern regions of Ontario and Quebec, should be excluded. On the other hand I would hesitate very much to exclude manual labourers in the city of Ottawa. That is why we propose that the Civil Service Commission should have power to exclude, in whole or in part, any class of employees. It is a matter that they should take into consideration and determine for themselves. But again I say that, under the law as it exists, the Civil Service Commission cannot take the ground that it is impracticable for them to appoint every manual employee anywhere in Canada. So long as they exclude, they are not acting legally; they are breaking the law, and we should not place the Civil Service Commission in that position. The law should be broad enough to give them discretion to act where they think it is in the proper interest that they should act. If I had time before six o'clock, I should like to give the facts, because I have in my hand the evidence of the commission itself on this point and I think it is very material. I will read some extracts because the com-

[Mr. Calder.]

mittee should have this well before it. I will take the matter up in order, and I do not think it will take very long. We were discussing the question of these foreign appointments in our trade commissioner's offices, our immigration offices and other offices. As it was, the commission have been making these appointments until quite recently. They have struggled with them for a year and a half. There is some sort of a tentative arrangement now whereby the department has a good deal to say and to do in connection with these matters. This question was asked of Mr. Foran, secretary of the commission:

I think you must acknowledge that as far as qualifying people away in those far off departments it is a difficult thing for your commission to handle that thing successfully?

Mr. Foran's answer was:

I think the commission has recognized that not only regarding positions in foreign countries, but with regard to a certain number of positions in the Civil Service here. They had an Order in Council passed exempting all positions where the salary was less than \$200.

I should like to have followed Mr. Foran on that, because I have no knowledge of that Order in Council going through. That would exempt a very large number of outport men, wharfingers and men of that class. I have not as yet heard of their being exempted. Mr. Foran continued:

There was a suggestion that that amount of salary should be increased, and smaller positions exempted and that is under the consideration of the Commission at the present time.

Then the question was asked:

In connection with the foreign appointment I presume after this all came into force the commission felt it had to carry out the law?

Mr. Foran's answer was:

Absolutely.

What did this mean? It meant simply that when we passed the law two years ago, if a trade commissioner in Melbourne wanted a stenographer in his office, he had to apply to the Civil Service Commission in Canada, and the Civil Service Commission in Canada had to go through all the rigmarole in order to appoint a stenographer away off in Melbourne.

Mr. EDWARDS: Why not just as well there as in Vancouver?

Mr. CALDER: They were on the ground of "impracticability." Then the question was asked:

But as a result of your experience for a year or two do you not think that all the clerical positions at least in foreign countries might be exempted by the commission?

His answer was:

Yes, sir.

Members of the committee will remember that after Mr. Foran had given his evidence, Dr. Roche was asked if he agreed with the evidence given by Mr. Foran, and Dr. Roche stated that he did and that he had nothing to add. Then Mr. Griesbach asked this question:

What steps will you take to get that done now?

That is to have those appointments in foreign offices exempted. Mr. Foran replied:

We will have an Order in Council passed under section 38 A of the Civil Service Act.

But it has not been done. They are still struggling with this question of foreign appointments. Do members of the House take the ground that the Civil Service Commission of Canada should deal with these purely clerical appointments in South America, Australia, South Africa, Great Britain and so on? I do not. I say that it is not in the public interest.

Mr. McKENZIE: All those "impossible" and "impracticable" conditions that the minister puts before the committee existed before the original Act was passed. Why did not the minister in his wisdom see to it that those things were provided for before he started the ball with the original Bill?

Mr. CALDER: That is another feature of the question. I am dealing with the situation as it exists at the present time. Then this question was asked:

You are going to get, do you say?

That is, to get this done. His answer was:

Yes. You know we have had so much to do, General, we have not had time to prepare what we regard as a reasonable exemption list. There is no Civil Service Commission in any country who has not got this exemption list. There are necessary positions in the service which do not lend themselves to competition where the head of the department should have the right to select.

That is Mr. Foran's evidence. He continues:

That is admitted by all Civil Service reformers, and that is one of the duties of the commission, but we have never been able to get to that, we have had so much to do with the reclassification and other work on us from time to time.

This question was asked:

You have been operating under that law for a period of about two years. Do you not think after the experience you have had during

those two years that the commission might sit down with the deputy ministers of these departments and consider the whole situation from that angle?

That is from the angle of exemptions. Mr. Foran replied:

I have no hesitation in saying, Mr. Calder, that that would be the proper procedure to follow.

That is, instead of the special committee attempting to ascertain what classes should be exempted from the operation, Mr. Foran's view, which was concurred in by Dr. Roche, chairman of the commission, was that they should have an opportunity during the course of the next two or three months to sit down with the deputy heads and the chief officers of the departments in order to determine what classes should be exempted.

Mr. LEMIEUX: Did Mr. Roche in his evidence not state that he feared being dictated to by some minister?

Mr. CALDER: I do not remember that. It may have been in connection with some features of the evidence.

Mr. GRIESBACH: He did not say that.

Mr. CALDER: Mr. Currie asked this question:

In other words, an Order in Council would put the whole situation under the old system?

Mr. Foran replied:

It would come on the recommendation of the Commission but not without the recommendation of the Commission.

Mr. Griesbach asked this question:

Is there any possibility of doing that?

Dr. Roche then spoke as follows:

We would have to certify to the Governor in Council it was impracticable to fill it.

That was the view taken by Dr. Roche, that, unless they could certify in their recommendation to the Governor in Council that it was impracticable to fill these positions, they should not make a recommendation to the Governor in Council. In answer to another question Mr. Foran stated:

I think Dr. Roche, the Chairman, stated the other day that experience has shown that some changes are necessary, and some exemptions must be made if you are going to have this law respected by public men and the public generally, because if you point out the procedure that is followed with reference to certain appointments, I think that the public feel that we are going to extremes.

That statement is made by Mr. Foran in the presence of Dr. Roche who, at the conclusion of Mr. Foran's evidence, stated that he did not disagree with Mr. Foran's evidence. In other words in so far as certain

of these positions and certain appointments are concerned, they are attempting to deal with things that are in a sense almost impossible. They admit that they are going to extremes in endeavouring to carry out this law; and the conclusion we came to after hearing all the evidence is that the commission itself should have power to rectify these things. Wherever they find, in conjunction with the deputy heads of departments, that it is in the public interest—not in the interests of the Government, nor in the interest of the Civil Service, but in the interest of the good administration of public business in this country—that certain appointments should be exempted from the law and should be made more directly than they are at the present time, the commission should have power to arrange accordingly.

Mr. LEMIEUX: Will the initiative in that respect belong solely to the commission?

Mr. CALDER: Entirely.

Mr. MACKENZIE KING: May I ask my hon. friend if there is any obligation on the part of the commission to make a report to Parliament in regard to appointments made in that way, in the public interest, giving the special reasons?

Mr. CALDER: I think that is a clause that might very well be included in the Bill. Personally, I am inclined to the view, although I doubt if the commission themselves are, from discussions I have had with them,—not before the committee, but more or less offhand after our meetings—that we should put the exemptions that are made in the statute; but probably it would be better for a year or two to elapse before that is done. Let us first work the thing out a little further. I quite agree that it would be advisable, for the protection of the commission, and of Parliament, and of the public, that these exemptions should be reported upon to Parliament, setting forth the reasons why the exemptions were made in particular cases.

Mr. MACKENZIE KING: Perhaps the minister would draft a clause covering that during the dinner hour.

Progress reported.

At Six o'clock the House took recess.

#### After Recess

The House resumed at Eight o'clock.

#### SUPPLY

Hon. J. D. REID (Minister of Railways and Canals): When the House is again in [Mr. Calder.]

Committee of Supply, I propose to amend the wording of the two items contained in resolution No. 126 and to be found on page 35 of the Main Estimates for the current year, so that the said items will read as follows:

Loan not exceeding \$89,687,633.39 repayable on demand with interest at the rate of six per cent per annum, payable half-yearly, to be used (where amounts available from net operating earnings may be insufficient) to meet expenditures made or indebtedness incurred at any time by or on behalf of the Canadian National Railway Company, the Grand Trunk Railway Company of Canada or any company comprised in the Canadian National Railway system or the Grand Trunk Railway system, or any of them (excluding herefrom, however, expenditures or indebtedness incurred by or on behalf of the Grand Trunk Pacific Railway Company except as specifically provided in item (f) hereof) on any of the following accounts: (a) operating deficits, (b) acquisition of property, materials and supplies, (c) interest on notes, securities or obligations, (d) the principle and interest of maturing or matured loans, secured or unsecured, (e) construction and betterments, (f) guarantees by the said Grand Trunk Railway Company of securities of the Grand Trunk Pacific Railway Company, such loan to be secured by mortgage or mortgages upon the undertaking of the Canadian National Railway Company or the Grand Trunk Railway Company of Canada on such terms and conditions as the Governor in Council may approve. The loan or assistance herein authorized may be made in cash or by way of guarantee, or partly in cash and partly by guarantee, in the discretion of the Governor in Council. Any guarantee from time to time given under the authority herein may be of the principle and interest of the notes, obligations or securities of the Canadian National Railway Company or the Grand Trunk Railway Company of Canada, and may be signed by the Minister of Finance, on behalf of His Majesty, in such form and on such terms and conditions as the Governor in Council may approve. . . . . \$89,687,633.39

Loan not exceeding \$26,000,000, repayable on demand with interest at the rate of six per cent per annum, payable half-yearly, to be used (where amounts available from net operating earnings may be insufficient) to meet expenditures made or indebtedness incurred at any time by or on behalf of the Canadian National Railway Company or the Grand Trunk Pacific Railway Company or any company comprised in the Canadian National system or in the Grand Trunk Pacific Railway system, or any of them, (excluding herefrom, however, guarantees by the Grand Trunk Railway Company which are provided for in item (f) of the next preceding item), on any of the following accounts: (a) operating deficits, (b) acquisition of property, materials and supplies, (c) interest on notes, securities or obligations, (d) the principal and interest of maturing or matured loans, secured or unsecured, (e) construction and betterments; such loan to be secured by mortgage or mortgages upon the undertaking of the Canadian National Railway Company or of the Grand Trunk Pacific Railway Company on such terms and conditions as the Governor in Council may approve. The loan or assistance herein authorized may be made in cash or by way of guar-

antee, or partly in cash and partly by guarantee, in the discretion of the Governor in Council. Any guarantee from time to time given under the authority herein may be of the principal and interest of the notes, obligations or securities of the Canadian National Railway Company or the Grand Trunk Pacific Railway Company, and may be signed by the Minister of Finance, on behalf of His Majesty, in such form and on such terms and conditions as the Governor in Council may approve  
 .. . . . . \$26,000,000

I therefore beg to move that said items in amended form be referred to the Committee of Supply.

I also beg to inform the House that His Excellency the Governor General has been informed of the proposed changes and recommends them to the House.

House again in Committee of Supply, Mr. Boivin the Chair.

Railways and Canals—Estimates chargeable to income, \$167,117,790.72.

The CHAIRMAN: Before the committee resumes the consideration of the two items forming part of resolution No. 126 and printed on page 35 of the Main Estimates for the current year, and the proposed amendments to the said items moved by the hon. Minister of Railways and Canals in this committee on Monday, May 30, 1921, I desire to draw the attention of the committee to the fact that when the said amendments were proposed, they were accepted by the Chairman merely as notices of amendments and subject to further consideration. The point of order to be decided was whether or not, as these amendments involved a change in the destination of the grant, it was competent for the hon. minister to make the announcement in committee, that the proposed changes had been submitted to His Excellency the Governor General and that they had been recommended by him to the House.

I have given to this matter careful thought and consideration and find that according to the rules and usages of Parliament no change in the destination of an Estimate submitted to the House of Commons by His Excellency the Governor General can be made in Committee of Supply unless that change has been submitted to, approved by and commended to the House by His Excellency. The changes involved in these amendments had been submitted to His Excellency and approved by him and the only question in doubt was whether or not the announcement should have been made in Committee of Supply or in the House itself. Upon this point, I find that all announcements of this nature have always been made in the House and not in

committee and that this usage is based not only upon the fact that the announcement should be recorded in the Votes and Proceedings of the House of Commons but also for the reason that all messages received from His Excellency the Governor General should be communicated to the House with the greatest possible respect, dignity and decorum. I have already communicated to the hon. minister my ruling upon this point of order and the proper announcement of His Excellency's approval and commendation having been duly made before the House resolved itself into Committee of Supply, to-day, the proposed amendments are now in order and can be duly considered and voted upon by this committee.

Hon. Mr. REID: Among the items embraced in Item No. 126 is one on highways. Some information has been asked for in connection therewith, and I am now in a position to discuss that subject. I suggest, therefore, that we take up the item dealing with highways.

Commissioner of Highways: To provide for the organization and payment of staff of Commissioner of Highways, including A. W. Campbell, C.E., as Commissioner of Highways at \$5,000 per annum, \$53,000.

Mr. WILSON (Wentworth): In rising to address the committee on this question, I do so on the ground that the expenditure on highways in the province of Ontario is already too great. The item under discussion provides for a staff in connection with highways. As hon. gentlemen are all aware, under the Highways Act, the province and the counties pay a certain percentage, and the Dominion makes a grant of \$20,000,000 to be divided amongst the provinces on the basis of population, this grant being available up to April 1, 1924. Ontario's share is \$5,877,275. The Ontario plan for good roads calls for 1,824 miles, and the Minister of Public Works of the province of Ontario says he expects to spend \$14,000,000 in two years. I have placed on the Order Paper some questions which still remain unanswered, and had I the answers to these questions I could possibly speak with more authority and precision on the subject. As I proceed, however, I shall ask the minister for such information as I desire. In the first place, I do not favour this dual control in the building of roads. I was going to say it is a crime, but certainly it is almost an utter impossibility to get any information in connection with the matter. If I go to the Department of Public Works of the Dominion, I am referred to the province of Ontario, and

they in turn refer me to the Dominion. Now, let us take some of the highways that have been built and the expenditures which have been made in connection therewith. The Hamilton-Brantford highway covers a distance of 19.18, or say, 19.1-5 miles; 11.2-5 miles are in the township of Ancaster in the county of Wentworth, which I have the honour to represent, and 7.78 miles are in the township of Brantford. Probably some hon. members may consider that the course I am pursuing to-night is rather out of the ordinary, as I am speaking in regard to a county, a portion of which is represented in the Ontario Legislature by the Minister of Public Works of Ontario, I had the honour to represent what has been known in the Legislature of Ontario, from 1908 to 1911, as the riding of North Wentworth. The riding, as represented in this House, is known as Wentworth, comprising North and South Wentworth, and it may be considered strange that I should rise to-night to express my views upon the good roads question in opposition to the Minister of Public Works of Ontario. A certain article appeared in the Toronto Star Weekly on Saturday, May 21, 1921, and, but for the fact that that article was published, I do not know that I would pay so much attention to the matter as I purpose doing to-night. In this article the Hon. Mr. Briggs, is reported as follows:

The whole trouble is, he said, that the good road question has become one of Ottawa politics. Our good friend who represents Wentworth in the Dominion House has developed into the highest type of good-road knocker that can be found in the land.

Let me say that I am not opposed to the good road scheme, but I believe in a fair distribution of the work on the roads all over the Dominion of Canada. If hon. gentlemen will refer to the questions I have put, and the answers which appear in unrevised Hansard May, page 3698, and May 26, page 4030, they will see that the part of the country from which I come is being very favourably looked after. The road I am now discussing is known as the Hamilton-Brantford road. The estimated cost is \$658,907.05, but estimated cost and actual cost are two different things. Take the portion of it that has been completed, what is known as the Hamilton-Dundas road from Paradise road as far as Binkley's corners, a distance of 9,100 feet. That has cost to date, without the proposed boulevard \$141,253.46.

Mr. COWAN: Is that road paved with gold?

[Mr. Wilson.]

Mr. WILSON: The streets of this city are not paved with gold.

Mr. LEMIEUX: Would the hon. gentleman kindly repeat the figures?

Mr. WILSON (Wentworth): The actual distance is 9,100 feet, less than two miles, and the cost is \$141,253.46, or at the rate of \$81,958 per mile.

Mr. PROULX: What is the width of the road?

Mr. WILSON (Wentworth): The road is 24 feet of bithulithic pavement, with a 3 foot shoulder on each side, making a road of 30 feet. That is all. The minister of Public Works of Ontario is going further than that. He is determined to make that road wider.

An hon. MEMBER: What Government built that road?

Mr. WILSON (Wentworth): The Drury Government. The road is a good road but the contention I make is that if we allow the Minister of Public Works of the Province of Ontario to carry out such an extravagant scheme, certain portions of the country will be favoured and other portions will be neglected.

Mr. McMASTER: Are these roads approved by the engineers acting on behalf of the Dominion Government?

Mr. WILSON (Wentworth): This is one of the approved roads, and therefore I consider it my duty to bring the matter to the attention not only of the Government but of the country, and I do so fearlessly. The estimated cost of this road was \$122,000. Its actual cost, as I say, is \$141,253.46, but in justice to the Government and the Department of Highways, it must be said that on the whole Hamilton-Brantford section only a little over \$5,000 has been paid. This Government does not pay 40 per cent on any of the extravagant undertakings that the Minister of Public Works may wish to lead them into. They pay 40 per cent on a reasonable amount for construction; and what I contend is that the Dominion Department of Public Highways should pause for consideration in the matter of building these roads—we cannot have such extravagance. Let me go further. I claim that this road is costing \$81,958 per mile. Well, the Minister of Public Works of the province of Ontario is now expropriating from 15 to 18 feet on each side of that road.

Mr. EDWARDS: What is his name?

Mr. WILSON (Wentworth): The Hon. F. C. Biggs, and he lives three miles from

where I do. Now he is expropriating 15 to 18 feet on each side of the road and he is paying the people for that land at the rate of \$1,285 per acre or—let me say for the benefit of my farmer friends—at the rate of \$128,500 for a hundred acre farm. I am glad that the leader of the Farmer party is in the House because when he tours Ontario with his friend, Hon. Mr. Drury, he will have some questions to answer if he proposes to link up with that party.

Mr. EDWARDS: What is the purpose of this expropriation of land on either side of the road?

Mr. WILSON (Wentworth): As to that, statements have been made to me by the farmers living along the highway. To give you an instance let me say that last Sunday—I am sure my hon. friend from North Cape Breton and Victoria (Mr. McKenzie) will say it was an act of mercy I was upon—I was called to go and see a gentleman, a constituent of mine, who was sick in bed, and who, his wife said, was worrying over the road expropriation.

Mr. COPP: Did you take him spiritual comfort?

Mr. WILSON (Wentworth): I went and I found him in bed. He told me that recently the Department of Public Works of the province of Ontario came along and moved his fence back, they offered him a cheque in payment—in fact he has the \$1,285 per acre. I asked him why. I feel that members of the House will think this is a rather extravagant story, but if they will look up last night's Toronto Telegram they will see some of the pictures, and I am at liberty to say that I provided those pictures for the Toronto Telegram and also some of the statements made. Furthermore, I shall be pleased to show members of the House how roads are built in our section. Well, my constituent said they expropriated this property, and the reason they gave was that the Hon. Mr. Biggs purposes, on this road from Hamilton to Windsor to use this 12, or 15, or 18 feet, whatever it may be, for the purposes of building a boulevard between those two cities. Now, if you look up yesterday's paper you will find that the Hon. Mr. Biggs stated yesterday at Preston that he was only going to make a temporary improvement of the road there, because he intended to widen it to 80 feet. Now the width of the paved road—as I stated to some hon. gentleman—is 24 feet, with a 3 foot shoulder, making 30 feet in all, and then there is a ditch on each side.

An hon. MEMBER: Is that to put the Ontario Government in?

Mr. WILSON (Wentworth): I do not know whether it is to put the Government in or not, but the fact remains that they are allowing roads to be built at such figures.

Now some of you hon. gentlemen will ask what wages are being paid. Referring to unrevised Hansard, pages 3698 and 4030, and quoting from the answers furnished by the Department of Public Works of Ontario over which Mr. Biggs presides. I find that labourers were paid \$6 per day.

Mr. PROULX: Is that this year or last year?

Mr. WILSON (Wentworth): Last year. Teams were paid \$10 a day; foremen \$6.50 a day and board; roller engineer \$7.50 a day. For a five-ton truck \$50 per day, including the driver, was paid, and for a two-ton truck, \$22.50 per day. It might be advisable for me to also put on Hansard what they paid for ditching. There were 16,712 lineal feet of ditching at 60 cents a foot; 1,655 lineal feet of tile drain at 70 cents a foot; 35,849 tons of screening at \$3.60 per ton. The bituminous top on this road was paid for at the rate of \$2.60 per square yard, and it was put in by the Warren Company, an American concern with a branch at Toronto. How the contract was awarded I think should be put on record. Hon. F. C. Biggs, Minister of Public Works of Ontario, needs no introduction to this House, because anybody who has read the papers during the last six months will have noticed that although the United Farmers of Ontario party in their platform denounced patronage, this same gentleman went to a truck dealer named Parkin in the town of Dundas and without advertising for tenders asked this man to tender and awarded the contract to him for \$117,500, upon which the dealer claimed he made a commission of \$13,800. Not only that, but the department purchased American trucks and paid the exchange on the purchase price. They could have bought equally as good trucks in the city of Hamilton from the National Steel Car Company, and as a matter of fact for the American trucks they did purchase they had to buy repair parts from this Canadian company in Hamilton.

If there is any doubt as to my right to speak on this question—and I see some members are a little bit uneasy about it—I want to say that we pay forty per cent of the cost of these roads. Therefore, I think we are perfectly justified in bring-

ing this to the attention of the House and to the country at large. This \$82,000 per mile highway was first proposed to be a cement pavement 15 feet wide. Tenders were invited on that basis. Four tenders were received, and the contract was awarded to the lowest tenderer, the Ontario Government agreeing to supply the cement. After awarding the contract to J. I. Johnston the provincial department of public works was notified by the cement dealers that the necessary amount of cement could not be supplied. It was then decided by that department to change the character of the construction to a bithulithic surface and tenders were invited from the Standard Paving Company of Ottawa—which declined to bid—and the Warren Paving Company of Toronto, and the contract was awarded to this company. Now, I want to know if, after the specifications were changed from cement to bithulithic paving, new tenders were called for, or was the same procedure followed as in the truck deal and the contract awarded to a friend of the minister? Because in his evidence on the purchase of the trucks—which, by the way, are used in the building of these roads—Mr. Biggs stated that he awarded the contract to Parkin because he wanted to help a young friend who was just starting up in business. Following that, he purchased a number of cars from another friend in business in the town of Dundas. Now, if simply a letter was sent to the Warren Paving Company and to the Standard Paving Company—and the latter company, as I have already stated, declined to tender—it would seem that the Warren Paving Company must be very well thought of by the provincial Minister of Public Works, and before I take my seat I think I will prove conclusively that such is the case.

The Hamilton-Brantford highway between the Toronto-Hamilton and Buffalo railway tracks and the village of Ancaster was to cost \$121,000. Up to date it has cost \$123,850, and so far only 4,100 feet of pavement have been laid, or four-fifths of a mile. The highway between Paradise road and the village of Ancaster, a distance of  $4\frac{1}{2}$  miles, has been paved only for two and a half miles. The provincial Minister of Public Works proposes connecting up the road across the Toronto, Hamilton and Buffalo railway tracks by means of a subway at an estimated cost of \$60,000, and along the Ancaster escarpment he has torn down the mountain side and filled in gullies and widened the road to an altogether unnecessary extent, with the result that I am

[Mr. Wilson.]

safe in saying that the road between the city boundary of Hamilton and the village of Ancaster will cost, including the subway, over \$100,000 per mile.

An hon. MEMBER: What is the subway for?

Mr. WILSON (Wentworth): To get under the Toronto, Hamilton and Buffalo railway tracks. Can the minister tell me how many trains cross there each day?

Hon. Mr. REID: I have not the record here.

Mr. WILSON (Wentworth): The railway traffic is insignificant and it is not a dangerous crossing. Then we have the destruction of trees. In many cases the provincial Minister of Public Works has had some of the finest trees in the country cut down. I might quote from the Toronto Globe, an authority which should be satisfactory to some members at least. This is the article:

Hurl criticism for blundering with highway.  
Toronto Globe takes rap at Hon. F. C. Biggs for condition of road.

Then the article refers to the cutting down of the trees in these terms:

There is another matter in this connection too which is receiving not a little criticism throughout eastern Ontario, and that is the planting of trees. Nothing will add more beauty to a stretch of road than a row of stately elms or maples, yet why, asks the Kingston road farmer, have these been cut down in scores of cases and saplings planted by unskilled, high-priced labour in their place? True, the right of way has been widened and many of these trees were in the way, but the actual road has not been, nor ever will need be, widened sufficiently to have necessitated their removal. Again, young trees have been planted irrespective of their surroundings. Through swampy, sandy and clay soil alike, the same varieties have been placed eight feet apart. In some cases cedars have been cut to make way for maples. In many cases plantings have been made under overhanging apple trees.

To revert to this Hamilton-Brantford highway, I might say that buildings, including part of a school and a church may have to be removed, although this is out in the country in the townships of Barton and Ancaster. Only those who have travelled over it can commence to describe what is being done. My statement, perhaps, may seem extravagant, but anybody who wishes to take the time can go there and see for himself.

Now, there is another section of the road known as the Hamilton-Kitchener highway. But before I go into that, perhaps it may be advisable that I should refer to a question which I put to the Minister of Railways and which may be found at

page 3,698 of Hansard of this session. I quote:

8. What roads in the county of Wentworth have been approved of as highways by the Dominion Government and what roads have been proposed by the Department of Public Works of Ontario?

To which the following reply was given:

The following roads have been approved of as highways by this department: Hamilton-Queenston highway, Hamilton-Brantford highway, Hamilton-Jarvis highway, Dundas street highway; and the following roads have been proposed by the Department of Public Works of Ontario.

Then follow the four roads which I have mentioned, and, in addition, the Hamilton-Chatsworth and the Hamilton-Kitchener highways. According to the answer given by the Minister of Railways, therefore, we have six of these highways in the county of Wentworth.

Mr. McGIBBON (Muskoka): Are they all in the constituency of the Minister of Public Works of Ontario?

Mr. WILSON (Wentworth): No, they are all in the county of Wentworth. But in that connection I might refer for a moment to the roads in which the Minister of Public Works in Ontario may perhaps be directly concerned. The Hamilton-Kitchener highway passes through the town of Dundas and in front of the property of the Minister of Public Works of Ontario. I may say that the Minister of Public Works of Ontario commenced the laying of the bitulithic pavement from his own gate. He is building from his own gate past his father's gate and on to another property that his father owns about three miles down the road. After my asking the questions in this House apparently he thought that the facts looked too glaring, so he has now started—and he has only made matters worse—to build a mile of road to the west of his property, and on the south side of the road no one owns any land but the Hon. F. C. Biggs, Minister of Public Works for Ontario. On the other side Mr. Biggs' father owns a farm. There are one or two places in between, and then comes again the property of the Hon. F. C. Biggs, Minister of Public Works for Ontario.

Mr. McCOIG: May I ask if these roads have been approved by the Minister of Railways? I understand that if they have been approved, the Dominion Government has to pay 40 per cent of the cost of construction.

Mr. WILSON (Wentworth): The Hamilton-Kitchener highway has not been approved by the Minister of Railways.

Hon. Mr. REID: In order that that question may be answered fully I may say that the Minister of Railways has not approved of the construction of these roads on any such expenditure as has been mentioned by the hon. member who is speaking.

Mr. LEMIEUX: Therefore we would not be called upon to pay.

Hon. Mr. REID: No.

Mr. LEMIEUX: Then how is this matter the business of this House?

Hon. Mr. REID: I do not know.

Mr. PROULX: If these highways have not been approved by the Minister of Railways I do not see that this committee has anything to do with the subject. This is a matter of provincial jurisdiction with which the Federal Parliament is not concerned.

The CHAIRMAN: I understand that the hon. member for Prescott has risen to a point of order. I should be glad if he would state his point of order a little more explicitly.

Mr. PROULX: The hon. member for Kent (Mr. McCoig) asked the Minister of Railways if these highways of which the hon. member for Wentworth speaks had been approved by the Department of Railways. The Minister of Railways replied, "No."

Hon. Mr. REID: No, I did not say that.

Mr. PROULX: He says he has not approved of these highways.

Hon. Mr. REID: No; I say that we have approved of them but not at such an expenditure as has been mentioned by the hon. member who is addressing the committee.

Mr. PROULX: I understand that before these highways can be approved the plans have to be filed by the provincial department of highways and the estimated cost of the construction must be stated. If the Minister of Railways has not approved of the construction of these highways at the cost stated, then he has not approved of them at all; if he approves of them at all he must approve the estimated cost. I submit, therefore, that as these highways have not been approved by the Department of Railways, in accordance with the requirements of the federal Act, this committee has nothing to do with them; they are wholly within the jurisdiction of the provincial legislature.

The CHAIRMAN: The point is a very intricate one, and I think that members interested should be heard before a ruling is given by the Chair. I should be very glad to hear the hon. member for Red Deer (Mr. Clark)—who desires to say a word on the point of order—and then the hon. member for Wentworth, who, of course, will state how in his opinion, this discussion is relevant to the item now under consideration.

Mr. CLARK (Red Deer): It appears to me that the point of order raised by the hon. member for Prescott (Mr. Proulx) is exceedingly well taken, and I think it is something that we ought to clear up in the interests of orderly and proper discussion in this committee. I am not satisfied with the statement of my hon. friend the Minister of Railways that he approved of these highways but does not approve of how they are being constructed. Under this dual control I should say it would be a very useful thing for my hon. friend if, the moment a mistake is made, he can say: Oh, this is not my mistake; it is the mistake of the Government of Ontario. I think we need to know, before we can even ask you, Sir, to decide this point of order, exactly what my hon. friend the Minister of Railways means when he says that he approved of these contracts and did not approve of them—because that is about what he said. I submit that we have to know how far we can go in a discussion which to many of us appears to be a discussion that might better be conducted in the legislature of the province. If these roads have not been approved of they are not proper matters for discussion in this committee. If they have been approved of, then we should go on and discuss the dual control—at some length, I am free to say, because this matter is bound to prove a very interesting subject for debate. I can see food for several days in it myself.

Mr. WILSON (Wentworth): The reason why I think I am in order in bringing this matter before the committee is that application has been made by the Department of Public Works of Ontario to the federal Department of Railways for the approval of these highways. Let me repeat that in answer to my question with regard to what roads in the county of Wentworth had been approved as highways by the Dominion Government and what roads had been proposed by the Department of Public Works of Ontario, the Minister of Railways said:

[Mr. Proulx.]

The following roads have been approved of as highways by this department: Hamilton-Queenston highway, Hamilton-Brantford highway, Hamilton-Jarvis highway, Dundas street highway; and the following roads have been proposed by the Department of Public Works of Ontario: Hamilton-Queenston highway, Hamilton-Brantford highway, Hamilton-Jarvis highway, Hamilton-Chatsworth highway, Hamilton-Kitchener highway, Dundas street highway.

I submit that we are vitally interested in that matter because we are bound by the Canada Highways Act to pay forty per cent of the cost of the roads if they are approved. Therefore, I say that it is my duty and privilege to bring this matter before the House and the country.

Mr. CRERAR: On the point of order, I would be very sorry to deprive my hon. friends opposite of the very evident pleasure they are getting from the recital of the hon. member for Wentworth (Mr. Wilson).

Mr. CURRIE: The hon. member is not in order now.

Mr. CRERAR: It is doubtful whether the hon. member for Wentworth is in order. I cannot see what the question of whether a purchase of trucks by the Minister of Public Works of Ontario was a good or a bad purchase has to do with the item under consideration at the present time. In that respect my hon. friend was distinctly out of order. I would suggest that his whole remarks are certainly on the border line of a violation of the rule of order.

Mr. EDWARDS: On the point of order, I should like to direct your attention, Sir, to the Canada Highways Act, the latter part of section 4 of which reads:

Except for reasons set forth in such Order in Council and except with the consent of both governments, all expenditure under this Act shall be by tender and contract.

I might argue that, in my judgment, the very fact of the consent of this Government being required to certain parts of the work gives us a right to lay before this House any facts pertaining thereto. I would more particularly direct your attention to this point:

The aid to be given in any case shall be forty per cent of the amount which in the opinion of the minister is the actual, necessary and reasonable cost of the construction or improvement of such highway, as the case may be.

How is the minister going to arrive at what is a reasonable and proper cost without a consideration of what work has been done and what money has been ex-

pended on it? If the minister has a right to arrive at a conclusion from the facts as presented, will anyone argue that any member of this House has not the same right to present facts and argue along the same line?

Mr. BEST: I cannot understand why hon. members living in other parts of the Dominion than Ontario should find fault with the people of Ontario for looking after their share of the \$20,000,000: This is question 11:

What is the mileage of provincial highways in the county of Wentworth and the estimated cost of same?

The answer is:

The provincial department reports that the mileage of provincial highways in the county of Wentworth is 64 miles. The estimated cost is \$2,654,640. The estimated cost of the mileage under agreement under the Canada Highways Act is \$887,126.

I do not know whether that mileage is all approved or not, but I know from what I have seen in the commissioner's office that part of that is approved. We want to know, if this has been approved, whether the money is being properly spent. The estimated cost is \$2,654,640. The estimated cost per mile under agreement in accordance with the Canada Highways Act is \$887,126. If that is all approved, the one county of Wentworth gets one-sixth of all the money that is coming to the province of Ontario from this Dominion. There are 52 counties in Ontario. Is it fair to the rest of Ontario that the county of Wentworth should get one-sixth of the total amount? I think the people of Ontario will give the hon. member for Wentworth great credit in that, while he lives in that county, he is willing to see that the other counties receive fair play. I do not think hon. members would be doing justice to Ontario if they tried to stop the hon. member from putting a fair and honest statement before the people.

Mr. McCOIG: I rise to direct your attention, Sir, to the fact that a point of order is before the Chair. I do not purpose allowing any hon. member to make a speech that is irrelevant to the question under discussion. If the hon. member who represents the riding of Wentworth is objecting to such a large amount being expended in improving the roads in his particular riding, that is a matter between him and his constituents. Personally, I am in favour of good roads, but I contend that the total amount to which Ontario is entitled should be equally distributed

throughout the province. The point of order is before the Chair, and I do not think hon. members should wander in other directions when your decision in this matter has not been given to the committee.

Mr. CLARK (Red Deer): Might I suggest, with great deference, that we hear from the minister in charge of the Estimates as to the exact extent that he has approved these roads?

The CHAIRMAN: I might say that I propose, before giving a ruling on the point of order, to put a question to the Minister of Railways. I fear that both the hon. member for Dufferin (Mr. Best) and the hon. member for Kent (Mr. McCoig) have digressed somewhat from the point of order placed before the Chair. I would like to ask the hon. minister whether or not these roads have been approved by the department, and if any request has been made to the department for approval of the construction of these roads under the Act.

Hon. Mr. REID: The Ontario Government submitted a programme of roads in that province for consideration and approval of the Minister of Railways and Canals. In the list submitted they gave an estimate of the total cost of construction. An agreement has been entered into between the Ontario Government and the Dominion Government by which the Dominion Government agree to pay forty per cent of the amount as estimated. Therefore, in the roads that are under discussion, an agreement has been made whereby the Dominion Government agree to pay forty per cent of the amount as estimated. As a protection to the Dominion Government, we have inserted in the agreement a clause that the amount so paid shall not in any case exceed the total amount to which the province is entitled under the Canada Highways Act. In other words, supposing the road costs the amount that has been stated by the hon. member, that will not mean that the Dominion Government must pay more than the amount estimated, neither shall we be responsible for any amount over and above the total amount of \$5,800,000 odd, Ontario's share of the \$20,000,000.

Mr. MURPHY: I thought the Chairman asked the minister if the roads specifically mentioned by the hon. member for Wentworth (Mr. Wilson) were roads with regard to which an application had been received by the Minister of Railways and Canals and which had been approved. The

committee would like to be satisfied on that point.

Hon. Mr. REID: The road under discussion is the Hamilton-Brantford road. An agreement has been signed for that. I might also add that in the agreement I have inserted a clause that the minister also reserves the right to pay only what he considers is a fair and reasonable amount of the cost; or, in other words, if an abnormal expenditure has been made, we are not bound in any way to pay for that abnormal expenditure.

Mr. SUTHERLAND: What is the estimated cost of the Hamilton-Brantford road?

Hon. Mr. REID: \$658,907.05, or \$34,400 per mile.

Mr. MURPHY: What about the road mentioned by the hon. member for Wentworth (Mr. Wilson) that cost about the rate of \$81,000 per mile?

Mr. WILSON (Wentworth): That is a portion of the same road.

Mr. CRERAR: Irrespective of what these roads cost, is it not a fact that the Department of Railways pays only on their own estimate of what the cost should be? In other words, suppose the Minister of Public Works in Ontario builds a road that costs \$250,000 per mile. I take it that the Minister of Railways does not pay upon that basis, but upon the basis of his own engineers' estimate of what the cost should be.

Hon. Mr. REID: The clause reads as follows:

The Dominion, in consideration of the premises and subject to the performance and observance on the part of the province, to the satisfaction of the minister, of the covenants, provisions and conditions in this agreement contained, will, in accordance with the Act and the regulations, pay to the provinces, towards the cost of improvement of the said highway sections, aid to the extent of forty (40 p.c.) per centum of the amount which, in the opinion of the minister, upon the report and recommendation of the Commissioner of Highways of the Department of Railways and Canals, is the actual, necessary and reasonable cost of the said improvement.

Mr. CRERAR: I submit that it is of no interest to this House how extravagantly the Minister of Public Works in Ontario may build his roads, because we pay only upon the estimate of our own federal engineers.

Mr. CURRIE: That is not a point of order.

Mr. CRERAR: If my hon. friend from North Simcoe (Mr. Currie) will be patient [Mr. Murphy.]

for a moment, he can speak later on. I submit, Mr. Chairman, that it is of no interest to this House how extravagantly the minister in Ontario builds his roads, because this vote covers only the estimate of the cost that is made by the engineers of the Department of Railways and Canals of the Federal Government.

The CHAIRMAN: The point of order raised by the hon. member for Prescott (Mr. Proulx) is whether or not it is competent for this committee to discuss the cost of construction of certain highways or portions thereof referred to in an address being delivered to the committee by the hon. member for Wentworth (Mr. Wilson). The only question to be considered is the relevancy of the hon. member's remarks to the item now before the committee for consideration. This item provides the sum of \$53,000 for the organization and payment of the staff of the Commissioner of Highways. The expenditure made by the Government to assist the provinces in the construction of highways is a statutory expenditure, it is authorized by statute and does not appear in the Estimates. It can, however, like all other statutory expenditures, be properly reviewed in Committee of Supply when the item concerning the administration of the fund is being considered. To establish the relevancy I therefore took the liberty of asking the hon. Minister of Railways and Canals, if these roads had been approved by the officers of his department and if not, if they had received any request for approval of such construction, which request might now be under consideration. To both of these questions, the hon. minister replied in the affirmative. It is quite true that part of the expense of construction is being borne by the Ontario Legislature, but it is also certain that a portion of the expenditure has been paid or will be paid by the Dominion Government. It is not the duty of the chairman to ascertain or decide whether or not the proper proportion of the cost is being provided by this Government, but the committee has the undoubted right to do so and I must therefore rule the present discussion to be in order.

Mr. WILSON (Wentworth): I thank you for your ruling Mr. Chairman. I regret to see a man like the hon. member for Marquette (Mr. Crerar) rise in his place with no other purpose than to try to block the facts and keep them from being given out.

The CHAIRMAN: I fear that I shall now be obliged to remind the hon. member that he is not strictly in order. There is a well established rule to be found in the works of both May and Bourinot, that anything which digresses sufficiently from the subject before the Chair is to be construed as an attack or a reflection upon another hon. member is not in order.

Mr. WILSON (Wentworth): Again I accept your ruling, Mr. Chairman. I would refer the former Minister of Agriculture, the hon. member for Marquette, to the Canada Highways Act which was passed in 1919. I think he was a member of the Government at that time, but I am not sure. At all events I refer him to the Canada Highways Act, where in clauses 5, 6, and 7 of the regulations, he will find the provisions as to agreements, tenders and payments. Regulation 6 provides:

All expenditures shall be made pursuant to tender and contract, except as provided by the Act and shall be on the basis of unit prices. Tenders shall be called for at least three weeks before the work is to be let and notice of the calling for tenders shall appear in a contractors' or engineering journal as well as in such local newspapers as the Province deems necessary.

In connection with this \$82,000 per mile highway, which does not include the land on either side, I would draw the hon. member's attention to the fact that the Department of Public Works of Ontario first advertised for a 15 feet cement pavement. Then they found they could not get the cement. Instead of advertising again they wrote to the Standard Paving Company of Ottawa, but that firm declined to bid. Then they wrote to the Warren Paving Company of Toronto, and their tender was accepted. I say that that was in direct violation of the Act. I have asked a ques-

9 p.m. tion with reference to this matter, which possibly will appear on the Order Paper to-morrow, and I hope that it will be answered. The hon. member for Marquette evidently would like to clear the skirts of somebody, and apply the blame elsewhere. The agreement provides that:

In determining the actual necessary and reasonable cost of any highway for the purpose of fixing the amount to be paid under the Act, the cost of the following shall not be considered as a part thereof.

Then it goes on to enumerate:

The cost of right of way, and incidental damages, bridges, viaducts, subways, exceptional grade separation, provincial overhead and administrative expenses, the making of surveys, plans, specifications and estimates, or any engineering expenses incident to the project prior to the beginning of actual construction.

The cost of culverts having a clear width of opening of not more than twenty (20) feet may be included.

What I maintain is this, that the policy of the U.F.O. Government in the province of Ontario as regards roads, is in direct contradiction of the policy that is being pursued. This is what the Farmers' Sun—I suppose the hon. member for Marquette will recognize this—of September 13, 1919, in outlining the provincial platform of the U.F.O., says in regard to their road policy:

To substitute for the policy of expensive provincial highways the policy of organized continued road maintenance and of making good roads for all, rather than high grade roads for a few, the cost of road construction and maintenance being equitably distributed between city and country.

Will any one contend that in building a road costing \$82,000 per mile, they are following out the provisions of the Act? Will any one contend that it is necessary?

Mr. THOMSON (Qu'Appelle): I rise to a point of order. We are not interested in the policies of any party in the province of Ontario. The discussion of such policies is not relevant to the item under consideration.

The CHAIRMAN (Mr. Davidson): The hon. member's point has already been covered by the ruling of the Chair.

Mr. WILSON (Wentworth): I am rather surprised that the hon. member should suggest that we are not interested in expenditures made in the province of Ontario. I hope that, if they are spending money on the same scale in the province from which he comes, he will have the courage of his convictions to stand up and oppose such reckless extravagance. The ruling of the Chair having been given, I can discuss the Hamilton-Kitchener road, which passes the property of the Minister of Public Works of Ontario.

Mr. BUREAU: Has that road been approved?

Mr. WILSON: Approval of it has been asked for, and the ruling of the Chair is that I may discuss any road either approved, or to be approved. Now, the people of Ontario are vitally interested in this question and are only too anxious to expose to the country the reckless extravagance of the men who are spending this money. The item now under discussion is to provide for men to check up the expenditures in the province of Ontario, and I certainly approve of that. I think we should have an efficient staff of men who

will see to it that engineers are not employed taking down old tin signs from fences, men who will not use Government trucks to haul stone and cement to their own places, and men who will see to it that the gasoline and oil used in the work are not distributed among the friends of the friends of somebody in charge. The Hamilton-Kitchener highway passes through the town of Dundas. Last year, on what is known as the Dundas-Waterloo road, which is now covered by the Hamilton-Kitchener highway, the Minister of Public Works of Ontario built a portion of road in the adjoining township of Ancaster, and also a section in the town of Dundas, and I trust that my hon. friends opposite will not become uneasy when I discuss this matter. What happened? He built a section of this road in the township of Ancaster, and, as I say, another portion in the town of Dundas. If my hon. friends will look up the Act, they will find that the Ontario Highways Act gave him no authority whatever to go into the town of Dundas and build any pavement in that incorporated town. He built this road in the fall of 1920. The Minister of Public Works of Ontario declared that he would do more for the town of Dundas than for any other portion of the country, and, I think he did. He built this section of road in the town of Dundas without any authority.

Mr. CAMPBELL: Is this Government paying a percentage of the cost of that road?

Mr. WILSON: Yes, if it is approved by this Government, we shall have to pay our 40 per cent. My hon. friend shakes his head; he had better look up the Act.

Mr. CAMPBELL: I shake my head because I do not approve of it.

Mr. WILSON: I agree with you. Now, as I said, he had no right to go into the town of Dundas and build there, because it is an incorporated town. He introduced a Bill into the Ontario Legislature on February 18, 1921, and section 6 of that Act says:

Where it is deemed by the Minister desirable and expedient that a highway or portion thereof within a city, town or village, including any necessary bridges, should be constructed as a connecting link between portions of a provincial highway or a provincial suburban highway, the department may designate such highway or portion thereof within the city, town or village, to be constructed by the city, town or village, and the council of the corporation of the city, town or village may pass by-laws for issuing, and may issue debentures under the provisions of

[Mr. Wilson.]

The Municipal Act, to be payable in twenty years at the furthest from the time or times when such debentures are issued, for an amount sufficient to pay the cost of the construction of the highway and bridges within the said city, town or village, but it shall not be necessary for the council to obtain the assent of the electors to any by-laws for the issue of debentures under this subsection nor to observe the formalities in relation thereto prescribed by The Municipal Act.

That is to say, if the minister has the approval of the council, they can build through the town of Dundas without the consent of the electorate.

Mr. PROULX: The Bill does not say that the province is paying for it; it says that the municipality pays. The only thing is that the consent of the electors is not necessary.

Mr. WILSON: We shall have to have a class of instruction, I am afraid, in connection with the Ontario Highways Act and the Canada Highways Act, because, apparently, a great many members who do not want to have this matter put on record are very anxious to interrupt. Now, I will give my hon. friend the facts, and I do not think he will rise to a point of order. This portion was built in the town of Dundas in the year 1920, and my hon. friend, who is a lawyer, will find, if he looks up the statute, that the Minister of Public Works of Ontario had no power to go into the town of Dundas and build a road there in that year. But he passed this Act, which came into force on receiving the Royal assent on May 3, 1921. I may say, for the information of my hon. friend, that the Bill is No. 116. He built that portion of the road, I say, and the understanding was that the Government would pay their share of it. They then got the council to call for tenders for the paving of the remaining portion through the town of Dundas, to link up with the road that passes the place of the Minister of Public Works of Ontario. They called for tenders, and these were for \$109,000, \$111,000 and \$122,000 for that section of the road that passes through the town of Dundas on the Hamilton-Kitchener highway. My contention was, and still is, that the lowest tender should have been accepted, all other things being equal. But the Minister of Public Works of Ontario, Mr. Hogarth and Mr. Maclean, had a secret meeting of the council of the town of Dundas, and gave a contract to the Warren Paving Company, at \$122,000, or \$13,000 higher than the lowest tender. What inference is to be drawn from that? They built that piece

of road in Dundas, and found they could not pay for it. They cannot pay for it under this Act because it was built in 1920; therefore the inference is that the contract was given to the Warren Paving Company in order to get an amount of money to pay the difference between the \$109,000 and the \$122,000. The consent of the electors does not have to be obtained for the building of these roads—it can be done on the authority of the Minister of Public Works of Ontario. Is that fair? Yet that is the nature of the legislation passed by the Drury Government. They take it out of the hands of the independent electors in my town. We have not had the opportunity of voting on the question as to whether we wanted it or not, or whether we were prepared to pay \$13,000 more for a road than we could have had it built for. The payment of that \$13,000, as you all know has to be spread over a period of twenty years, which means that the town of Dundas will eventually have to pay over \$22,000, reckoning principal and interest or one-fifth more than they could have had this work done for themselves, if they had not listened to the advice of the Minister of Public Works of Ontario.

Now we come to another road which is known as Dundas street, and for fear that anybody will rise to a point of order again I will state that Dundas street has been commenced and has been approved to a certain extent. The construction of Dundas street, between Toronto and Hamilton has been approved as far as Clappison's Corners. Then the road proceeds further and it goes up to the county of Wentworth until it strikes the concession line between the township of East Flamboro' and the township of Beverley, and upon which concession line the Minister of Public Works lives. Then what else has been done? They open a blind concession, or a road allowance, and they continue that road through that blind concession, or road allowance and what is the fact? Upon one side the Minister of Public Works has about 165 rods frontage and on the other side he owns 65 rods, and he has had a bridge built so that his cattle can pass from one to the other through that blind concession. We are asked "Where did he get his authority?" Why he inserted the provision in a Bill and had it passed this year. In the Act in question, which is No. 116, clause 2 provides as follows:

Notwithstanding anything in any other Act contained an original road allowance which has

not been opened, or which has been occupied, or partly occupied, by an abutting owner or other person may be entered upon, taken used, and occupied for the purposes of a provincial highway—

Now listen, you know who owns the property.

—provided that where any person shall have acquired the title to any land taken under this section, he shall be entitled to the like compensation as in the case of land expropriated for the purposes of a provincial highway.

That practically means that the Minister of Public Works for Ontario provided for the payment of a road that went through his own property although it was a road allowance. The effect of what I have stated will be seen when it is remembered that Mr. Biggs owns 165 rods on one side and 65 rods on the other. This is a road allowance—a blind concession it is sometimes called.

An hon. MEMBER: Honest farmer.

Mr. WILSON (Wentworth): The statement was made by the Minister of Public Works that if the Federal Government would do their share, as he is doing Ontario's share there would not be so much unemployment, and yet we pay, as I have already stated, 40 per cent of that expenditure.

The policy of the Ontario Government has been represented to be, in connection with roads or any other purpose, the cutting down of expenditures that are not absolutely essential. I am not opposed to good roads but I say that the building of a road and the widening of it from 66 feet, by the adding to it of a 15-foot boulevard, is a crime, when there are other parts of the province in which good roads are urgently needed. I maintain that a 20-foot road of pavement, with a macadam road on each side so constructed that horses can traverse it in safety and not fall down, is what is needed. Take the Hamilton-Kitchener road going up a slight elevation. Last winter it was an absolute impossibility for horses to make that grade. Therefore I maintain that instead of building speedways we should change the policy, and I hope Federal authorities will see to it that only the roads that are absolutely necessary should be paved to any greater width than say 20 feet. It seems to me that to construct roads of a width such as we now see under construction in Ontario is an absurdity. Never before have so many roads of this character been witnessed, especially around the property of the Minister of Public Works of Ontario. Under the circumstances I may be par-

done if with apologies to Tennyson I give the House the benefit of a poetical effusion entitled "The Charge of the Road Brigade," which runs as follows:

Roads to the right of him,  
 Roads to the left of him,  
 Roads on all sides of him.  
 Proposed approved or laid.  
 Ours not to question cost,  
 Contracts let by Biggs the boss,  
 Ours to pay though all be loss,  
 Protest we may but what's the use,  
 For if we do we get abuse,  
 Biggs just says go to the deuce  
 Someone has blundered.

I do not intend to take up any further time except to refer to one section of the road leading from what is known as Clappison's Corners into the city of Hamilton; I think it is a part of Dundas street but of this I am not certain. There the Minister of Public Works is making a cut a quarter of a mile long. It is 53 feet deep, will be 70 feet wide at the bottom, and 80 feet at the top, and it is going to cost \$130,000. There is no more necessity for it than there is for a fifth wheel to a wagon. This extravagance should be stopped. I trust that the Federal Government, through its Department of Highways, will see that payments for such works are not made. I trust that regulations will be passed under such regulations as will ensure the Dominion getting value for the money it contributes, whether it be 40 per cent or 20 per cent.

In the report of the meeting of the Good Roads Convention held at Halifax recently, I noticed that it was proposed to appeal to the Dominion Government for the maintenance of these roads. I think we have gone far enough, especially when members of this House are called upon to practise economy. I have under my hand a letter from the village of Waterdown in my constituency asking for a better post office. That request would have been granted had the war not intervened. They need such a building, but it cannot be provided, yet it is considered nothing to spend \$130,000 to take a little curve out of a road.

Mr. LALOR: Does this road parallel the Hamilton-Toronto road?

Mr. WILSON (Wentworth): Dundas street highway from Toronto to Clappison's Corners parallels the Toronto-Hamilton highway; the two roads are three miles apart. Some of these roads in North Wentworth represented by the Hon. F. C. Biggs are only a mile and a half apart. Therefore, I felt that it was my duty to  
 [Mr. Wilson.]

bring before the House and the country these facts. I am not opposed to the county of Wentworth getting their share of good roads, but I do maintain that the provincial Minister of Public Works in starting a road from his own door instead of in some other part of the constituency is merely giving an example of the general road policy he is pursuing in that county. I hope that the Department of Railways and Canals will appoint competent men to investigate the conditions I have described, and I shall be glad at any time to prove the statements that I have made to-night; and let me add, that I am prepared to repeat outside every statement that I have made in this House.

Mr. McMASTER: Mr. Chairman, the hon. member who has just sat down (Mr. Wilson) has rendered a public service to this country. Not by the flank attack which he has directed against certain members of the Ontario Government, because the proper place to try their case is before the legislature of that province and not in the Dominion House. But he has rendered a public service by directing the attention of this House and of the country to the extravagance which has been going on in that province by the lavish expenditure on public works greater than the necessity required, to which we as the representatives of the Canadian people as a whole have to contribute. As I listened to the eloquence of the hon. member—whose voice is heard far too seldom in this Chamber—I could not help but look at the countenance of the Prime Minister, and if I could but read his thoughts it seemed to me he was muttering to himself, "My own familiar friend, he whom I trusted, has lifted up his heel against me." Because the member for Wentworth in his attack upon the Ontario Government bore in his hand a two-edged sword, with sixty per cent of the cutting surface against the Provincial Government and forty per cent against this Government. The Prime Minister shakes his head—as much in sadness as in dissent.

Mr. MEIGHEN: My head was not shaking in sadness; it might be if the hon. member had gone further; it was wholly in dissent. The forty per cent share of this Government has not been paid.

Mr. McMASTER: We are asked to pass Estimates for the purpose of paying such expenditures as these.

Some hon. MEMBERS: No, no.

Mr. McMASTER: I am not sure that all these roads have been approved by the Minister of Railways and Canals, but if any of this expenditure has been approved by him under the Act, I submit this Government has to pay the amount involved. But, after all, we are not here to-night to judge Mr. Drury or Mr. Biggs. What I wish to direct the attention of the committee to is this: It is not a matter of detail; it is a matter of principle. When this Highway Act was passed we on this side protested most energetically against the dual control, and we have in the very able and eloquent speech from the member for Wentworth to-night absolute, complete and overwhelming evidence that the position we took at that time was correct.

Mr. EDWARDS: I must differ very strongly from the observation made by the hon. member for Brome in regard to the proportionate cost to be paid by this Government. When the Highway Act was put through in 1919, at a time when the hon. member for Marquette (Mr. Crerar) was Minister of Agriculture, it was with his approval and consent as well as with the approval and consent of those who sit immediately around him, no matter what opposition it received from the member for Brome and others—

Mr. CLARK (Red Deer): Mr. Chairman, I rise to a point of order. I protest against my hon. friend referring to those who sit immediately around the hon. member for Marquette as having approved this legislation. My hon. friend's memory is very good, and he must remember that I protested just as strongly as the hon. member for Brome. Of course, it is open to my hon. friend to say he did not refer to me, but I might consider myself included as being one of those "immediately around" my hon. friend from Marquette.

Mr. EDWARDS: I accept the explanation with certain limitations, Mr. Chairman.

Some hon. MEMBERS: Order.

Mr. EDWARDS: I may remind my hon. friend that he is sometimes disposed to protest most vigorously against legislation, as he did the other night in regard to a bill which went through this House, and then give his consent to the very Act which he objected to formerly.

Mr. CLARK (Red Deer): Mr. Chairman, I rise to another point of order. I must ask my hon. friend to withdraw that statement. I did not vote in the way he refers to because I was not in the House.

Mr. EDWARDS: I said, Mr. Chairman, that the hon. gentleman protested most strongly against a certain piece of legislation that was passed the other night, but that when that legislation went through it did not meet with any dissent on his part. True, he was out of the House at the time, for reasons best known to himself. But my contention in regard to our responsibility is this. The Minister of Railways and Canals has a certain responsibility, which is indicated in the clause which I read awhile ago. It is provided that the aid to be given in any case shall be forty per cent of the amount which in the opinion of the minister is the actual, necessary and immediate cost of construction of the improved highway. It was quite proper that that clause should be put in the Act in view of the fact that the actual construction of the highways was left to the provincial governments, and without that protecting clause they could make the cost whatever they chose.

Now, it is not right for the hon. member for Brome to say that this is a sword which cuts sixty per cent into the Ontario Government and forty per cent into this Government. It does not cut forty per cent into this Government unless the Minister of Railways and Canals approves of the extravagant expenditure which has been made, and that the minister has not yet done, and I hope will not do. After the excellent presentation of the facts which has been made by the hon. member for Wentworth, it is not necessary for me to take up the time of the committee, but I believe that he has certainly performed a public service in making known these facts to this House and to the country. It is true that the first plank of the platform of the United Farmers of Ontario was to cut out all expenditures that were not absolutely essential. That, of course, has not been done, and in their highway policy they have followed a course which should receive the condemnation of this House. We are all interested in the details of expenditure; it is more than a matter of principle. Last year a piece of road consisting of some eight miles was constructed through the county which I represent. That road was not completed until late in the fall, and this spring on three miles of it between the village in which I live and the city of Kingston the Ontario Government had a man employed with a horse and cart filling up holes which had appeared in the road, though it had been in operation not

more than a few months. When we are asked to pay forty per cent of the cost of these roads, have we not the right to inquire whether or not the money is being properly expended? The vote under consideration is a vote for salaries of the engineers of the department. The minister has to rely upon the judgment of his engineers. How can we determine whether the judgment of those engineers is worth relying upon if we do not lay bare the facts and see what expenditures they have approved of? I think this discussion is not only proper from the standpoint of individual members as well as of the Government, but will be of very great use to the engineers of the Department of Railways upon whom rests a heavy responsibility in passing judgment as to whether the expenditure has been reasonable and fair.

We were given to understand when the Bill went through that all portions of the province would receive a fair share of the benefits intended to be conferred by the Act, but that has not been the case. Some 64 miles of road have been constructed or are in course of construction in the county of Wentworth—roads around the farm of Mr. Biggs and through the farm of Mr. Biggs, the Ontario Minister of Public Works. The rather doubtful position in which he placed himself in regard to the purchase of motor trucks without tenders justifies our entertaining doubts as to the contract which he has entered into with regard to some of these roads, the more so when we consider that some of these contracts were, in violation of the Act, let without tender and the contract given in one case not to the lowest tenderer, but to a man whose tender, as has been stated, was some \$13,000 higher than the lowest tender.

Mr. PROULX: Was that given in evidence at the inquiry held in Toronto? I understood that the agent got \$13,000 commission, but it was not proved that the tender of Mr. Parkin was \$13,000 higher than the next lowest.

Mr. EDWARDS: No, I was referring to the road tender. The accepted tender was \$122,000, whereas there was a tender on this piece of road at \$109,000. But that has nothing at all to do with the trucks.

Mr. PROULX: My hon. friend was speaking of the trucks.

Mr. EDWARDS: I was saying that the attitude of the Ontario Minister of Public Works in regard to the purchase of these trucks—their purchase without tender and

[Mr. Edwards.]

the giving of the contract a few minutes later to a friend of his who got a commission of some \$13,800—is such as to justify our having doubts with regard to some of these other transactions which he has entered into in connection with the construction of roads. Now, the Minister of Public Works for Ontario started the construction of roads at his very door, or at his father's door. He runs a piece of the road along past his own place and he builds another piece of road running right alongside his own farm and opens up a concession or road allowance which had never been used and at the public expense builds a paved road through his own farm. All these are things which cause my hon. friends of the Agrarian party to smile—they are perfectly all right when done by their friends in Ontario. But hon. gentlemen opposite were uncomfortable when this matter was brought up and did everything they could to prevent the statement of facts in regard to this extravagance on the part of their particular friends in the Government at Toronto. Now, if I may do so with apologies to the poet laureate of the House of Commons, the hon. member for Brome (Mr. McMaster)—who at the very mention of the words “poet laureate” smiles with perfect satisfaction and the consciousness that the compliment is meant for him—I wish to read a few words descriptive of the attitude of the Ontario Minister of Public Works. In all this transaction Mr. Biggs has never for a moment lost sight of Mr. Biggs. In the building of these roads he circles his farm and runs them through his farm, and all this at the public expense. I have expressed Mr. Biggs' position in regard to road-building in these few lines.

Mr. McMASTER: Are these lines original?

Mr. BUTTS: Imaginary.

Mr. EDWARDS: Yes, they are original.

Mr. JACOBS: Perhaps aboriginal.

Mr. EDWARDS: I know I am treading on dangerous ground in attempting to originate anything in verse when the hon. member for Brome is in the House, but I am going to take the chance just once. I have never done it before, and perhaps I shall never do it again.

#### The Roads that Biggs Built

This is a road that Biggs built,  
A costly road that Biggs built;  
It starts right at the old man's door  
And runs by Frank's as smooth as a floor;  
It has cost the people money galore—  
This expensive road that Biggs built.

There's another road that Biggs built,  
A private road that Biggs built;  
It runs right through Frank Biggs's farm  
Between Biggs's house and Biggs's barn,  
It doesn't do Frank Biggs any harm—

This private road that Biggs built.  
There's another road that Biggs built,  
A public road that Biggs built;  
It passes right by Biggs's land,  
With Biggs's property on either hand;  
It was built for Biggs, you understand,  
This public road that Biggs built.  
There's the H. and B. road that Biggs built,  
The Paradise road that Biggs built,  
It cost eighty thousand dollars a mile,  
The tenders were let in secret guile;  
The Warren Company wears a smile  
Re the heavenly road that Biggs built.

Hon. Mr. REID: The position of the Dominion in the matter of highway agreements is as follows: the province of Ontario select the roads in respect to which they wish to enter into an agreement with the Dominion Government under the Highways Act. The province submit an estimate of what they think the road should cost; our engineers look into it in conjunction with their engineers, and upon our engineers' report we enter into an agreement to pay forty per cent of the proposed cost. But we protest ourselves by reserving, through a clause in the agreement, the right to pay what we think is a fair and reasonable cost.

Mr. COPP: From the report of your own engineers?

Hon. Mr. REID: Yes.

Mr. DUFF: The minister says that he reserves the right to pay on the basis of a reasonable cost. Is it not a fact that after the Dominion engineer goes over the road with the provincial engineer and agrees to the plans and specifications and the estimate of cost, the amount assumed by the Dominion must be paid in any case?

Hon. Mr. REID: We reserve the right to pay whatever our engineers say. In addition to that we have in the agreement another clause that protects us, so that the Dominion will not in any case be liable for more than the proportion to which the province of Ontario is entitled under the Act.

Mr. DUFF: Do I understand the minister to say that, after his engineers and his department agree to the plans and specifications, and the amount which the road is to cost as per estimate, they need not pay the forty per cent of that estimate?

Hon. Mr. REID: We pay up to forty per cent whatever our engineers certify to as a fair and reasonable expenditure on that highway.

Mr. DUFF: Forty per cent of what, the estimated or the actual cost?

Hon. Mr. REID: The actual cost, if it is reasonable.

Mr. DUFF: Is it not a fact that before the road is built, the Department of Railways, through its engineers and other officials, agree to the specifications and plans of the road and also agree to an estimate of the cost?

Hon. Mr. REID: We do.

Mr. DUFF: Then must not the Department of Railways pay forty per cent of the estimate?

Hon. Mr. REID: We do not agree to the estimate. The province of Ontario have their engineers make an estimate. Our engineers go over the road, and we then enter into an agreement that we will pay forty per cent of a reasonably amount of the cost of that road. I will read the clause:

Forty per cent of the amount which, in the opinion of the minister, upon the report and recommendation of the Commissioner of Highways of the Department of Railways and Canals, is the actual, necessary and reasonable cost of the said improvement.

Mr. DUFF: How does the department arrive at a reasonable cost of the road after it is completed?

Hon. Mr. REID: Our engineers are checking up as the work is proceeding from time to time.

Mr. DUFF: Which engineers?

Hon. Mr. REID: The engineers of the department. We have inspecting engineers and auditors to check the accounts that are being paid as the work is being proceeded with. I may say that, from the discussion which has taken place, it would appear that there have been extravagant expenditures on some roads that have been named. The Department of Railways and Canals have, up to the present time, looked after the expenditures. Our engineers are watching the work and we have paid out very small amounts on the costs. This discussion will make the officials and the department as a whole take greater precautions to see that as regards the Dominion Government, no money is spent unnecessarily or unreasonably in the construction of these roads. I can assure every hon. member that our staff have been keeping in the past, and will keep in the future, a strict watch over, and a careful inspection of, the roads, and hon. members need have no fear that there

will be any undue expenditure by our department.

Mr. MORPHY: Are the engineers of the Government to-day making any objections, as the work progresses, either to the way the work is done or what it is costing?

Hon. Mr. REID: My deputy informs me that they make complaints to those who are in charge of the roads under the Ontario Government.

Mr. MORPHY: If complaints are made and not acted upon and if the work is done and the engineers of the department acquiesce, shall we not be liable?

Hon. Mr. REID: We shall not be liable to pay more than forty per cent of a reasonable cost as estimated by our engineers.

Mr. PROULX: Are our engineers located in the different provinces or all located at Ottawa?

Hon. Mr. REID: In every province we have engineers.

Mr. MARTIN: How much has the Dominion Government advanced to the Highways Board in Nova Scotia?

Hon. Mr. REID: We have not advanced anything as yet.

Mr. MARTIN: Has the department been called upon for any amount?

Hon. Mr. REID: No.

Mr. CLARK (Red Deer): I want to say a few words about this matter which has been under discussion since eight o'clock, that is, for nearly two hours. The hon. member for Frontenac (Mr. Edwards) has apparently received the impression that some of us on this side of the House were made uncomfortable by the exposures of extravagance in the speech of the hon. member for Wentworth (Mr. Wilson). I want to say at once that that does not apply to myself. Any exposure of extravagance in the Dominion of Canada, I consider to be in the nature of a public service especially in the present serious financial condition of this country. If I suffered any discomfort, it was caused by the unusual spectacle which this committee presented for the last two hours. We are supposed to be within a few days of the end of the session. The Prime Minister (Mr. Meighen) is anxious, as it is his duty to be anxious, to attend the meeting of Prime Ministers in London. The Government having taken its decision upon that matter, I for one want to facilitate his departure in every possible way, and I think the majority of

[Hon. Mr. Reid.]

hon. members are of the same mind, having regard to the proper and decorous conduct of public business. But what do we find to-night? An hon. gentleman to whom it is always pleasant to listen, for a more courteous member of this House there is not, but an hon. gentleman who is a supporter of the Government, gets up in his place on the Estimates of the Department of Railways and Canals and makes a speech of one hour and a half duration, a speech which was almost entirely criticism of the Ontario Government. The Government of Ontario was criticised for nearly one and a half hours by a supporter of the Federal Government, whose Prime Minister is anxious to get away to the conference of Prime Ministers. That is, as I have described it, a most unusual spectacle. It is an unusual spectacle to find supporters of the Government delaying for that period the Estimates of their own Government. But it is a far more unusual spectacle to have one and a half hours in the Federal House devoted to a criticism of the Government of Ontario. What is the cause of this? Who is to blame for it? I shall not follow my hon. friend from Wentworth into a discussion of the merits or demerits of the Ontario Government. That is a matter which, after all, whether it be in order or out of order, is the proper province of members of the legislative body of Ontario and not of the House of Commons of this Dominion.

As far as the charges of extravagance can be proved, my record in this House for many years compels hon. members to believe that as a citizen of this Dominion, I shall be behind the denunciation of it. It would appear that the tendency of Provincial Governments will be to be extravagant by land. We in this House have been more concerned with extravagance by water, and whether on land or water we of this group, at any rate, and I think the whole of the Opposition side of this chamber, see no need so great as the conservation of the public moneys of this country at the present time. But the point I want to make is this, and it must appeal to many hon. gentlemen opposite: The speech of the hon. member for Wentworth (Mr. Wilson), though it was directed against the Government of Ontario, is in point of fact a most severe censure of the hon. minister whose Estimates are before the House. This is par excellence the road policy of my hon. friend the Minister of Railways. Why, my hon. friend from Annapolis (Mr. Davidson), who in pursuance of his duties as Whip has to leave the

chamber, was equally vehement with myself in denunciation of this road policy of the minister. The minister was warned from both sides of the House where this policy was going to lead him. I recall one night when, hour after hour, my hon. friend, a Whip of the party opposite, joined with myself in resisting this policy of the Minister of Railways. If this extravagance is going on, the blame for it lies, in the first instance, at the feet or on the head, if you like, of the minister whose Estimates we are discussing. I repeat, for hour after hour my hon friend from Annapolis, myself, and other hon. members on both sides of the House, pointed out the very evils which to-night my hon. friend from Wentworth has been denouncing. I do not want to elaborate this point. The simple fact of the matter, which no one can successfully gainsay, is that, in the first place, by example, and in the second place, by actual inducement, this expenditure, which has been condemned by my hon. friend from Wentworth, was initiated, provoked, fomented and engineered by my hon. friend the Minister of Railways. The Government under their last Victory Loan got so much money out of the patriotic endeavours of the people of this country that they did not know what to do with it, and they voted money by the million for provincial work in which from Confederation, under the British North America Act, as we contended at the time, they had no right to interfere. We pointed out that the evils which have arisen would arise. It was contended by member after member that nothing but mischief would come out of this incursion of the Federal Government into the provincial arena, and that the dual control would lead to enormous complications and trouble. To-night we get the narration of that trouble from a supporter of the administration, from an hon. member who sits behind the minister in charge of these Estimates.

I have no more to say. I trust my hon. friends feel that in a policy which, after all, we ought to wish to see carried to a successful conclusion, so far as the money already voted is concerned, they have scored some political advantage from dwelling upon the misdeeds of the Ontario Government, but I am persuaded that the people of this country who are extremely alive to the conditions of politics at the present moment, when they are judging of this matter, will not dwell throughout the length and breadth of Canada upon the misdeeds of the Ontario Government; that is a matter for Ontario; they will dwell

upon the relationship of the Federal Government to this policy, and hon gentlemen opposite will have to defend the action of this Government in every province from the Atlantic to the Pacific when a general election takes place in Canada. It will not be the Ontario Government that is on trial. When that election takes place, I am confident that hon. gentlemen here who have had taunts hurled at them to-night can take very good care of themselves, because so far as this federal sphere is concerned, I am perfectly content in this matter of economy to fight under the banner of my hon. friend from Marquette (Mr. Crerar), who has blazoned this mark on his flag as one of his first principles. It is not the provincial Government of Ontario that is on trial here; it is the Dominion Government we have to deal with; they initiated the policy. I venture for once to depart from a custom which is almost invariable with me. I venture to prophesy, Mr. Chairman, that we have seen the last of money voted in this House to be expended in this way. This is only one more item of policy that has been pursued by the Federal Government to be added to an almost interminable list of items of policy which they have brought into this House, which have been condemned in this House, which have had their folly demonstrated before in this House, and in many cases on both sides of the House, but which they have pursued in spite of this demonstration until the policy has broken down in their hands. Then they come and commit once more the act of political infanticide. They will in this case, I am confident, give up the policy against which they were warned by us upon their embarking upon it.

Mr. GAUTHIER: There is a highway running from Montreal to Sherbrooke by way of Chambly and Marieville. It was understood that a connecting link was planned from Rougemont to the city of St. Hyacinthe, and another from St. Hyacinthe to Richmond. The Minister of Highways in the province of Quebec has held a meeting in the county of Bagot, has promised that these two links would be completed, and has stated that the plans of the provincial authorities have been forwarded to Ottawa. I would like to ask if according to the general plan these two links are to be subsidized, and if a final arrangement has been made between the provincial and federal authorities.

Hon. Mr. REID: The road Rougemont to St. Hyacinthe is on the plan filed in the

department, but no application has been made, nor has any agreement been entered into, regarding the other.

Mr. SINCLAIR (Queen's): Has the road in the town of Dundas, to which the hon. member for Wentworth (Mr. Wilson) referred, been approved of by the department?

Hon. Mr. REID: Not through the town of Dundas.

Mr. SINCLAIR (Queen's): Has the plan been submitted to your department?

Hon. Mr. REID: Not for that incorporated town.

Mr. SUTHERLAND: As a resident of Ontario, I want to know what precautions have been taken to ensure the proper expenditure of that province's share of the grant. I should like some assurance that the money will not all be spent in two or three localities. Have any precautions been taken to see that the expenditure will be general? I believe that the grant for Ontario is \$5,800,000 odd, and, under the present system, the distribution is not fair.

Hon. Mr. REID: The Ontario Government are submitting plans for roads in different parts of the province, trying to divide it up in equal shares throughout the province. Their entire plan comprises very many more roads than the 40 per cent would take care of, and they are selecting those roads to which they wish the 40 per cent to apply. Those roads are being considered by the department, and, if in our judgment, it is advisable to undertake work in connection with them we shall enter into an agreement and proceed with the operations.

Mr. PROULX: Has any money been paid on the Ottawa-Pointe Fortune road?

Hon. Mr. REID: Not yet.

Mr. CALDWELL: Has any request been made by the province of New Brunswick for any grant?

Hon. Mr. REID: Yes.

Mr. CALDWELL: Have any roads been approved of yet?

Hon. Mr. REID: Yes.

Mr. CALDWELL: Can you give the roads?

Hon. Mr. REID: Matapedia-Bathurst, Bathurst-Newcastle, Newcastle-Moncton, Shediac-Port Elgin, Cape Tormentine-Aulac, Aulac-Moncton, Moncton-St. John, St. John-St. Stephen, St. John-Fredericton,

[Hon. Mr. Reid.]

Fredericton-Woodstock, Woodstock-Perth, Perth-Grand Falls, Grand Falls-Quebec, St. Stephen-Burden, Fredericton-Newcastle, Fredericton-Sussex.

Mr. McISAAC: Before the item passes, I desire to speak in a general way on the expenditure that has been made on roads. The amount asked for by the Minister of Railways is large, and I wish to make a few comparisons to show that the Canadian National Railway system is not the only enterprise that has been creating deficits and going into debt.

Some hon. MEMBERS: Order.

The CHAIRMAN (Mr. Steele): The hon. member apparently is not aware that the item before the committee is to provide for a Commissioner of Highways.

Mr. ETHIER: Does this item include any moneys for the highway between Montreal and Hull on the north shore? Has the Government of Quebec deposited plans of a road from Montreal to Hull, or made any request to have that road subsidized?

Hon. Mr. REID: The road is on the general plan submitted by the Government of Quebec, but they have not yet made any request for an agreement.

Mr. ETHIER: Have plans been deposited with the department?

Hon. Mr. REID: Not yet.

Mr. PROULX: The member for Wentworth complained that the Minister of Public Works of Ontario was building highways too wide. Is there any regulation with regard to the width of highways? In some parts of the province they build them sixteen feet, and in other parts, sixty feet.

Hon. Mr. REID: As I understood the hon. member for Wentworth, the roads of extra width to which he referred were outside of our agreement altogether.

Mr. PROULX: Is there any regulation in the department as to the width of roads?

Hon. Mr. REID: No particular width is laid down, because in some localities you would necessarily have to have wider roads than in others. It depends on the traffic.

Mr. SEXSMITH: What is the estimated cost of the Toronto-Kingston highway?

Hon. Mr. REID: From Toronto to Kingston the road is divided into two or three different parts. From Whitby to Belleville the cost is \$10,620 per mile; from Belleville to Kingston, \$13,320 per mile.

From Whitby to Belleville the distance is 75 miles, the total expenditure being about \$805,000, and from Belleville to Kingston, 46 miles, the total expenditure being approximately \$616,600.

Mr. SEXSMITH: What is the quality of the road? Is it macadam?

Hon. Mr. REID: From Whitby to Belleville it is partly macadam and partly gravel. From Belleville to Kingston it is macadam.

Mr. SEXSMITH: What kind of road metal is used?

Hon. Mr. REID: Local limestone.

Mr. ARMSTRONG (Lambton): What roads are under construction out of, and west of, London?

Hon. Mr. REID: Roads are under construction from London to Stratford, and from London to St. Thomas.

Mr. MORPHY: Is the road from Stratford to Sarnia under construction?

Hon. Mr. REID: The road is approved from London to Stratford by way of Elginfield, and there is an application for the road from Elginfield to Sarnia.

Mr. WILSON (Saskatoon): I would like to inquire from the minister if application has been made for any of these projects in the Prairie Provinces, particularly Saskatchewan?

Hon. Mr. REID: Agreements have been signed in a number of instances and applications have been made for payment on the amounts expended but no money has yet been paid.

Mr. WILSON (Saskatoon): Will the minister tell me where the roads are located as to which money has been applied for?

Hon. Mr. REID: Agreements have been entered into as regards the following:

	Mileage	Cost per Mile
Cadillac to Battleford Highway under contract.		
Battleford to North Battleford . . . . .	2.5	\$4,440
Assiniboia to Prince Albert Highway.		
Crestwynd to Moosejaw . . . . .	25.0	1,132
N.E. 36-19-27-2 to N.E. 32-20-26-2 . . . . .	9.0	1,888
N.E., 33-34-27-2 to Dana . . . . .	25.0	1,017
Big River to Prairie River Highway.		
Prairie River to S.E., 6-43-7-2 . . . . .	16.25	2,307
Prince Albert to Shellbrook.	26.50	2,000
	104.25	\$1,645 75
<b>Total Estimated cost . . . . .</b>		<b>\$171,569 91</b>

Mr. MARTIN: Will the minister state what highways are recommended for Nova Scotia and what the estimated cost will be per mile?

Hon. Mr. REID: The following have been approved:

	Mileage	Estimated Cost per mile
Halifax to Indian River . . . . .	17.5	\$12,011 12
Mount Uniacke to Lakelands . . . . .	7.6	7,483 00
Aylesford to Middleton . . . . .	12.	7,627 43
Elmsdale to Shubenacadie . . . . .	7.	6,514 80

The following have not yet been approved:

- Halifax to Bedford.
- Port Joli to Sable River.
- Liverpool to Caledonia.
- Sydney to Glace Bay.
- Windsor to Hawksport.
- Weymouth to Meteghan.
- Digby to Rossway.
- Dartmouth to Imperoyal.

Mr. SEXSMITH: Are the roads to which the Dominion is contributing considered permanent highways.

Hon. Mr. REID: Yes they are permanent highways.

Mr. SEXSMITH: Has the department made any investigation as to the metal they are going to make these permanent highways out of, or are they putting in limestone or top material that will work out in a year or two?

Hon. Mr. REID: Well, our engineers are using local metal along the road.

Mr. SEXSMITH: Is it the best judgment of the engineers that common limestone will make a permanent road, or a road that will last longer than two or three years?

Hon. Mr. REID: I cannot answer that.

Mr. CANNON: I rise to a point of order. These private conversations between the minister and his friends on the other side may be very interesting but they might be more so if we understood them.

Mr. FIELDING: Secret diplomacy.

The CHAIRMAN (Mr. Steele): There is altogether too much conversation going on in the chamber.

Mr. CANNON: The minister is setting a bad example.

The CHAIRMAN: If there was less conversation better progress would be made with the business.

Mr. SEXSMITH: The questions I asked the minister and which were addressed through you, Mr. Chairman, were these: If the Government are building permanent highways; and if so, do they consider limestone a metal which will make a road likely to last longer than two or three years?

Hon. Mr. REID: The Ontario Government have experts in road building who have been appointed purposely to construct these roads. Our engineers go over each road with their experts, and they decide on the materials to be used and whether such will make a permanent road. The engineers of the Department of Railways and Canals together with those of the Ontario Government then come to a decision which is acted upon.

Mr. LAFORTUNE: (Translation.) Mr. Chairman, I wish to inquire of the hon. minister what has been done in connection of a small bridge that crosses the Lachine canal. Two years ago, I had requested the hon. minister to practically rebuild that small bridge, which had become inadequate and dangerous, and I was told at the time that the matter would be taken into consideration; but a year has elapsed and nothing has been done. I would like to know from the hon. minister whether some work was really done on that bridge during last year. I would like to have that information. It is a small bridge crossing the Lachine canal on the locks, in the city of Lachine itself, opposite the City Hall. That bridge has become dangerous, and a promise was made to me that they would make the repairs required to make it satisfactory.

Hon. Mr. REID: I understand my hon. friend to ask what is being done with reference to the bridge across the Lachine canal?

Mr. CASGRAIN: In French please.

Mr. LAFORTUNE: No, I understand English well.

Hon. Mr. REID: I suppose the hon. member sees that I understand French well too.

Mr. LAFORTUNE: Oh yes, you understand French thoroughly.

Hon. Mr. REID: There is an item in the Estimates under "Lachine Canal Improvements" of \$50,000. That is to replace

the old bridges over the Lachine canal and that covers the item that the hon. member is asking about.

Mr. LAFORTUNE: The minister understands what I am asking about; it is a small bridge?

Hon. Mr. REID: Yes I know it is in the Estimates now.

Mr. LAFORTUNE: So I have the assurance that the work will be done?

Hon. Mr. REID: Yes.

Mr. LAFORTUNE: I am very glad.

Hon. Mr. REID: I have an item, as I say, in the Estimates.

Mr. CALDWELL: I asked the minister how much has been spent in New Brunswick but I did not get any reply.

Hon. Mr. REID: Nothing has yet been paid. The accounts are being audited at the present time and the auditor will send a report to the deputy so that payments can be made.

Mr. CALDWELL: How much has been applied for by the province of New Brunswick?

Hon. Mr. REID: I have not got that information here.

Mr. CAMPBELL: Will the minister make a statement as to what is the programme in the province of Manitoba?

Hon. Mr. REID: There are two pages of it here. Would the hon. member be satisfied if I put it on Hansard? It will take considerable time to read.

Mr. CAMPBELL: That will be satisfactory.

Hon. Mr. REID: Then we will put it on Hansard.

Mr. DENIS: Would the minister also put on Hansard the programme for Quebec?

Hon. Mr. REID: I have a list here for every province, and if it is agreeable to the committee I will put the whole list on Hansard.

Some hon. MEMBERS: Carried.

The CHAIRMAN (Mr. Steele): Has the minister the unanimous consent of the committee to place this list on Hansard?

Some hon. MEMBERS: Carried.

## CANADA HIGHWAYS ACT

Statement by the Minister of Railways and Canals of highways in each province now under agreement or under consideration in accordance with the provisions of the Canada Highways Act, with location, mileage and estimated cost.

## PRINCE EDWARD ISLAND.

Description of Project.	Mileage.	Per mile.
		\$
Charlottetown to Georgetown.....	8	1,478 00
Ten Mile House to County Line.....		
New Haven to Queens Arms.....	8	1,585 00
Kensington to Bryenton's Corner.....	3.5	2,657 00
O'Leary Road to Mount Pleasant.....	12	2,000 00
McMahon's Bridge to Elmira Road.....	8.5	1,888 00
Dundas to Rollo Bay.....	8.5	1,936 00
Bovvyer's Brook to Webster Corner.....	9	1,417 00
Montague to Cardigan Road.....	5.5	1,800 00
Murray River to Montague.....	10	1,588 00
Alleys Mills, Cardigan to St. Peters.....	13	1,350 00
St. Peters to Lot 40.....	8.5	1,412 00

## NEW BRUNSWICK.

Location.	Mileage.	Cost per mile.
		\$ cts.
Matapedia-Bathurst.....	74.1	2,000 00
Bathurst-Newcastle.....	125.6	1,000 00
Newcastle-Moncton.....	91.5	3,300 00
Shediac-Port Elgin.....	29.4	2,500 00
Cape Tormentine-Aulac.....	30.4	1,644 74
Aulac-Moncton.....	36.0	2,777 77
Moncton-St. John.....	89.6	3,400 00
St. John-St. Stephen.....	82.0	4,878 00
St. John-Fredericton.....	58.0	3,569 00
Fredericton-Woodstock.....	61.0	5,344 26
Woodstock-Ferth.....	47.4	1,432 50
Ferth-Grand Falls.....	22.7	4,453 74
Grand Falls-Quebec Boundary.....	47.5	2,000 00
St. Stephen-Burden.....	63.2	1,676 41
Fredericton-Newcastle.....	96.1	2,064 51
Fredericton-Sussex.....	100.5	1,507 46

## NOVA SCOTIA.

Description of Project.	Mileage.	Cost per mile.
		\$ cts.
Halifax to Indian River.....	17.5	12,111 12
Mt. Uniacke to Lakelands.....	7.6	7,483 00
Aylesford to Middleton.....	12.1	7,627 43
Elmsdale to Shubenacadie.....	7.1	6,514 80

NOVA SCOTIA PROJECTS WHICH HAVE NOT BEEN ENTERED INTO AGREEMENT  
BUT WHICH ARE NOW UNDER CONSIDERATION.

Location.	Mileage.	Estimated cost.
		\$ cts.
Halifax-Bedford.....	6-5	204,920 00
Port Joli-Sable River.....	6-3	91,227 76
Liverpool-Caledonia.....	5-3	67,321 00
Sydney-Glace Bay.....	8-2	86,215 00
Windsor-Hantsport.....	6-48	63,032 00
Weymouth-Meteghan.....	10-0	40,919 40
Digby-Rossway.....	4-5	66,058 20
Dartmouth-Imperoyal.....	1-31	44,372 70

## QUEBEC.

Project.	Section.	Sub-Section.	Mileage.	Location.	Estimated Cost.
1A.....	A	2	3-09	Orford Twp., Sherbrooke Co.....	\$50,966 00
Montreal.....	C	1	2-59	Magog Twp., Stanstead Co.....	48,758 00
	D	1	0-82	Magog Twp., Stanstead Co.....	24,799 00
	E	1	2-07	East Bolton Twp., Brome Co.....	54,123 00
Longueuil.....	E	2	2-48	East Bolton Twp., Brome Co.....	36,729 00
and.....	H	1	2-31	Shefford Twp., Shefford Co.....	52,716 00
Sherbrooke.....	M	1	3-305	Parish of St. Cesaire, Co. of Rouville	47,500 00
Highway.....	Q	1	1-2528	Parish of Ste. Marie-De-Monnoir, Co. of Rouville.....	18,661 00
2 (15 sections).....			48-13	Counties of Quebec, Champlain, Ber- thier, Joliette and L'Assumption..	37,683 00
Montreal, Que.—					
3.....	B	1 & 2	1-951	Parish of St. David, Co. of Levis....	16,339 13
Levis.....	C	1 & 2	0-893	Municipality of St. Telesphore.....	
	D	3	0-713	Parish St. Romuald, D'Etchemin, Levis Co.....	20,773 65
	E	1	6-818	Parish St. Nicholas, Levis Co.....	162,734 50
St. Lambert.....	L	1 & 3	4-120	Deschailons Village, Lotbiniere Co.	97,559 39
Highway.....	NN	2	2-	Parish of Contrecoeur, Vercheres Co.	32,434 80
	TT	1, 2, 3	2-684	Parish of Boucherville, Chambly Co.....	76,646 95
	WW		2-914	Parish Longueuil, Chambly Co.....	69,869 55
4.....	A		3-500	From Ferry Landing, S. Shore Lake St. Louis to Southern limit of Caughnawaga Indian Reserve....	74,100 00
Caughnawaga.....	D	1	1-950	From northerly limit Parish of Ste. Martine, south.....	72,390 50
Malone.....					
Highway.....		3	2-317	From Bean River Road, southerly.	
5.....	A	2	1-200	Parish L'Enfant Jesus, Co. Beauce..	37,711 79
	B	1 & 2	4-267	Parish St. Frederic, Co. Beauce....	
	C	3	1-121	Parish Sacre-Coeur de Jesus, Co. Beauce.....	
	E	1 & 3	1-051	Parish Sacre-Coeur de Jesus, Co. Megantic.....	
Beauce Junction.....	L	1 & 3	0-722	Parish Disraeli, Co. Wolfe.....	
Sherbrooke.....	M	2	0-688	Disraeli Village.....	
Highway.....	N	2-5 & 78	2-589	Parish Garthby, Co. Wolfe.....	
Beauce.....	P	1-2-6 &	2-243	Twp. Weedon, Co. Wolfe.....	
Junction.....	Q	2-4-6	2-386	Lac Weedon Village, Co. Wolfe....	
Sherbrooke.....	R	1 & 3	0-945	Weedon Centre, Co. Wolfe.....	
	T	2-3 & 4	6-704	Twp. Dudswell, Co. Wolfe.....	
	S	1 & 3	3-730	Village of Marbleton, Co. Wolfe....	192,594 86
*6.....	B		0-257	Village of Bienville, Co. Levis....	46,286 00
9.....	C	2	1-520	"Laprairie Dyke", Co. Laprairie..	17,000 00
Long.....	C	3	1-140	Parish Laprairie, Co. Laprairie....	55,000 00
Edward Highway.....	D	2	0-270	Parish Laprairie, Co. Laprairie....	20,529 89
10.....	N	1	3-878	Parish Laprairie, Co. Laprairie....	4,810 57
Levis.....				Bdy. Princeville, Easterly.....	21,382 20
Sherbrooke.....	N	2	3-797	li it f Princeville, out e sterl	38,311 20
Highway.....					

[The Chairman.]

Project.	Section.	Sub-Section.	Mile-age.	Location.	Estimated Cost.
11.....	E	2-4-6	2.144	Parish St. Janvier, Co. Terrebonne.	20,024 10
Montreal.....	F		0.132	Parish Ste. Monique.....	5,125 37
Mont Laurier.....	G	1-3-5-7	7.249	Parish St. Jerome.....	92,972 22
Highway.....	G	4	0.378	Parish St. Jerome.....	15,516 75
	I	1	0.833	Shawbridge Village.....	5,114 63
14.....	B	1	5.220	Parish of St. Luc, Co. of St. Johns...	59,000 00
Laprairie Lacolle Highway.	C	3	4.215	Southerly from town of St. Johns...	69,304 00
			154.4918		\$1,694,467 05

\*Levis-Riviere du Loup-Rimouski Highway.

ONTARIO

Location	Mileage	Cost per mile
		\$ cts.
Whitby-Belleville.....	75.9	10,620 00
Belleville-Kingston.....	46.35	13,320 00
Kingston-Brockville.....	45.23	15,450 00
Brockville-Prescott.....	10.4	21,220 00
Ottawa-Prescott.....	58.7	30,500 00
Hamilton-Stoney Creek.....	5.0	25,710 00
Stoney Creek-Queenston.....	32.2	15,070 00
Hamilton-Brantford.....	19.18	34,400 00
Brantford:Woodstock.....	24.35	16,550 00
Woodstock-Ingersoll.....	7.16	32,280 00
Ingersoll-London.....	15.8	32,970 00
Jarvis-Hamilton.....	24.15	11,470 00
London-Stratford.....	34.62	13,720 00
Toronto-Hamilton.....	30.57	24,540 00
Toronto-Bradford.....	27.21	11,260 00
Ottawa-Point Fortune.....	69.19	16,400 00
London-St. Thomas.....	15.30	19,430 00

MANITOBA

Description of Project	Mileage under Contract	Cost per mile
		\$ cts.
Winnipeg-Western bdy, 217.5 Winnipeg to Westerly limit of Municipality of Portage la Prairie, 56.5 miles. North Cypress Municipality to Cornwallis Municipality, 17 miles. Easterly bdy of Municipality of Sifton to West bdy of Manitoba near Wallace, 63 miles.	136.5	3,220 00
Portage la Prairie to Western bdy of province via Dauphin Highway (244 miles) from Municipality of Westbourne to Easterly limit of Landsdowne, 26 miles.	152.0	4,000 00
From Municipality of McCreary to Westerly bdy of Municipality of Grandview, 114 miles. From Municipality of Hillsburg to Saskatchewan bdy, 12 miles.	76.0	5,200 00
Dauphin to Benito Highway..... From town of Dauphin to Easterly limit of Municipality of Gilbert Plains, 23 miles. From Municipalities of Minitonas and Swan River to west bdy of Manitoba, 53 miles.	29.5	4,900 00
Winnipeg-Portage la Prairie Highway..... From Westerly bdy of Winnipeg to easterly limit of Municipality of Cartier, 10.5 miles. From Municipality of Portage la Prairie to town of Portage la Prairie, 19 miles.	134.0	4,300 00
Winnipeg to Western bdy (197 miles)..... From Oak Bluff to South Norfolk, 48 miles. From Municipality of Oakland to bdy between Manitoba and Saskatchewan, 86 miles	76.5	6,000 00
Winnipeg to Western bdy Highway, 215.5 miles..... From Fort Garry to Dufferin Municipality, 33.5 miles. From Westerly end of Dufferin Municipality to Roland Municipality, 17 miles. From Bernice to bdy of Saskatchewan, 26 miles.	56.0	7,700 00
Winnipeg to Emerson Highway.....	77.0	3,317 00
Winnipeg to Riverton Highway.....		

## SASKATCHEWAN.

Project Number	Location	Mileage Under Contract	Cost per mie
			\$ cts.
1 Sec. G	Cadillac to Battleford Highway— Battleford to North Battleford.....	2.5	4,440 00
2 Sec. B	Assiniboia to Prince Albert Highway— Crestwynd to Moose Jaw.....	25.0	1,132 00
2 Sec. D	N.E. 36-19-27-2 to N.E. 32-20-26-2.....	9.0	1,888 00
2 Sec. G	N.E. 33-34-27-2 to Dana.....	25.0	1,017 00
3 Sec. A	Big River to Prairie River Highway— Prairie River to S.E. 6-43-7-2.....	16.25	2,307 00
3 Sec. F	Prince Albert to Shellbrook.....	26.50	2,000 00
		104.25	1,645 75

## BRITISH COLUMBIA

Project	Location	Mileage	Fed. Aid Payment to date
			\$ cts.
Sec. A	Craigflower Bridge to Parsons Bridge.....	2.046	20,103 07
Sec. A	South from crossing of North Arm of Fraser R.....	2.650	15,188 88
Sec. B	From Woodward's Landing north and west.....	1.890	
Sec. A	Municipality of Delta.....	2.	
Sec. A	From West boundary, north Vancouver City westward one mile.....	1.	7,952 58
Sec. A	From New Westminster Bridge south.....	3.270	16,958 61
Sec. B	From Sec. "A" to Johnston Road.....	2.300	
Sec. F	Endaco to Burns Lake.....	32.	
Sec. G	Burns Lake to Rose Lake.....	16.	
Sec. I	North Bulkley to Houston.....	7.	
Sec. A	Burns Lake to Francois Lake.....	15.	2,668 02
Sec. A	From 5.5 miles west of Revelstoke westerly.....	3.300	6,088 04
Sec. B	From Sec. "A" westerly.....	7.840	
Sec. C	From south end Mara Lake northerly.....	3.220	
Sec. A	Between Creston and Yank, easterly from Goat R.....	1.280	
Sec. B	Between Thrums and Brilliant.....	4.500	
Sec. C	Between Osoyoos and Rock Creek.....	13.070	
Sec. D	From Rossland westerly.....	6.750	
Sec. E	Between Kuskanook and Creston.....	5.660	10,701 32
Sec. A	From Kaslo to Ainsworth (Dist. of Kootenay).....	4.200	6,786 00
Sec. B	From New Denver to 3 Forks (Dist. of Kootenay).....	5.170	
		140.146	86,446 52

Mr. LAFORTUNE: (Translation.) I would like the hon. minister to tell me whether any item has been included in the Estimates for the repairing of a wharf at Pointe-Claire, in the county of Jacques-Cartier which I have the honour to represent. I was answered, at the time,—

The CHAIRMAN (Mr. Steele): I think the hon. member does not quite understand the item which is now before the committee. He is dealing with an item in the Public Works Estimates.

Mr. LAFORTUNE: (Translation.) These are public works since they have reference to the repairing of a wharf. I was answered at the time, Mr. Chairman,

[The Chairman.]

that it was impossible to deal with this wharf because it had been leased to the Grand Trunk Railway Company, and the Government could not interfere.

The CHAIRMAN (Mr. Steele): Order. The matter which the hon. member desires to discuss is really under the Department of Public Works. We are now discussing the Estimates of the Department of Railways and Canals. Therefore the hon. member is quite out of order.

Mr. LAFORTUNE: (Translation.) I called at the Department of Public Works and was answered that the Department of Marine—

The CHAIRMAN (Mr. Steele): Order. The hon. member is quite out of order in discussing this matter at the present time. We are willing to extend to him every courtesy, but we must adhere to the rules of the committee.

Mr. LAFORTUNE: (Translation.) I have another question to ask, Mr. Chairman, if I am in order. The Government owns a road along the Lachine canal, where there is a bridge which is called a bascule bridge; it belongs to the Government and is under its control. The corporation of the city of Lachine has informed me, by a petition which I have here, to the effect that this road is in a deplorable condition. There is considerable traffic done on the Government's road and great difficulty is experienced thereby. That road belongs to the Government and is in a very bad condition.

The CHAIRMAN (Mr. Steele): What the hon. gentleman is referring to does not come under the item which is before the committee at the present time.

Mr. LAFORTUNE: (Translation.) I would like to know—

Some hon. MEMBERS: Order, order.

Mr. LAFORTUNE: (Translation.) Hon. gentlemen speak very loud; they will come to the province of Quebec and cry out "order"—

The CHAIRMAN (Mr. Steele): Order. If the hon. member will kindly bring his remarks to bear on the item under discussion, I am sure there will be no attempt to prevent him laying his views before the committee.

Mr. LAFORTUNE: (Translation.) Mr. Chairman, I thought I was in order when speaking of public roads. I am alluding to a road which belongs to the Government, which is in a bad condition and needs to be repaired. It seems to me that I am in order since the hon. Minister's Estimates having reference to roads are being discussed. I wish to be courteous to you, Mr. Chairman, but I want justice done to my electors and I appeal to the hon. minister himself. I have a petition here. I am informed by the petitioners that they applied to the department, that a request was sent to which no answer was received.

Mr. CASGRAIN: (Translation.) As is often the case.

Mr. LAFORTUNE: (Translation.) Mr. Chairman, I ask the hon. minister whether

he could not include in the Estimates some amount for the repairing of a road which belongs to the Government, situated along the Lachine canal, in the town of Lassalle. I am told that this road is in a very poor condition owing to the very heavy traffic done in that locality, that it needs to be repaired, and the Department of Railways and Canals is asked to help towards maintaining, repairing and improving the road in question. If I am in order, Mr. Chairman, I would ask from the hon. minister an answer.

The CHAIRMAN (Mr. Boivin): (Translation): I think the question might very well be asked while the House is in Supply and we are discussing the Estimates. But, I shall call the attention of the hon. member to the fact that we are now considering an item which relates to the administration of roads built by provincial governments with the assistance of the Federal Government, and the question raised by the hon. member would no doubt be more in order upon items concerning railways and canals.

Mr. LAFORTUNE: (Translation.) Very well, Mr. Chairman, I shall postpone my question and come back to it later on.

Mr. CASGRAIN: Before the item carries, I should like to ask the minister if application has been made to the department for a highway from Quebec through St. Joachim in the county of Charlevoix to St. Siméon? I think a highway is projected in that district, and I should like to know if the proper amount has been provided for?

Hon. Mr. REID: It is on the general plan, but I have no details yet.

Item agreed to.

Loan not exceeding \$89,687,633.39 repayable on demand with interest at the rate of six per cent per annum, payable half-yearly, to be used (where amounts available from net operating earnings may be insufficient) to meet expenditures made or indebtedness incurred at any time by or on behalf of the Grand Trunk Railway Company of Canada or any company comprised in the Grand Trunk Railway System (excluding herefrom, however, expenditures or indebtedness incurred by or on behalf of the Grand Trunk Pacific Railway Company except as specifically provided in item (f) hereof) on any of the following accounts: (a) operating deficits, (b) acquisition of property, materials and supplies, (c) interest on notes, securities or obligations, (d) the principle and interest of maturing or matured loans, secured or unsecured, (e) construction and betterments, (f) guarantees by the said Grand Trunk Railway Company of securities of the Grand Trunk Pacific Railway Company, such

loan to be secured by mortgage or mortgages upon the undertaking of the Grand Trunk Railway Company of Canada on such terms and conditions as the Governor in Council may approve. The loan or assistance herein authorized may be made in cash or by way of guarantee, or partly in cash and partly by guarantee, in the discretion of the Governor in Council. Any guarantee from time to time given under the authority herein may be of the principal and interest of the notes, obligations or securities of the Grand Trunk Railway Company of Canada, and may be signed by the Minister of Finance, on behalf of His Majesty, in such form and on such terms and conditions as the Governor in Council may approve, \$89,687,633.39.

The CHAIRMAN: This is the item to which an amendment was moved when we were last in committee and upon which the Chairman gave a ruling earlier this evening. Shall the item carry?

Mr. CAHILL: This item with the other items in No. 126, and a few others which the Minister of Railways and Canals has to pass amount altogether to \$185,000,000. This sum is greater than the total cost of the Intercolonial railway, it is greater than the total cost of the Transcontinental railway, it is more than equal to one-third of the cost of the Canadian Pacific railway. It is an amount more than one-half the total debt of Canada ten years ago and greater than the total revenue of Canada ten years ago; it is also an amount greater than the total collected by way of customs duties last year. Now, the Government have not announced any policy so far as the management of the Canadian National railways is concerned. I was surprised to hear the minister state a few nights ago that if he could be induced to accept that position Sir Joseph Flavelle would be the permanent chairman of the Board of Management of the Canadian National railways. Sir Joseph Flavelle may be an excellent business man; he may be absolutely honest—I do not know anything about him in that regard. But he has a reputation in Canada that will not inspire the confidence of the Canadian people, and in selecting a man to have charge of the Board of Directors of the Canadian National railways it might have been better to secure some man, who, perhaps, was not quite so well known and who would make a better appeal to all the people. However, the minister has intimated his intention of asking this gentleman to accept the chairmanship of a joint board. I wish to ascertain whether the Government have worked out any policy as to the future management of these railways. Is it the intention of the Government to appoint a

[Mr. J. D. Reid.]

board of directors which will have control of the management of the railways, and will the Government be guided in all matters pertaining to the management of the road by the recommendations of that board and interfere in no way with the operating officers of the system? I think that by this time, after four years or more of public ownership of railways, the Government should have worked out a plan of operation under which this enterprise may be carried on.

Hon. Mr. REID: As the hon. gentleman is aware, the operation of the 15,000 or 16,000 miles of railway now under government control is carried on by a board of directors named by the Government, and that that board have full control of operation as well as the appointment of every official connected with the roads. It is the intention of the Government at an early day to bring into force the Canadian National Railways Act which was passed a couple of years ago. The Government are now considering the names of the persons who shall make up the board of directors under that Act, and when appointed they will have full control of operation of all the Government railway systems. Every man employed on the road will be selected by that management, independently of the Government. As to the reference made by the hon. member to Sir Joseph Flavelle, I can only repeat what I said a few minutes ago. In my opinion Sir Joseph Flavelle has a standing equal to that of any man in Canada. He is considered one of our most prominent men; I believe his reputation stands as high as that of any other man in the country. I believe that the people will agree if it was possible for Sir Joseph Flavelle to accept the chairmanship of the board he would do full justice to the great responsibilities involved in so important an office. I am sorry indeed to hear any criticism reflecting on Sir Joseph Flavelle. In fact, I feel that it will be difficult for any Government to secure men for these responsible positions if their reputations are to be attacked by members of this House. The men we want are men in whom the people have confidence, and I sincerely hope that unless it can be shown that the Government have not judged them fairly or that their reputations are such that they should not fill these important positions, hon. gentlemen will, instead of reflecting on their reputations, try to assist the Government in getting them to take these positions.

Mr. CAHILL: At the present time Mr. Hanna, who is a railway man, is president of the Canadian Northern Railway. He was an active railway man when he was taken over by the Government, and most of the directors, who attend the meetings at least, are officials of the road. If a different board is appointed, a board of laymen aside from the officials, who will have control of the officials? Do I understand that such men as Mr. Hanna and Mr. Kelley will then have to report to, or be at the disposal of this board of directors?

Hon. Mr. REID: What I stated a few minutes ago was this. Mr. Hanna, or Mr. Kelley, or any other official may be on the board of directors; but if they are not on the board of directors and they still remain in a position on the railway, they will, of course, be subject to, and have to take orders from, the board of directors. The Government will not deal with them if they are officials and not members of the board of directors.

Mr. LAVIGUEUR: By whom will the new board of directors be selected?

Hon. Mr. REID: The board of directors of the Canadian National railways will be selected by the Government. After they are selected, they will be told to go on and operate the road in the interests of the road and of the public.

Mr. LAVIGUEUR: May I point out to the minister that the province of Quebec had only one representative on the old board of directors, Sir Hormisdas Laporte? Is it the intention of the minister and the department to give proper representation on the new board of directors, to Quebec?

Hon. Mr. REID: When the old board was appointed there were two representatives from Quebec, as my hon. friend knows, and that was a fair representation, but one resigned.

Mr. LAVIGUEUR: Who resigned?

Hon. Mr. REID: Mr. Frank Jones.

Mr. LAVIGUEUR: By whom was he replaced?

Hon. Mr. REID: He resigned and the position was not filled because we were waiting until the Canadian National Railway Act was brought into force. When that is done, we will decide on the reorganization of the directors.

Mr. WHITE: Is there any representative from the western provinces other than Mr. Riley of Winnipeg?

Hon. Mr. REID: We had Mr. Hamilton from Saskatoon, but he resigned. We expected that the arbitration would be finished at any time, and then the reorganization of the whole board would take place.

Mr. CASGRAIN: Is any salary or emolument to be paid to the directors and what will be the amount?

Hon. Mr. REID: We have not decided that. That will be decided when the board is appointed.

Mr. McKENZIE: The other night we very fully but, perhaps not sufficiently, discussed this item. I find, however, that we did not get very satisfactory information from the minister as regards this national enterprise. The Canadian National railways are owned by the Canadian people. This enterprise is supposed to be operated as a business venture by the people, under the role of public ownership of railways. Many of our friends in this House and out of it were expecting great things from national ownership. I remember, when the policy was inaugurated and put into operation, that the hon. member for Brantford (Mr. Cockshutt) said that in two years from that time the undertaking would be a commercial success. We have had four years of experience in operation in this connection and instead of getting better, we are getting worse; the deficits are getting larger all the time. I have a right, both as one of the owners of the road, as one of the Canadian people, and as the representative of my riding in this House, to know how we are going to proceed in connection with this very extensive undertaking.

In speaking on the Budget I made some reference to this railway; but the minister was not in the House, he did not hear what I said and I am sure he is too busy a man to be called upon to read speeches delivered in this House in his absence. Perhaps I could very briefly bring to his notice some matters that I referred to at that time in connection with this particular undertaking. I pointed out on that occasion that we had spent millions on deepening the St. Lawrence channel, and on equipping the harbours of St. John and Halifax. I also pointed out that arrangements were made, perhaps not at our expense, in the harbours of Sydney, Montreal and Quebec, for handling the national business. I also pointed out that we had built two lines of railways, one of them going to Halifax and St. John and the other, the Transcontinental, going, at all events, as far as

Moncton, with a view to handling national business. We had ports on the Atlantic and the river St Lawrence to receive the trade of the country. It seems to me extraordinary that after all that money is expended, we go to work and buy a system of railways with its chief terminus in a foreign country, at Portland, Maine. We cannot escape the responsibility of buying a road with its chief terminus in a foreign country. I suppose the minister will have to acknowledge that he intends to give all the business that he can to every part of the great system we control. I would like to know what he intends to do about the general business. Is he going to send it to Montreal, Quebec, St. John or Halifax, or is he going to send it to Portland, Maine, outside of the Dominion of Canada? Does he undertake to say that there is enough business to keep the whole system in operation with business percentages or returns from the railways which we own ourselves within our own bounds; or if there is not enough business for all, is one going to be sacrificed for the other? What is to be the policy? Are we going to abandon keeping up trade at Portland and give traffic to our own ports? These, I think, are legitimate questions that should be answered. The policy in connection with this matter should have been settled before the Grand Trunk was taken over. The Minister of Railways of to-day was Minister of Railways at that time, or shortly afterwards; at all events, he was a member of the Government, and no policy could have been adopted without his knowledge. I think the committee has a right to know if the Government, before they took over this huge enterprise, had adopted a policy as to how they were going to deal with this Portland business.

I have learned lately that we now own a very large coal mine in the United States. It is interesting for the people of British Columbia, Alberta, Saskatchewan and the Maritime Provinces who are engaged in the coal business to learn that the Government of Canada is also now in that business, and that one of their competitors henceforth in supplying the Canadian market will be the Dominion Government. We had the sales agent of the Canadian Pacific Railway before the Fuel Committee the other day, and he told us of the large output of the coal mines that that railway owned in the United States. I think it is a legitimate question to ask the minister whether it is the purpose of this Govern-

[Mr. McKenzie.]

ment to carry on a coal business. Is the Government going to supply their own railways with coal mined out of their own mines in the United States to the exclusion of coal that might be offered for sale by other people in this country? It is of the greatest possible interest to the people of my own province, to know what the policy of the Government in this matter is going to be.

I think it is only fair that the minister should also give the committee a definite statement of the operating expenses and expenditure generally of each railway under the control of the Government since the roads have been taken over. For instance, how have things been going for the last three years on the Intercolonial, the Canadian Northern, the Transcontinental, the Grand Trunk Pacific, and on the Grand Trunk itself since we become responsible for the expenditure? How do receipts compare with expenditures of all kinds upon these roads? How do we stand as between the income and outgo on each one of these railways? I think that that is information which the minister might well have expected would be required by the committee, and I think he should have it and give it to the committee. I would like to have the information put on Hansard in a clear and definite way so that any person who takes enough interest in the business of the railways to read Hansard will be able to see for himself just how things are going.

I would also ask the minister to tell the committee how much he thinks is necessary for betterments on the whole system to bring the railways up to the proper standard for a first-class business—up to the standard of the Canadian Pacific, for instance, or any other road with which we might compare our own system.

These are matters that I think it is only proper that hon. members, whether sitting on that side of the House or on this, should know so that they will be able to explain to their people in a clear and definite way the facts in connection with this great enterprise which we have taken over. I do not wish to say more at the moment. The minister has got my questions, and I would like him to give the information. Whether I shall have anything more to say I cannot tell at the moment. Much will depend on the clearness and conciseness and intelligibility of the information which we receive from the minister.

Hon. Mr. REID: The questions which the hon. member has asked are fair ques-

tions, and I think the committee should have the information that he has asked for. I shall try and answer his questions in the order in which he has put them.

With reference to Portland, Maine, the hon. member knows that when we took over the Grand Trunk system, that comprised the whole system, including Portland. So far as Portland and our own Canadian ports are concerned, the policy of the Government has been, and I should think would continue to be, to develop our own Canadian ports in preference to others. We should be in a far better position to develop our own ports now that the Government owns these roads for the reason that we shall be able to divert to Canadian ports a very large portion of the traffic that comes over the Grand Trunk. We shall now have control, through the board of management, whereas before the control was in the private company. I think that the ports of Montreal, St. John, and Halifax should be benefitted by our taking over the roads. I should judge that no Government in the future would try to develop Portland to the disadvantage of our own Canadian ports, which this Government is endeavouring to build up.

The next question of the hon. member was with reference to the coal mines. It is true that the Government in taking over the Grand Trunk took over a large coal mine. Through becoming the owners of the stock we, of course, control the coal mines owned by the Grand Trunk in the United States. Several years ago the Grand Trunk purchased a large coal mine in Pennsylvania, and I am informed that it is a very valuable asset. I do not fear, however, that any of the coal that might be brought from that mine would come into competition, at least, to any great extent, with any of the coal produced in Canada, for the reason that the coal that came from that mine to the Grand Trunk came mostly to Ontario, and some possibly as far east as Montreal. The coal would go to Port Arthur, but, of course, all the coal that has been used in the past by the railways from Port Arthur almost to Montreal has been coal that came from the United States. I have been informed frequently, that there is no trouble in selling the coal produced in the United States by the mines owned by the Grand Trunk. It is easily disposed of, and a large profit is made on it. As regards the mines in Nova Scotia or the West, if at any time in the future they are able to send their coal into the centre of Ontario, there will be no difficulty in disposing of it.

Mr. SINCLAIR (Guysborough): What is the output of the mines owned by the Grand Trunk in the United States?

Hon. Mr. REID: I have not that information here.

Mr. SINCLAIR (Guysborough): Is it a growing concern?

Hon. Mr. REID: Oh, yes. It supplies the coal used by the Grand Trunk. In a conversation with me, Mr. Kelley stated a few moments ago that they produced the coal for their own system and, apart from that, sold a large quantity. That coal is one of the best kinds produced in Pennsylvania. It will not come in competition with the coal from Nova Scotia so long as that coal can be sent to Quebec and Montreal.

Mr. McKENZIE: But it is competing with us now.

Hon. Mr. REID: It probably has been because we were not able to get freight until a short time ago. The old Board of Directors of the Grand Trunk have probably been bringing coal from the United States without reference to the Nova Scotia Coal Company, but now that the railways are to be under Government control the mines in Canada will receive every consideration. The coal produced in the United States can easily be sold there because there is a big demand for it. As to betterments, the question is somewhat difficult to answer. Betterments are carried on from year to year, and a good deal is done while operation is going on. No estimate can very well be made, therefore, in this respect. The question was fully answered before the Special Committee, and if the hon. member will read the evidence given before the committee he will find much more information than I could give him to-night, because the whole subject was discussed by the official in charge of the operations.

Mr. McKENZIE: It would be much more satisfactory if the minister would tell us what it was stated before the committee would be required to standardize the road?

Hon. Mr. REID: No estimate of that kind has been made because the work is carried on from year to year, and there is a certain amount of work done that goes into capital account. The roads are in fair shape and while they are not up to 100 per cent standard, each year improvements are made from the earnings. There is no way in which you could arrive at

an estimate of what it would require to bring the whole system up to 100 per cent standard; and, on the other hand, there are a great many parts of the line where there is not so much traffic that it is necessary to bring it up to 100 per cent standard. There are many reasons why an estimate such as is asked for by the hon. member could not very well be given, but the whole matter was gone into thoroughly before the committee. The officials are fully posted on these questions, and the report of the committee tabled a few days ago gives full information. Several hundred copies were printed, and the hon. member can get much more detailed information from the report than I could give him at the present moment.

Mr. McKENZIE: In 1916, when the Drayton-Acworth report was submitted, those gentlemen said it would take at least \$50,000,000 to bring the road up to standard. How much would be necessary now to carry out the suggestions contained in that report?

Hon. Mr. REID: I thought the hon. member was referring to the Canadian National system.

Mr. McKENZIE: I want all the information possible, but I want to be informed on this particular question.

Hon. Mr. REID: We have had no information regarding the Grand Trunk since the Drayton-Acworth report. Our engineers have been gathering evidence which is now being submitted to the arbitrators, and it would be impossible for me to get that information before our side of the case comes up, which will probably be in ten days or two weeks' time. The hon.

member has also asked concerning expenditures in connection with the other railways, as well as their earnings. When I made my statement on March 17, as will be found at page 1056 of Hansard. I gave a comparative summary of operating results for the twelve months ending December 31, 1920, and 1919. In that statement I gave the operating revenues of each of the different roads, and indicated how they were earned, by passenger traffic, freight, etc. I gave the operating expenses of the Canadian Northern, the Canadian Government railways, the Canadian National, as well as the distribution of expenditures on maintenance of way and structure; maintenance of equipment; traffic; transportation by rail; transportation by water, miscellaneous and so on. Then I gave operating ratios of the several systems and operating deficits, average mileage operated and so on. I think the statistics cover several pages. This is all in Hansard and I will send it over to the hon. gentleman. It gives all the details for which the hon. member asks in so far as the Canadian National Railway system is concerned.

Mr. McKENZIE: My idea was for the minister to make a statement in a concise form in connection with this item. What I want is the total earnings and total expenditure of each one of these systems, showing the deficit in each case and the probable deficit this year so that the public can grasp the facts without very much difficulty.

Hon. Mr. REID: All I can do is take the facts as I find them in Hansard. I get there the following figures:

Canadian National Railways Canadian Northern Railway System Canadian Government Railways				
Comparative Summary of Operating Results 12 Months Ending December 31, 1920-1919				
			%	
	1920	1919	Increase or Decrease	Increase or Decrease
Operating Revenue—				
Canadian Northern...	\$ 66,695,398 80	\$ 53,562,177 57	\$13,133,221 23	24.52
Canadian Government.	44,537,803 85	40,179,380 93	4,358,422 92	10.84
Canadian National...	111,233,202 65	93,741,558 50	17,491,644 15	18.66
Operating Expenses—				
Canadian Northern...	82,953,978 60	60,034,023 92	22,919,954 68	38.18
Canadian Government.	54,987,680 28	47,728,205 73	7,259,474 55	11.86
Canadian National...	137,941,658 88	107,762,229 65	30,179,429 23	28.00

My hon. friend also asks for a statement of the deficits. I have that statement here.

Mr. McKENZIE: Does it include the Grand Trunk?

[Hon. Mr. Reid.]

Hon. Mr. REID: No, it does not include the Grand Trunk at all. The total for the Canadian Northern and the Canadian Government railways for the year ending December 31, 1920, is \$26,708,456.23. In 1919 the amount was \$14,020,671.05. To

that has to be added the fixed charges or the interest that we had to pay on the Canadian Northern railway. I find that the figures for the Grand Trunk Pacific are also here and perhaps I had better give them as well.

Mr. McKENZIE: Give the figures separately for each system if my hon. friend can do so.

Hon. Mr. REID: I will do so. They are as follows:

Gross Earnings		
	1920	1919
Canadian Northern System.. . . .	\$ 66,695,398 80	\$ 53,562,177 57
Canadian Government.. . . .	44,537,803 85	40,179,330 93
Grand Trunk Pacific.. . . .	14,408,549 66	11,294,617 87
	<u>\$125,141,752 31</u>	<u>\$105,036,176 37</u>
Operating Expenses		
Canadian Northern System.. . . .	\$ 82,953,978 60	\$ 60,034,023 92
Canadian Government.. . . .	54,987,680 28	47,728,205 73
Grand Trunk Pacific.. . . .	24,543,063 60	17,587,567 37
	<u>\$162,484,722 48</u>	<u>\$125,349,797 02</u>
Operating Deficit		
Canadian Northern System.. . . .	\$16,258,579 80	\$ 6,471,846 35
Canadian Government.. . . .	10,449,876 43	7,548,824 80
Grand Trunk Pacific.. . . .	10,134,513 94	6,292,949 50
	<u>\$36,842,970 17</u>	<u>\$20,313,620 65</u>

Or \$16,000,000 more in 1920 than in the previous year. But that was just the operating deficit, and to that you have to add the fixed charges on the Canadian Northern and the Grand Trunk Pacific, totalling in 1920 \$33,488,764.71, and in 1919, \$27,928,925. Now, if you add the operating deficit and fixed charges—and all this information will be found on page 1052 of unrevised Hansard—for the three systems: the Canadian Northern system, the Canadian Government and the Grand Trunk Pacific, the total for 1920 amounts to \$70,331,734.88, as against \$48,242,536.65 in 1919.

Mr. FIELDING: Covering what lines?

Hon. Mr. REID: These are the details: for 1920:

Canadian Northern system.. . .	\$40,414,568 28
Canadian Government.. . . .	10,449,876 43
Grand Trunk Pacific.. . . .	19,467,290 17
Total.. . . .	<u>\$70,331,734 88</u>

Mr. FIELDING: That, I suppose, would include everything except interest on the original Intercolonial capital?

Hon. Mr. REID: Yes, and on the Transcontinental.

Mr. SINCLAIR (Guysborough): When you speak of the Canadian Government system, do you mean the Intercolonial and the Transcontinental?

Hon. Mr. REID: Yes, and the branch lines that are attached to the Intercolonial.

Mr. FIELDING: Including the Prince Edward Island railway?

Hon. Mr. REID: Yes.

Mr. McKENZIE: If I remember the minister's statement early in March, he gave us a forecast of the probable results for the current year. Could he repeat what he said then or tell us what he thinks now?

Hon. Mr. REID: Sixty million dollars was the Estimate submitted to me by the present management of the Canadian National system.

Mr. McKENZIE: As I understand, we took over or became responsible for the Grand Trunk on the first of February, 1920. Can the minister tell us what were the results for the balance of the year; and also, if he can, how we are faring this year in our operation and management of the Grand Trunk.

Hon. Mr. REID: I can only give what I presented in the same statement last March. I then informed the House:

I have not been able to get the annual closing statement from the Grand Trunk management up to the present time. Their staff is busy in connection with the arbitration proceedings. I had to send one of our expert auditors to secure from their books, and submit, a statement as to results of operations for the years 1919 and 1920, and he gives me the following report as approximately correct. After providing for operating expenses, tax accruals, income deductions, etc., the amount available for in-

terest and dividends was, for 1919, \$11,164,035.53; for 1920, \$5,692,300.74. These amounts were available to meet interest and fixed charges on the following: 4 per cent and 5 per cent debenture stocks of the Grand Trunk, interest on all mortgage bonds of the Grand Trunk, interest on all mortgage bonds of the Grand Trunk Western, interest on all mortgage bonds of the Central Vermont, interest on secured notes of the Grand Trunk Railway, interest on equipment notes of the three companies, interest on guaranteed stock, first preference stock, second preference stock, third preference stock.

Out of the above amounts, the railway was able to meet in 1919 the interest on their fixed charges, but not on the share capital which includes the 4 per cent guaranteed stock, first second and third preference stock, and ordinary stock.

So the Grand Trunk paid all their operating expenses and had that amount of \$11,000,000 available for dividends.

In 1920 the company falls short \$6,563,091.33 of meeting interest on fixed charges. In justice, however, to the Grand Trunk management I should add that they had to pay \$3,635,000 to the employees for back pay between May 1st and September 1st, when no increases for freight rates had been allowed.

In other words, to answer the hon. member as I understand his question, the Government, owning the Grand Trunk, would have to assume a liability of \$6,563,091.33, being the amount of the actual loss in 1920, less \$500,000 or \$600,000, as we did not take over the road until February.

Mr. DENIS: Mr. Chairman, I would not want to change the line of discussion now being pursued, but while we are on the Railway Estimates I wish to submit to the committee and to the Minister of Railways a question of local importance, it is true, but of great interest to my electors, and also affecting our Canadian National railways, as I intend to demonstrate. At the present time there is being built on the Canadian National railway in the city of Joliette a bridge across the L'Assomption river, which has been under construction for over a year. When the preliminary work was being carried out last year a resolution was passed by the municipal council of the corporation of Joliette. I may say that I have two resolutions, which were drafted in French and which I shall read in French, but they can be summarized in a few words, and I will explain them after reading them in French. The first resolution reads as follows:

Province of Quebec,  
District of Joliette.

The Corporation of the city of Joliette.  
Extracts from the minutes of a meeting of the council of the city of Joliette, held on the 30th of June 1920:

[Hon. Mr. Reid.]

Mr. Goulet, alderman, seconded by Mr. Brousseau, alderman, moves:

Whereas the Canadian National Railways are rebuilding the bridge which they own on the Assomption river, at Joliette;

Whereas it would be in the public interest that this bridge be so rebuilt so as to afford on each side of the new bridge, a public highway for both the pedestrians and the vehicles;

Whereas, that the improvement would even be in the interest of the Canadian National Railways whose traffic would thus be considerably benefited owing to the present conditions, in as much as the population of the county of Joliette, to the north east of the Assomption river, has no direct and advantageous exit to communicate with the C.N.R. station.

That this Council prays the officials of the Canadian National Railways to grant the request of the citizens of Joliette and the public in general, by building on each side of the new bridge a public highway both for the pedestrians and the vehicles and to take advantage to accomplish this, of the bridge in course of erection. Carried.

True copy,

A. L. MARSOLAIS,  
Secretary-treasurer.

About the time that this resolution was adopted I communicated with the management of the national railways with the object of bringing about acquiescence in the demands contained in it, but the answer given me at that time was a negative one, as I shall explain in a moment. Now, on April 13, 1921, the following resolution was passed by the same corporation:

Province of Quebec,  
District of Joliette,

Corporation of the city of Joliette.

Extract of the minutes of a meeting of the corporation of the city of Joliette, held on April 13, 1921:

Alderman Tremblay, seconded by Alderman Lachapelle, moves:

Whereas the corporation of the city of Joliette has, on June 30, passed a resolution requesting that the Board of National Railways take advantage of the construction of the railway bridge which was being built at the time on river l'Assomption, at Joliette, so as to provide a roadway on each side of the said bridge for vehicles and pedestrians;

Whereas, on August 30, 1920, the said board replied to the corporation that they could not comply with the wish expressed by the population of Joliette, because they were using material in their work which had been used elsewhere on their system, and that according to estimates made by their engineers, it would cost them a sum of \$60,300 for a single roadway 16 feet wide;

Whereas this corporation has now been informed that the said board intends to rebuild the said bridge with stronger material, which would allow the board to grant the request made by the city of Joliette, without such heavy cost;

Whereas the reasons given by the corporation, in its resolution of July 30 last, are still the same and that the proposed improvement is more and more pressing;

Whereas the corporation believe it advisable to renew their request, hoping the board will find that the expense is not much greater when compared to the advantages it will give to the inhabitants of the large district situated at the northeast of the river l'Assomption, and to the great benefit to be gained by the railway traffic, when there will be a direct access to the C.N.R. station, whilst now people have to go round by DeLanaudière street passing close by the C.P.R. station.

That this corporation again request the board of the Canadian National Railways to take advantage of the construction of its railway bridge on river l'Assomption to provide a public roadway for vehicles and pedestrians on each side of the bridge.

That the secretary-treasurer be asked to forward a copy of the present resolution to the president of the Board of Canadian National Railways, to the Minister of Railways, to the Hon. Prime Minister of Canada and to the member for the county of Joliette.

Carried.

True copy.

A. L. MARSOLAIS,  
Secretary-treasurer.

Accompanying this resolution I received from the secretary-treasurer a letter which I shall not read to the committee, but which asks me to try to obtain what is asked for in these resolutions. Now, Mr. Chairman, the Minister of Railways has no doubt understood in large measure the requests made in these resolutions. In a nutshell, the point is this: there is being built in Joliette the bridge that I have just mentioned. It is on the line of the Canadian National between Montreal and Quebec, passing through the city of Joliette. At that point, as at many other points, the Canadian National is in direct competition with the Canadian Pacific. It is asked that this bridge be so constructed that accommodation be provided on each side of the railway track for vehicular traffic, thus enabling people on the east side of the river l'Assomption to communicate directly with the Canadian National station at Joliette. At first sight it may seem that it would not be greatly to the advantage of the Canadian National to do this, but I would point out that it would be greatly in their interests to do it, because all the people coming from the east side of the river l'Assomption and proceeding to the city of Joliette and other points on the west side of the river have to go down the river about one mile from the Canadian National bridge, cross a bridge at that point which belongs to the city of Joliette, and from there enter the city. In order to get to this city bridge the people have to pass the Canadian Pacific station, and consequently the Canadian Pacific are obtaining an enormous traffic which would go to Canadian Na-

tional if, as is suggested, the railway bridge which is at present being constructed was so built that it would accommodate vehicles on each side of the railway tracks. The city of Joliette would not ask that alterations be made to a bridge already built, because such alterations would be costly and would perhaps not result in advantage to the company. But this bridge being now under construction, the provision of roadways for vehicles would not involve a very large additional expenditure, and I submit that it is primarily in the interest of the Canadian National Railways that the suggestion made in these resolutions be adopted. The country through which the Canadian National railway passes in the county of Joliette and the adjoining county to the east is very thickly populated. A great deal is produced in that district, which is developed away up north, even through the Laurentian mountains. There is an enormous traffic coming down to Joliette from the parishes to the north. I know the situation well, and I am in a position to say that if these roadways for vehicles were provided on the bridge, considerable additional traffic could be obtained for the Canadian National railways. That being the case, the question is one into which the minister should make immediate inquiry with a view to having this traffic going to the Canadian National instead of to the Canadian Pacific as it does now. I repeat that the Canadian National needs freight traffic if it is to get out of the difficulties in which it now finds itself; in fact, to say that, is simply stating something which every one knows. In the annual statement made by the Minister of Railways with regard to the operation of the Government railways he recognized the seriousness of our present railway problem, and even went to the extent of asking for advice. If advice of any kind should be given, I would certainly ask the Minister of Railways to do everything in his power to get all the traffic which can be got for the Canadian National railways. It is only by augmenting the traffic of that line, and also through the development of the country generally and increase of population that we shall ever get these railways out of the hole in which they are now. Knowing the situation, knowing the local circumstances as I do, I firmly believe, as is stated in the resolutions which I have just read, that if this project was put into operation, it would be first in the interest of the national railways, and, of course, very much also in the interest of

the city of Joliette, and the people east of the river L'Assomption.

Hon. Mr. REID: I am glad to have the information which the hon. member has just given. Of course this is all new to me; I do not understand the situation as he does; but I shall take Hansard to-morrow and draw the attention of the management to it, and suggest that if it is in any way possible, they should endeavour to carry out the request of the hon. member.

Mr. WHITE: The minister a few moments ago, in answer to a question of mine, stated that there was only one representative from the three western provinces on the board of directors of the Canadian National railways. That gentleman, I believe, is Mr. R. T. Riley, of Winnipeg.

Hon. Mr. REID: Yes.

Mr. WHITE: If there were more directors from the western provinces, it would be a good thing for the railways and those depending on the railways. In the special committee, when Mr. Hanna was asked what Mr. Riley's experience was in the matter of transportation and navigation, his answer was that Mr. Riley had at one time sailed a skiff on the Red river. That was the only qualification he seemed to have. I know Mr. Riley as a business man, and I have no doubt that he understands his business as a financier very well. I do not know whether the Canadian National railways have a traffic or business manager at Winnipeg for the western provinces, but I know that the Government railways could do three times the business if they were properly managed and equipped. The returns show that although we have many branch lines in the most productive part of the country, we do only half the business or less in that western section.

As I pointed out in the special committee, we know that when the Government was paying for transportation of feed from one part of the two provinces to the other, the Canadian Pacific got about twice as much money for carrying it as our own two railways did. Another thing that I would like to point out to the minister is the difference between the operation of our own lines and that of the Canadian Pacific. Last year, when the crop movement began, every siding along the Canadian Pacific was filled with empties waiting to take out the crop. On the other hand, along the line of the Canadian National railways, there were no cars at all, nor on a large section of the western division was

[Mr. Denis.]

one empty car received, except what came in with merchandise, and those who were fortunate enough to secure them were able to move out their grain. A memorial or petition presented to the Prime Minister and the Minister of Immigration and Colonization when they were at Edmonton, showed that only 264 cars in something over two months had arrived on the western division. Therefore, I say that Mr. Hanna's statement to the committee that all that was needed was business was altogether wrong. They have too much business, and at most times of the year it is difficult to ship out anything, even grain or stock. I took advantage of the Manitoba Grain Act and applied, and had others apply for me, for six cars before my grain was threshed, and when I left to come down here on February 10, there were 64 ahead of me, and I did not receive one car. I know that there was no congestion and no shortage on the Canadian Pacific. I heard the minister state to the hon. member for Mackenzie (Mr. Reid) that they had more rolling stock by some thousands in the West than the Canadian Pacific had. The hon. member replied that he did not know where they were. I do not know where they were, and I saw no sign of them. Even the superintendent on the western division stated to the delegation that went to see the Prime Minister that he had been making every effort to get more cars in, and that he had been able to receive a promise of only 30 cars daily over that whole country, whereas two or three thousand cars daily were required. Therefore, it cannot be said that it is for lack of business on those lines that there are deficits. That part of the country is the most productive, and there is plenty of business if there is good management. If one director was appointed for each province, the board might get acquainted with the true situation at different times. The man in charge of maintenance and operation, Mr. Hungerford, according to his statements to the committee, had no knowledge whatever of conditions as they were at that time. He asked me some questions about where those cars were, and he did not seem to know that there was such a shortage as I stated. His reply to me about the grain they had taken out, and what was left there was altogether wrong. He had no idea whatever, or if he had, he did not give the proper information. This is a serious question. The Minister of Immigration and Colonization (Mr. Calder) if I could get his attention for a moment, knows very well that he was met by delegations

at many points along the Canadian National railways, and it is a remarkable fact that the Canadian Pacific were keeping their storehouses and elevators clear. I am bringing this matter up now so that the same situation will not occur this year. The indications are that we shall have a larger crop in the West this year than ever before, and unless there is some better method of distributing the cars, the railways will not be able to handle the crop at all. Last year the elevators were filled within two weeks after threshing began, and up till the middle of last winter there was no relief at all. The elevators were full, and there were no cars to haul out the grain. I hope the minister will bring this matter to the attention of the management so that the railways will

12 m. be in a better position to meet the situation this year. Many millions of dollars were lost last year owing to the farmers not being able to get cars until the price had dropped. In parts of Alberta and the West the farmers did not want to ship when the price was low, and there is a great quantity of grain now on hand for the reason that present prices will not pay the freight. With that large amount of grain on hand, added to another heavy crop, the situation will be very serious this year unless the management take steps beforehand to provide the necessary cars.

Hon. Mr. REID: With reference to the car situation, I think I stated to the hon. member for Mackenzie (Mr. Reid) that some 18,000 cars had been supplied to the Canadian National railways. I do not think I stated that those were all delivered in the West; if I did, that was not my intention. Since we have taken over the Canadian Northern we have been purchasing cars from year to year of different kinds, and the system now has 18,000 cars more than it had two or three years ago. I think that this year we shall be in a much better position to meet the situation than in previous years for the reason that we have now got the cars back from the American side. I learned about the difficulties last year when the wheat was threshed and ready for shipping, and I must frankly admit that my conclusion was that the management did not start soon enough to send cars to the West. They were using cars at this end, and they could not get the cars in the United States back in time. I think that experience of the management last year will make them take good care

that the same thing does not occur this year. I shall, however, make it a point to follow this matter up, and do my best to see that every effort is made to meet the situation this year.

With reference to the additional director on the board, every province has been asking for representation. The matter is under consideration, and in the near future the Government will have to decide how the board shall be composed.

Mr. FIELDING: Before the discussion broadens out again, I would avail myself of this quiet moment to once more draw the attention of the minister to a matter down in Eastern Canada, where a small extension is much desired to the Halifax and Southwestern railway, which is a subsidiary of the Canadian Northern. A year ago I brought this matter to the notice of my hon. friend and of the committee generally. The view I advanced then was that as we were making large appropriations for extensions in the West, for good reasons, no doubt—I did not object to that—we might reasonably ask that any small extensions needed to the system in the East might well be considered, and the case I brought to the notice of the minister was that of an extension, really a siding or branch, requiring the construction of about four miles to bring the Halifax and Southwestern railway into the town of Lockeport. Lockeport is a very interesting and important fishing town; it is an incorporated town, with a numerous fishing population, with a large cold storage establishment, and with many facilities for business, but lacking railway communication. When I stated the case at that time I thought I had made a very favourable impression on the mind of my hon. friend, because, if he will permit me, I will turn to page 4247 of Hansard of June 25, 1920, where I find that my hon. friend spoke as follows:

The hon. member for Shelburne and Queen's (Mr. Fielding) again drew my attention to the fact that Lockeport was three or four miles from the Halifax and Southwestern railway, and asked that consideration be given to that. I think I have already taken up that matter with the Board of Management. When it is drawn to their attention I cannot see why that should not be done.

That was a very encouraging report, but so far, I regret to say, no further action has been taken. The minister on several occasions gave me the assurance that the matter would probably be investigated, and while I do not want to hold him too rigidly to his promise, I think it

is a reasonable proposal. If we were refusing to make construction anywhere, I would have to abide by that, but when we are regarding the Canadian Northern system as unfinished, and are making appropriations for large extensions in the West—again, I do not object to that—I do not think it is unreasonable that a little matter of this kind should be pressed upon the attention of my hon. friend, and I again desire to draw his attention to it.

Hon. Hr. REID: The hon. member is right. Last year, and again this session since my Estimates were up before, I mentioned the matter to Mr. Hanna. I said that I had promised to have it investigated, and see whether anything could be done. The policy this year is not to go on with any new work, but only to proceed with work that had been promised and on which construction had started some years ago. That was the reason he gave me a few days ago why this extension that my hon. friend desires had not been gone on with, as it was really a new work. It is not very much, as the hon. member has said, only 4 miles of railway. All I can say at the moment is that I will press the matter again, and see if it is not possible to include it in some of the work this year. It might be regarded as a siding; sidings are not considered as new work, but as improvements to the service, and from what my hon. friend has said, this extension would amount practically to a siding.

Mr. FIELDING: The people down there do not care very much whether you call it a siding or a branch. I have no doubt that if the minister asks the officials for a report as to whether this will pay from the beginning, he will be advised that it will not, but no new construction ever does pay right from the beginning. I again urge my hon. friend to consider this matter. When one goes down there and tells these people that you cannot get a little work of this sort, and they tell you that in other sections of the country large sums of money are being expended on extensions, it is an awkward situation. I again urge the matter on the attention of my hon. friend, and I hope that this work will be done.

Mr. SINCLAIR (Guysborough): I wish to draw the attention of the minister to a small matter in connection with my own constituency. I have mentioned it to him privately and in the House on various occasions, but so far I have made no pro-

{Mr. Fielding.]

gress. It is in reference to the establishment of a fully equipped station at Monastery on the branch between New Glasgow and the Straits of Canso. This station was built some years ago and the traffic has increased so that it is now one of the most important stations on the road. But there is no station master there, and it is impossible for one to get a ticket. The station is in charge of some official, and is kept open, but it is not, in the full sense of the word, a station where you can buy your ticket. There is no care taken of the traffic that comes there. The freight that is sent to the station must be prepaid, and the goods are thrown on to the platform and sometimes are missed. The receiver of the goods can get no notice, because there is no one to notify him. Altogether, therefore, it is very unsatisfactory to the people in that locality, and there is really no reason that I can see why a station master should not be appointed, especially as, at this station, business has been growing rapidly compared with some of the other stations on that eastern line. I took occasion to ask the minister for details of this growth of business, and he gave me the figures some time ago. In regard to the year 1920, I asked for the number of tons of freight received and shipped at that station and others between New Glasgow and Monastery, and the following answer was given:

	Tons	1920 Earnings
Piedmont . . . . .	134	\$ 493 20
Barney's River . . . . .	226	799 00
Marshy Hope . . . . .	1,355	2,502 00
South River . . . . .	3,475	10,353 88
Heatherton . . . . .	2,588	8,237 39
Tracadie . . . . .	2,053	7,247 54
Monastery . . . . .	3,494	9,187 10

It will be seen from the statement I have just read that there is only one station between Peidmont and Monastery that earns anything to compare with Monastery, and that is South River, where the business, in the year for which these figures are given, was over \$10,000, being a little better than the earnings at Monastery, which amounted to \$9,000 odd. This fact itself would indicate that it is worth the minister's while to place an officer there to look after this freight. But there is another reason why a station master should be appointed. At Monastery station now the daily mail arrives from Guysborough and Boyleston and all the district to the south, and passengers arrive day by day in coach for points on the railway. If they are to travel any distance, they

must drive to the next station at Tracadie for their tickets. It is very inconvenient to those who come to Monastery station to take passage by train, and it is particularly inconvenient in winter, when passengers have to drive through storms the whole distance between Monastery and Tracadie before they can purchase their tickets. Monastery station is the chief station for passenger traffic from the town of Guysborough and the village of Boyleston, and from the way these places have been treated by the Government in the matter of railway facilities, one would have thought that the Government would try to do something now to equip that station. The minister knows all about this matter, for I have explained it several times. I did not want to let this session pass without mentioning it again, because everyone in that district is deeply interested in this question. It would pay to have a station master at that station, because the growth of traffic is healthy and it would grow much more rapidly if there were some one there to attend to the business. The expense would not be much, and if I could give the minister the number of passengers that took the train at that point during the course of the year, it would astonish him. I have been able to get only the freight, but his superintendent in that division could give him the information in regard to the passenger traffic. I trust that something will be done quickly in this matter because, as things stand, everybody in the district is inconvenienced. At the station itself there is a branch store run by Mr. D. G. Kirk, of Antigonish, and parcels coming there have to be thrown off on the platform, with the result that sometimes they disappear and the owner does not receive them at all. This is altogether an unsatisfactory way of doing business, and it is the one station on the road in which the people I represent are especially interested.

Hon. Mr. REID: I realize the inconvenience that it is to any community in which there is not a station agent, and I will take this matter up to-morrow and see what can be done to meet the wishes of the hon. member. My hon. friend will, of course, remember that prior to the McAdoo Award, and prior to the war, when times were normal, one agent at a station like that could do all the work. In my own constituency the agent lived at the station. Before the war people could go there at any time in the evening and get freight; the agent was there all day; but now, since the McAdoo

Award, the eight-hour day obtains, and to have some one at the station all the time you must either have two men engaged or pay overtime. On the Canadian Northern there is a small station where the agent is a woman, the telegraph operator. That station used to cost \$65 to \$70 a month previous to the war; it is but a small station, and there is very little traffic there; but now, owing to the McAdoo Award, it takes nearly \$400 a month for its upkeep. After eight hours, they will not deliver freight, and if there were an agent at Monastery, he would have to meet all the trains. If a train came in at 6 o'clock in the morning, and the agent had to go to the station half-an-hour ahead of his time, or if the train came in at 7 o'clock at night, after the agent's eight-hour day, you would have to pay double time, and it would amount to a large sum. So that whereas a station might have cost \$1,000 prior to 1914, it will cost between \$4,000 and \$5,000 now. Those are conditions which have induced caution on the part of the management and have compelled them to try and keep down expenses. That condition will probably be remedied before long. Conditions are now becoming more normal, and I hope that soon the management will be able to give the people in different localities the same service they formerly enjoyed. I know the place about which my hon. friend has spoken. I have passed through it on the train, and I know there is considerable business there. I will take the matter up again with the management, and will let my hon. friend know the precise reasons why they hesitate to carry out his wishes. If the result is not satisfactory to him he can let me know and we will consider whether anything can be done.

Mr. SINCLAIR (Guysborough): Reference has already been made to the deficits on the Grand Trunk system. Those results are most disappointing in view of the minister's prediction as to what would happen when the Government took over the Grand Trunk system. When Parliament voted to take it over, as a result of the closure, my hon. friend explained to the House that the acquisition of the Grand Trunk was going to be a profitable venture. He told us that the Grand Trunk was an old system, that it had been paying dividends to its shareholders, that it possessed valuable terminals at various points that were required for the handling of the traffic of the other roads, and that if we got possession of that system we would be

able to make the other unprofitable railways pay that were in the hands of the Government. But the venture has turned out very much worse than we expected, and my hon. friend has not been able to show that his predictions have been realized. Now we want to get some information about the Grand Trunk lines in the United States which will be very interesting to the committee. The Government Blue Book does not reveal very much about those branches, and yet that information is very necessary. Will the minister tell us the names of the branches and how many there are in the United States?

Hon. Mr. REID: When we were putting the Grand Trunk acquisition through a schedule was attached to the Bill which gave a list of all the subsidiary companies in the United States.

Mr. SINCLAIR (Guysborough): That does not give us the desired information. What we want is recent information.

Hon. Mr. REID: There are no other lines but those that were set out in that schedule.

Mr. SINCLAIR (Guysborough): So I understand, but that information would not be up to date now. Will the minister state the names of the Grand Trunk lines in the United States to begin with?

Hon. Mr. REID: Yes I can do that. There is the St. Clair Tunnel; the Buffalo and Lake Erie Railway; the International Bridge—that is a bridge between the United States and Canada and there is a company in the United States as well as in the Dominion; the Chicago, Detroit and Canadian; the Michigan Air Line Railway; the United States and Canada Railway; the Cincinnati, Saginaw and Mackinaw Railway; the Lewiston and Auburn Railway; the Central Vermont Railway; the Montreal and Province Railway; the New London and White River Railway; the Detroit, Grand Haven and Milwaukee Railway; the Detroit, Toledo and Lake Shore Railway. Those I think are all the lines in the United States.

Mr. SINCLAIR (Guysborough): Are the books in the department in such a shape that the minister can tell us the earnings and expenditures of each of these lines?

Hon. Mr. REID: I have not that information for the whole of the year 1920 since we took the Grand Trunk over. For the first part of the year we have not the details.

[Mr. Sinclair.]

Mr. SINCLAIR (Guysborough): But the Government took over the road in February 1920.

Hon. Mr. REID: But the returns between the first of January and the first of February would go to the Grand Trunk. The return of any profit or loss to us would be after that time.

Mr. SINCLAIR (Guysborough): Well can the minister give us a statement from the first of February 1920 to the end of that year?

Hon. Mr. REID: I have not a statement of the returns for each road in detail.

Mr. SINCLAIR (Guysborough): Has my hon. friend the gross amount of the operation from the lines in the United States?

Hon. Mr. REID: No, I have not that here separately for the United States lines. I would have to take each one and add the figures up.

Mr. SINCLAIR (Guysborough): Surely my hon. friend can tell me the amount of the deficit on the operations of the Grand Trunk System in the United States?

Hon. Mr. REID: I do not think I have any statement of that kind here. I can, however, get the figures and place them on Hansard.

Mr. SINCLAIR (Guysborough): I should think your deputy would have that information.

Hon. Mr. REID: I did not get those details from the Grand Trunk management.

Mr. SINCLAIR (Guysborough): In your books are not the operations of the Grand Trunk lines in the United States shown separately?

Hon. Mr. REID: They are all in the statement. These are subsidiary companies.

Mr. SINCLAIR (Guysborough): Has my hon. friend no idea at all as to the business of the Grand Trunk lines in the United States?

Hon. Mr. REID: No, I have not that information. These are all subsidiary companies and the earnings all go in to the parent company. If there is a deficit they must pay it. I only had the statement containing the general results, which I gave to the committee a few minutes ago, showing that it would take \$6,500,000 to pay the fixed charges.

Mr. SINCLAIR (Guysborough): Is the largest part of it in the United States?

Hon. Mr. REID: No. As I remember a conversation I had with Mr. Kelley, until the United States Government gave the roads back to the owners that Government assumed all losses and paid any dividends that the railways had been paying prior to their being taken over. I think it was on September first of last year that the United States Government returned the railways to their owners. So if there was any loss on this railway it would be from September 1 to December 31 last, and as that is of course the busy time on the Grand Trunk I would not think the loss would be much.

Mr. SINCLAIR (Guysborough): About the time it was first taken over by the Government I remember there was a very heavy loss on the Central Vermont, but I have not heard what the loss was on the other railways. How many ocean terminals are there in connection with the Grand Trunk?

Hon. Mr. REID: Portland is the only Grand Trunk terminal.

Mr. SINCLAIR (Guysborough): What is the tonnage exported or imported at Portland during the time that the Government has had control of the line?

Hon. Mr. REID: I have not got that information. That would be difficult to ascertain, because the Central Vermont and other railways from the United States border run to Portland and no doubt ship out their freight there.

Mr. SINCLAIR (Guysborough): I am talking of the Grand Trunk system.

Hon. Mr. REID: I know, but the Central Vermont is part of the Grand Trunk system. So if we had the total freight it would not be freight that all came from Canada. A very large amount of traffic that goes out of Portland is taken there by the Grand Trunk from Chicago and points west of the Detroit river. The Grand Trunk get the advantage of carrying that freight through Canada. Then there are other roads, the Central Vermont for example, in American territory that run into Portland. Of course I take it for granted that what my hon friend has in mind is the amount of Canadian freight that is gathered in Canada by the Grand Trunk and shipped out by Portland.

Mr. SINCLAIR (Guysborough): Can my hon. friend tell me that?

Hon. Mr. REID: No, I did not ask for that detail. It might be very difficult to get.

Mr. SINCLAIR (Guysborough): Has my hon. friend facilities for getting that information?

Hon. Mr. REID: I could ask for any information.

Mr. SINCLAIR (Guysborough): Tomorrow?

Hon. Mr. REID: It could not be available by to-morrow because it would take several days to separate the freight, even supposing it is possible to do so. I do not know whether it could be done.

Mr. SINCLAIR (Guysborough): I should think it would be part of the book-keeping that my hon. friend would have. I remember hearing him say two or three years ago that if any of his officials should divert Canadian traffic towards Portland he would dismiss them. If he does not know whether they are doing it or not he is not in a very good position to carry out his threat.

Mr. FIELDING: If my hon. friend does not wish to press that matter, I would draw the minister's attention to the question of station accommodation. I am glad to hear the minister say that he hopes more normal conditions may be expected and that he may be able to provide station accommodation. There are two or three points on the Halifax and South Western where stations are without agents, for instance, at Wolfe's harbour, Shelburne county, and at Brooklyn, in Queen's county, and I am not sure that there are not one or two others. Representations have been made to the proper quarter concerning these stations, and the explanation was that given by the minister to-day, that owing to the increased cost of operating those stations they were not able to keep them open as formerly. We have had to be content with that reason, although it is not very satisfactory to the people. I hope the minister will see if conditions will not permit him to provide station masters at these points.

Hon. Mr. REID: I will be very glad to look into the matter.

Mr. LAVIGUEUR: Is it the intention of the minister to encourage to a certain extent the electrification of some of the Canadian National lines?

Hon. Mr. REID: We are not considering it at the present time, but I have been sug-

gesting—because, of course, it is entirely in the hands of the management—that some of these branch lines where there is very little traffic might be operated by putting on a motor car, and experiments are being made. In that way you could operate a thirty-mile branch line at a very slight cost and give probably a service twice a day.

Mr. LAVIGUEUR: Is the minister aware that petitions and resolutions were sent to the board of management of the Canadian National railways asking that the line between Quebec and Loretteville on the Canadian Northern should be electrified?

Hon. Mr. REID: Yes, but owing to the high cost of materials it would be almost an impossibility to electrify any part of a railway at the present time. Within the past year I have had our officials investigating that feature for my own information, and I have been reading the evidence given in Toronto in regard to the electrifying of railways in Ontario, and I find that the cost runs all the way between \$100,000 and \$200,000 a mile at the present time.

Mr. LAVIGUEUR: I think the minister stated that it was in his knowledge that a petition was sent to the board of management asking for the electrification of the line between Quebec and Loretteville?

Hon. Mr. REID: So far as my memory goes, that is right.

Mr. LAVIGUEUR: I should like to put on record a letter which I received from Mr. Hanna, the president of the board of management of the national railways, which reads as follows:

TORONTO, May 11, 1921.

DEAR MR. LAVIGUEUR,—I have delayed replying to your letter of the 4th instant with reference to electrifying the national railways between Quebec and Loretteville as I expected to have had an opportunity of speaking to you in Ottawa.

As perhaps you know, my time in Ottawa has been pretty well taken up by the committee inquiring into the affairs of the national railways and it is, therefore, difficult for me to make an appointment, and as far as this particular question is concerned, funds are not available to electrify this portion of the line in the immediate future, and, therefore, I do not see that any good purpose can be served at this time by meeting a delegation. We will be very glad indeed to keep the matter in mind and when general conditions improve we may be in a position to give the request careful consideration.

If a careful investigation was made it would be found that Loretteville is a very  
[Hon. Mr. Reid.]

important town industrially and commercially. The chief objection stated in Mr. Hanna's letter is lack of funds; in fact, he does not seem to urge any other objection to the carrying out of this work. I would ask the minister to keep this matter in mind and to see whether something cannot be done to give satisfaction to the people concerned.

Mr. CASGRAIN: In 1919 the minister promised that during the summer months he would send the engineers of his department to the county of Charlevoix in order to find out how a branch line could be built from Baie St. Paul to St. Urbain, a distance of about nine miles. I put before the minister at that time the necessity of building that line, pointing out that in that district there was a large mine belonging to a Quebec syndicate at the head of which was Senator O'Brien, a friend of the Government. Many people in Quebec are interested in this matter, but nothing can be done with the mine on account of the lack of railway facilities in that district. I am told that requests have been made to the department along this line, but nothing has been done. A branch line between these two points would certainly be a good feeder to the railway, and I hope that the Government can see its way clear to take action in the matter.

Hon. Mr. REID: There has not been much pressure on the part of those who own the mine with a view to securing this branch line. So far as Senator O'Brien is concerned, he has never appeared before the Railway Department in the matter. The only one I have heard mention it has been the hon. member himself in the House.

Mr. CASGRAIN: They wrote to me. The late Hon. Mr. Parent was a member of that syndicate.

Hon. Mr. REID: At all events, no new works have been undertaken except such as involve the carrying out of contracts already arranged, where the right of way has been purchased, the grading done, and so on—mostly in the western provinces, and in respect of works which were promised before the war. As a rule, if a person is very much interested in the carrying out of a certain work he shows some anxiety to place the whole matter before the authorities concerned. I suggest that these people place the matter before the management and find out just what view they take with regard to it.

Mr. CASGRAIN: In the county of Charlevoix I noticed last year that the platforms of the stations at different points were very small. I brought the matter to the attention of the department and I was promised that the platforms would be enlarged to meet the convenience of the people at these points, especially at the summer resorts—Pointe à Pic, Ste. Irénée, Murray Bay and Les Eboulements. This work would not involve much expenditure, but it has not been done; it seems always to be under consideration by the department or by the management at Toronto. As the summer season is about commencing I hope that the minister will give instructions to have this work done.

Hon. Mr. REID: Of course I cannot instruct the management; I can lay the facts before them, but they must assume responsibility for whatever action is taken. I know that along the Quebec and Saguenay there are a large number of summer resorts, and I should think it would not require much pressure on the management to have them provide proper facilities at those places. I shall take the matter up again with the management and let my hon. friend know just what position they take.

Mr. CASGRAIN: I would like to bring before the minister a matter which has come to my knowledge with regard to certain instructions given to the management of the Canadian National Railway, apparently by the department, concerning the use of the French language in certain parts of Quebec and New Brunswick. I have before me a letter signed by Mr. E. DeSales LaTerrière, of Les Eboulements, who lives also in the city of Quebec, is one of the most prominent citizens of that place, and is also inspector of registration offices for the province of Quebec. His letter, which is in French is dated at Les Eboulements, March 26, 1921, and is as follows:

(Translation)

Les Eboulements, March 26, 1921.

Mr. Pierre P. Casgrain, M.P.,  
Advocate,  
Ottawa.

Dear Mr. Casgrain,—Enclosed please find document in re the disagreeable incident on board the Intercolonial railway.

Mr. Melançon was able to make an inquiry, as I had not been notified, though usually, in such a case, the party who asks for an inquest as well as the party who is the object, are notified.

I have written to the Minister of Railways, as you may see by the voucher for my registered letter, but I have received no reply.

Wishing you courage in your immense undertaking.

Yours, etc.,

(Sgd.) E. DE SALES LATERRIÈRE.

I have before me a certificate of registration of a letter which was addressed by Mr. LaTerrière to the Minister of Railways and Canals, enclosing copy of a letter which he sent to the general manager of the district of Quebec, Mr. LeBlanc. I will read this letter, because it explains the position exactly. It reads:

Les Eboulements, Sept. 2. 1921.

Mr. J. E. Leblanc,  
Agent, Passenger Service,  
Intercolonial Railway,  
7 du Fort St.,  
Quebec.

Sir: On Monday, July 18 ult., coming back from Pictou, I boarded the Intercolonial Ocean Limited at Oxford for Montreal. At dinner-time, thinking I was speaking to a French-Canadian, I spoke in French to the waiter assigned to my table. "I don't talk French," he replied. I thought I had made a mistake and spoke to him in English, though I am not very familiar with this language, and the same thing happened at supper-time. I got off the train at Mont Joli, and the next morning, July 19, left for the west by the Maritime Express. To my surprise, the same waiter notified us that breakfast was ready and this with a decided Canadian-French accent. I asked him why he had refused the previous day to answer me in French, and he told me that he had orders not to speak French in the Maritime provinces.

The dining car conductor intervened, and, in the most brutal way, repeated to me that this boy had received orders not to speak French in the Maritime provinces. Were orders of that kind issued? If so, the duty of the authorities is clearly indicated.

We are in favour of the "Bonne entente" without which life would be impossible in this country, but it is not by encouraging persons responsible for such deeds that the authorities of our national railways will convince the public that they desire this "Bonne entente."

Please note that my statements can be corroborated by many people.

Believe me, Sir,

Yours very truly,

(Sgd.) E. DE LATERRIÈRE,  
Inspector of Registry Offices  
for the Province of Quebec.

This letter states that apparently peremptory instructions were given not to use the French language in the eastern provinces even when certain persons were able to make use of it, and these instructions emanated from the Department of Railways and Canals, or from the management at Toronto.

Mr. CHISHOLM: Who wrote the letter?

Mr. CASGRAIN: The letter is signed by Mr. E. de Sales LaTerrière. A copy of this letter was also enclosed in a letter to

the minister who is present to-night, and Mr. E. de Sales LaTerrière told me that he had never received an answer from the minister and that no investigation was carried out regarding this matter.

Hon. Mr. REID: What is the date of the letter?

Mr. CASGRAIN: September 2, 1920. Mr. LeBlanc replied on September 9, stating that he had sent the letter to Mr. Melançon, general traffic and passenger agent, Toronto, asking him to investigate the matter. The letter to the minister is dated December 2, 1920, and is as follows:

LES EBOULEMENTS, le 2 décembre 1920.

L'honorable

Ministre des Chemins de fer du Canada,  
Ottawa.

Monsieur le ministre,

J'inclus la copie d'une lettre que j'adressais le 2 septembre dernier à monsieur J.-E. Leblanc, agent du service des passagers, chemin de fer Intercolonial, à Québec. Le 9 septembre, M. Leblanc me répondait que ma lettre avait été transmise M. H.-H. Melançon, gérant général du trafic des voyageurs à Toronto, le priant de faire une enquête à ce sujet.

Je suis persuadé, monsieur le ministre, que vous désapprouverez la conduite du conducteur irréféchi et grossier, et que vous obligerez M. Melançon à faire une enquête sérieuse de façon à trouver le coupable et à le traiter en conséquence, autrement le public ne sera pas satisfait de ces déclamations en faveur de la bonne entente.

This letter was addressed and sent by registered mail to the Minister of Railways and Canals.

Hon. Mr. REID: Would the hon. member kindly translate the letter.

Mr. CASGRAIN: Certainly:

Hon. Minister of Railways,  
Ottawa.

Mr. Minister, I beg to enclose herewith copy of a letter which I addressed on the 2nd September last to Mr. LeBlanc, agent of the passenger service at Quebec of the Intercolonial Railway. On September 9, Mr. LeBlanc sent me an answer informing me that Mr. M. H. H. Melançon, general manager of passenger traffic at Toronto was looking into this matter. I am persuaded that you will disapprove of the conduct of this conductor, and that you will oblige Mr. Melançon to make a thorough inquiry and investigation in order to find out who is the person who is responsible for this state of affairs, and that you will treat him accordingly, otherwise the public will not be satisfied with those declarations of "bonne entente."

I have the honour to be,

Mr. Minister,  
Your obedient servant.

This letter was not answered. In the month of March last, I was on the train coming from Montreal to Ottawa, and the

[Mr. Casgrain.]

same thing was repeated. A conductor on the parlour car on a train of the Grand Trunk, which is operated in conjunction with the National railways, stated that the French language was not official, and that he was not bound to speak the French language when we were addressing him in French. The hon. member for St. James (Mr. Rinfret), and the hon. member for Chambly and Verchères (Mr. Archambault) were both present, and they can support me in my contention because they had to deal with this conductor.

I have to bring to the attention of the minister a further incident. The whole summer, during the time that the parlour car was in service between Quebec and Murray Bay, I had occasion every week end, going down and coming up, to patronize the Canadian National railways. The service generally on the railway has not been too bad, considering that it is a new railway. It was well operated; but to my great dissatisfaction, every time that I purchased a seat in the parlour car, I was handed a certain receipt, the contents of which, Mr. Chairman, I trust you will allow me to give to the committee. This is what the receipt says:

Le passager doit retenir cette portion de billet qu'est valable seulement pour ce char, date et train qu'est seulement qu'un reçu pour le montant payé ou billet enlevé. Ce billet n'est pas valable pour passage à moins qu'il est émis comme billet d'arrêt ou correspondance.

This is not good French. This is not Iroquois or Patois. This is not French at all. I cannot find in the words of the French language any expression to qualify these words. It may be that it is the Parisian French that the Minister of Trade and Commerce (Sir George Foster), learned abroad when he went to France a few years ago, but it is very bad French.

Le voyageur s'assurera que l'accommodation payé pour et proprement poinçonné.

Not two, as it should be, but one only.,

Les voyageurs qu'ils paient le pris de siège sont sujets au droits de ceux qu'ils paient pour l'accommodation doitroire. Si le wagon ne circule pas jusqu'à la destination poinçonnée le conducteur doit fournir un billet de correspondance en échange pour ce billet et essayer de fournir un accomodation equivalent (l-e-n-t) à celle occupé (au lieu de occupée) dans l'autre une chambre salon). Linge ou bagages transporté dans ce wagon sont au risque du propriétaire. L'orsque émisé that is not french at at) comme bille de correspondance ce billet et valable (not "est" but "et") seulement pour train faisant correspondance immédiate; si émise commé billet d'arrête il est valable pour 60 jours de la date poinçonné (né, not née) au

marge. Accomodation original ("al" not "ale") n'est pas garantiee (tee) dans le wagons au quel le passager est transféré.

I received one, two, three, four, five, and I have more in my pocket somewhere, or in some of my books, of those receipts. Every time I complained to the department, I wrote to Mr. Hanna at Toronto, and one day I received a letter informing me that a good translation had been made, and that it would be in use the week following. I have in my hand a copy of the translation which is good. Apparently it was made by the Le Devoir in Montreal, but to my great surprise and dissatisfaction, it was never used.

Mr. ARCHAMBAULT: Does my hon. friend mean to say that the translation was made by Le Devoir?

Mr. CASGRAIN: Yes.

Mr. ARCHAMBAULT: And paid for by the Government?

Mr. CASGRAIN: I do not know if it was paid for by the Government, but I am informed that it was made by Le Devoir.

Mr. ARCHAMBAULT: That is the alliance again.

Mr. POWER: Who is the editor of Le Devoir?

Mr. CASGRAIN: Mr. Bourassa. The French used in the new translation was perfect, but it was never used and never put into force when I travelled from the time that I received the letter until the last time the parlour car was in service that summer.

Mr. JACOBS: Why do you travel on that line?

Mr. CASGRAIN: Because there is no other railway into my county, and I want to patronize the Canadian Government railways, for patriotic reasons. I pay for my seat, and I sometimes eat on the car; that is just so much money for the Government. Continuing my remarks I say that the French language is an official language in this country. It is recognized in this House, and in all the departments. It is also provided by statute that bills of lading and express receipts must be printed in both languages. None of the bills of lading or express receipts on this railway at the time I made my complaint were printed in French, and I do not think this grievance has been remedied up to the present time. I want to protest most

emphatically against the manner in which the Government has despised the French language in that part of the country, and I want to ask the minister if the instructions which have been referred to by the gentleman whose name I have mentioned were really given, and whether the minister will issue instructions—it is never too late to mend—so that the French language will be properly respected in that part of the country, which is absolutely French.

Hon. Mr. REID: I am surprised to hear the hon. member say that a letter which was addressed to me was never acknowledged. That is not the way I treat my correspondence. I always give an answer of some kind. I do not remember receiving the letter, but if I received it I would, of course, forward it to the management with instructions to have the matter investigated at once. So far as I am concerned, I have never at any time given any instructions other than that the French language must be used wherever that can advantageously be done. I certainly would not take any other position, and I never have done so. I do remember receiving a letter from some person complaining of one of the conductors on the road east of Montreal, and I remember writing to the management to have an investigation made at once, and that if the conductor was ever found making statements of that kind again, he should be at once dismissed. I am sure that that investigation was made. Whoever it was that wrote to me about the matter received a reply, I feel sure. At all events, I have a reply from the management showing the result of that investigation. If at any time in the future, as in the past, while I occupy this position, I hear of any official casting any reflections on the French language, or not recognizing it as it should be recognized, I shall certainly draw the attention of the management to the matter with a view to having it rectified. That is the only reply I can give. The Government have never taken any such position as the hon. member has stated. I think the only point he made was that there had been no reply to the letter.

Mr. CASGRAIN: No investigation.

Hon. Mr. REID: There must be some mistake. I have said that I have received a letter from the management as to the results of that investigation. What was the date of the letter?

Mr. CASGRAIN: December 9, 1920. The first letter I addressed to the official in Quebec was dated September 2.

Hon. Mr. REID: I had been away, and I returned just a few days before that. I have no excuse to offer other than there must have been some neglect on the part of the official who was gathering the data for my reply. I shall inquire why there was no reply, and let the hon. member have the explanation.

Mr. CASGRAIN: I do not want to put all the blame on the minister. I know he would try to do his best, but, nevertheless, he has not made clear whether or not these instructions were issued by the management of the railway. He has simply said that he did not issue any such instructions himself. Have the management given any such instructions?

Hon. Mr. REID: I have stated that this is the first time I have heard of any such charge as the hon. gentleman has made, and that I will take the matter up at once and see what the situation is. It is hard for me to believe that they would issue any such instructions as the hon. member has mentioned. Of course, as to any mistakes in the printing, they should take care that a properly qualified man does the work.

Mr. CASGRAIN: Just to give another instance of carelessness on the part of the management, this bill of lading to which I have already referred does not mention any of the stations from Quebec to Murray Bay. It refers to L'Epiphanie, Joliette, St. Paulin, Charette, Glenada, Aldred, Grand Mère, Garneau, Deschambault, Portneuf, and so on, all of which are on a line of railway that is not in that district at all, and it is therefore of no use to the public who travel along this line.

I also wish to make a complaint as to the conductor. The first time I took my seat on the car I paid a certain amount for my seat. The next week when I took a seat in the same car, the conductor in charge did not know the amount of the fare. He asked me, "How much did you pay last week?" I said, "You ought to know. You are the conductor. I am not running this railway." He said, "I do not know. Where are you going?" I said, "I am going to St. Irénée." He asked me, "Do you know what the fare is?" I said, "I think I paid 60 cents last week." He said, "Somebody else asked me for a ticket to Baie St. Paul. How much is that?" He did not have a booklet or anything, and did not know what to charge.

[Hon. Mr. Reid.]

The next week I was going down on the very same train, and the same conductor was there in the same parlour car, and he was not properly dressed. He had no uniform at all, just an ordinary old suit of clothes. I complained and did not want to pay my fare. I said, "You are no officer of the company." He said "Yes, I am. I just got instructions to board this train a short time ago, and I did not have time to go home and change my clothes."

Mr. COPP: That did not matter. The trains are never in a hurry.

Mr. CASGRAIN: I want to emphasize that the railway is not being run in such a way as to bring in a proper return. I have a copy of the Canadian National Railway Magazine, of May 21, in which there are many advertisements, some pictures, and also some printed matter descriptive of the beauties of the peninsula of Gaspé, Chicoutimi district, and other parts of Quebec, as well as the Maritime Provinces and Western Canada. I have never picked up one of these magazines, however, in which I have been able to find any reference to the many natural beauties of the county of Montmorency, which is an ideal summer resort, known not only throughout Canada, but in Europe and elsewhere. The ex-Postmaster General, the member for Gaspé (Mr. Lemieux), visits that place every summer, and an ex-President of the United States, Mr. Taft, also goes there. It is a summer resort that is very much patronized, and I think that this magazine should publish something descriptive of the place. Not only do members of the House of Commons, who have passes, visit that district, but people from every part of the continent spend much time there. It is one of the oldest districts in the whole Dominion, and one of the most beautiful, but it has been shamefully neglected. Who publishes this magazine?

Hon. Mr. REID: It is paid for out of the operation expenses of the Canadian National Railways.

Mr. CASGRAIN: How much does it cost?

Mr. REID: I do not know, but I can telephone to-morrow and find out, and let the hon. member know. There are a number of advertisements in the magazine which practically pay the cost of publishing it.

Mr. CASGRAIN: I also see some pictures of tunnels along the line of the Canadian National railways. Well, we have splendid tunnels, magnificent harbours, and

beautiful scenery, to mention only the Montmorency Falls. We have also such splendid buildings as the navigation company's Hotel Charlevoix. Some of these things ought to be displayed in this magazine. I am sure that if the natural beauty, the tourist accommodation, and all the other attractions were properly advertised in this magazine the Minister of Railways would find that it would draw trade. The minister evidently is not alive to the fact that it pays to advertise, and this Government seems to be particularly reluctant about publishing abroad the advantages of Canada. I hope the minister will take steps to see that the county I represent is brought to the notice of prospective tourists and travellers.

Hon. Mr. REID: I will take the hon. member's suggestion into consideration.

Mr. ARCHAMBAULT: In justice to the Minister of Railways, I want to say a few words in regard to the incident which has been referred to in connection with the Canadian National railway train between Montreal and Ottawa. My hon. friend from St. James (Mr. Rinfret), the member for George Etienne Cartier (Mr. Jacobs), and the Minister of Justice (Mr. Doherty), were all present at the time. In my opinion, the parlour car conductor was indeed very insolent. I referred the matter to Mr. Hanna, and I believe that the Minister of Justice made representations to the Minister of Railways. There was an immediate investigation, with the result that the employee concerned was dismissed. He came to my office and apologized, and, as I thought that he had been punished sufficiently, I wrote to Mr. Pratt, the parlour car manager in Toronto, who wrote back informing me that they had had bad reports about this man from other places. I felt it was my duty to say this much regarding this incident. The minister acted in good faith, and the action that was taken was the result of an investigation.

Hon. Mr. REID: There was another case too.

Mr. ARCHAMBAULT: I am not aware of it. Now, with regard to the question of poor translation, I think this is due to the fact that this translation is done in Toronto, where they speak Parisian French, as my hon. friend from Perth (Mr. Morphy) does. They probably know French, but they have no person who is capable of correcting proofs in French. In order to translate a language, you must have an

expert, and I would advise my hon. friend, the next time, to engage some good French-Canadian firm in Montreal. The hon. member for George Etienne Cartier suggests Le Devoir.

Mr. JACOBS: I said nothing at all.

Mr. ARCHAMBAULT: Well, some hon. member said Le Devoir, and the work would certainly be done well if they were consulted; but there are other French printers in Montreal.

Mr. CASGRAIN: Why do you not move the head office of the Canadian National railways to Montreal? You would then be sure of having your translation work properly done.

Mr. LAVIGUEUR: When the Quebec bridge was built, space was left for a highway, but that highway has not been finished. Is it the intention of the minister to complete it?

Hon. Mr. REID: That matter has never been brought to my attention before. I will take it up and see what the situation is.

Mr. LAFORTUNE: I hope the committee will allow me two or three minutes in which to submit a petition I have received from the citizens of Ville LaSalle. I have reference to the town of La Salle which is next to Lachine. The resolution in question was passed at a meeting the proceedings of which are recorded as follows:

Province of Quebec,  
District of Montreal, ville LaSalle,  
Office of the Municipal Council of the town  
of LaSalle.

Monthly and regular meeting of the Municipal Council of ville LaSalle, held on Wednesday, the 11th day of May, 1921, at eight o'clock p.m., in the hall of the Municipal Council of ville LaSalle, No. 13, Strathyre avenue, in the town of ville LaSalle, according to the provisions of the charts of the town.

At which meeting were present: His Honour the Mayor Anatole Carignan, and the Councillors François Xavier Bélanger, Cecil Platt Newman, Charles Jean Mathieu, Malcolm Hodge, Thomas R. Smith, and Napoleon Alfred D'Amour, forming the whole of the members of this council, under the chairmanship of His Honour the Mayor Anatole Carignan.

F. Lafleur, the secretary-treasurer, is present.  
Mr. S. A. Pelletier, legal adviser to the town, is present.

A report of the last meeting is read and approved.

Moved by Councillor N. A. D'Amour, seconded by Councillor F. X. Bélanger:

Whereas, St. Patrick street, along the south side of Lachine canal, within the limits of ville LaSalle is used for purposes of the canal.

Whereas the traffic on that street is very heavy and the street deteriorates very quickly.

Whereas the cost of maintenance of that street affects seriously the town's finances.

Whereas the town has rebuilt the surface of that part of the street east of the lift bridge opposite ville Saint-Pierre.

Whereas it is only just that the Government should help to repair that part of the street west of the lift bridge.

Resolved, that the Dominion Government be requested to grant a certain amount of money to that town in order to help it to rebuild the surface of that part of St. Patrick street west of the lift bridge, which is in a very bad condition.

Carried.  
Ville LaSalle, May 13, 1921.  
True copy.

F. LAFLEUR,  
Secretary-treasurer,  
Ville LaSalle.

I wish to say that the traffic near the Lachine canal is so heavy that the street is considerably damaged every day by the heavy trucks, express wagons, and other conveyances passing through the town on the way to the canal. I hope the minister will look into this matter because it is only just that something should be done to help the municipality in the repair of that street. The property belongs to the Government, and such being the case it is only fair that they should come to the rescue of the corporation and do something in the desired direction. I will place the documents before the minister, together with a plan showing the portion of the street which is so much damaged. I am quite sure that when he considers the matter he will come to the decision to aid La Salle.

Hon. Mr. REID: If the hon. member will kindly send me the plan I will take it up with the officials and see if we cannot do something to carry out the hon. member's request.

The CHAIRMAN: Shall the item carry?

Hon. Mr. REID: I move to amend the item as follows:

Insert after the word "the," in the sixth line, the words "Canadian National Railway Company, the."

Insert after the word "the," in the eighth line, the words "Canadian National Railway system or the."

Insert after the word "system," in the ninth line, the words "or any of them."

Insert after the word "of," in the twenty-first line, the words "the Canadian National Railway Company or."

Insert between the words "the," and "Grand," in the twenty-ninth line, the words "Canadian National Railway Company or the."

Amendment agreed to.

Item as amended agreed to.

Loan not exceeding \$26,000,000, repayable on demand with interest at the rate of six per cent per annum, payable half-yearly, to

[Mr. Lafortune.]

be used (where amounts available from net operating earnings may be insufficient) to meet expenditures made or indebtedness incurred at any time by or on behalf of the Grand Trunk Pacific Railway Company or any company comprised in the Grand Trunk Pacific Railway system, (excluding herefrom, however, guarantees by the Grand Trunk Railway Company which are provided for in item (f) of the next preceding vote), on any of the following accounts:—(a) operating deficits, (b) acquisition of property, materials and supplies, (c) interest on notes, securities or obligations, (d) the principal and interest of maturing or matured loans, secured or unsecured, (e) construction and betterments; such loan to be secured by mortgage or mortgages upon the undertaking of the Grand Trunk Pacific Railway Company on such terms and conditions as the Governor in Council may approve. The loan or assistance herein authorized may be made in cash or by way of guarantee, or partly in cash and partly by guarantee, in the discretion of the Governor in Council. Any guarantee from time to time given under the authority herein may be of the principal and interest of the notes, obligations or securities of the Grand Trunk Pacific Railway Company, and may be signed by the Minister of Finance, on behalf of His Majesty, in such form and on such terms and conditions as the Governor in Council may approve.

Hon. Mr. REID: I move to amend this item as follows:

Insert after the word "the," in the sixth line, the words "Canadian National Railway Company or the."

Insert after the word "the," in the eighth line, the words "Canadian National Railway system or in."

Insert after the word "system," in the ninth line, the words "or any of them."

Strike out the word "vote," in the twelfth line and insert instead the word "item."

Insert after the word "the," in the nineteenth line, the words "Canadian National Railway Company or of the."

Insert after the word "the," in the twenty-seventh line, the words "Canadian National Railway Company or the."

Amendment agreed to.

Item as amended agreed to.

Miscellaneous works not provided for, \$2,000.

Mr. CASGRAIN: Is it not possible out of this vote to make the few little repairs that I urged upon the minister a few minutes ago?

Hon. Mr. REID: Where?

Mr. CASGRAIN: The repairs to the platforms at the places I mentioned, and also have a proper translation made.

Hon. Mr. REID: That should come out of the working expenses under another vote. However, we will try and do what the hon. member wishes.

Item agreed to.

Printing and Stationery; Outside Service, \$7,000.

Mr. CASGRAIN: Is that printing and stationery for the Canadian National Railways?

Hon. Mr. REID: No, this is the annual vote to provide for a stock of stationery supplies to be available in the department for the Outside Service. The printing for the Canadian National Railways is all done in Toronto; it has nothing to do with the department here.

Mr. CASGRAIN: Where does the appropriation for the Canadian National Railways magazine appear?

Hon. Mr. REID: That is paid out of the operating expenses in Toronto.

Item agreed to.

To provide for payment of expenses in connection with the acquisition of the Grand Trunk and associated railway systems, and the arbitration proceedings in connection therewith, \$1,000,000.

Hon. Mr. REID: That is to meet the arbitration expenses; to pay the arbitrators and all the officials in connection with the arbitration proceedings.

Mr. JACOBS: It seems rather a tidy sum.

Hon. Mr. REID: There are several lawyers, there are a lot of officials, and then there are the arbitrators as well.

Mr. JACOBS: Has the Government to pay the fees of the three arbitrators?

Hon. Mr. REID: No, the Grand Trunk pays one, the Government pays one, and each pays half of the fees of the third.

Mr. JACOBS: Seeing that we have absorbed the Grand Trunk this money will be coming out of the Government?

Hon. Mr. REID: No, the payment to the arbitrator for the Grand Trunk will be taken out of the interest that is paid.

Mr. JACOBS: Are we not assuming the indebtedness of the Grand Trunk as set forth in the agreement?

Hon. Mr. REID: Not for these expenses.

Mr. JACOBS: Then as I understand it from the minister we are not paying, directly or indirectly any part of the Grand Trunk's share of this arbitration?

Hon. Mr. REID: That is right.

Mr. JACOBS: May I ask what fee will be paid the arbitrator appointed by the Government?

Hon. Mr. REID: That has not yet been determined. With respect to the Grand Trunk the Bill that was put through in reference to that company made it plain that they have to pay their share of the arbitration.

Mr. JACOBS: The minister says it has not been determined what the arbitrator's fee will be? When is it going to be determined?

Hon. Mr. REID: Probably when they get through.

Mr. JACOBS: Is that a businesslike way in which to conduct the affair? It seems to me that when we are making the appointment to an important position of this kind, we ought to have some clear arrangement with the party whom we employ as to what his salary, or fee, is to be in order to obviate misunderstanding later.

Hon. Mr. REID: I do not think there will be any misunderstanding.

Mr. JACOBS: I understand we have arranged with the counsel engaged by the Government as to what their fees shall be?

Hon. Mr. REID: Yes.

Mr. JACOBS: Why is there a distinction made between the arbitrator and the counsel? Is it because the Government fears it would be well to have an understanding with counsel?

An hon. MEMBER: One is a lawyer and the other is a gentleman.

Mr. JACOBS: My hon. friend may have some clear idea as to what a gentleman is. He may think that he is one.

Item agreed to.

Canadian Government railways—toward any deficiency in receipts and revenues necessary to meet working expenditures for the twelve months ending December 31, 1921, the management of the railway being hereby authorized to apply receipts and revenues towards payment of the said working expenditures, \$7,000,000.

Mr. BUREAU: I want to take a minute or two of the time of the committee to draw the attention of the minister to a question which I consider of national importance—and that is the desirability of patrolling the Transcontinental railway in the interest of preventing forest fires. I must tell the minister that during the year 1920 one engine alone set over twenty-five fires, and one engine in the space of 18 miles set forty fires. This must be due to negligence on the part of somebody. It is not a merely local question, it is one which affects the

entire country through which the Transcontinental runs from Quebec to Cochrane. I am told, and have reason to believe, that from La Tuque to Cochrane the road is not patrolled at all. I have taken a lot of trouble to gather information on this matter and I would like to acquaint the committee with some of the details I have learned as to the damage done by fire in that particular region. During the investigation of the railway situation by a committee of this House I put a question to Mr. Mitchell and I asked him where the deficit in the operation of the railway came from, and he told me in the territory from Port Arthur east. Now most of the traffic which is obtained for this railway from Port Arthur east is from forest products. The request I desire to make is that the Transcontinental railway be put under the control of the Board of Railway Commissioners, and that the regulations that were passed by the board on July 4, 1913, when my hon. friend the Minister of Finance was Chief Commissioner, shall also apply to the National railways. I clipped from the Montreal Gazette of May 20, a report of another fire set by the Canadian National railways. It is as follows:

"The Canadian National railways are not only using up our income tax, but they are also responsible for serious losses in our forests."

Those were the words of Mr. Elwood Wilson, chief forester of the Laurentide company, used by him after detailing his experience in passing through a considerable area of wooded farms in which great damage had already been caused by fire.

This fire is yet in progress and is threatening the homes of many settlers and farmers in an area of approximately four square miles in the vicinity of Proulxville and St. Narcisse.

The fire originated last week, and it is stated by Mr. Wilson that, although information of the outbreak had been given to officials of the Canadian National railways at Garneau Junction, no effort was made to combat the fire then, with the result that it spread until now it will require the organized efforts of several hundred men to limit its progress.

At this hour of the night I do not want to go into details, but there are certain things which I should like to bring to the attention of the minister. At a convention of all the managers of the various forestry associations which took place in Montreal last January the principal complaints made were against the national railways of setting fires to the limits through which the lines ran. The chief of the Ottawa River Forest Protective Association, Mr. A. H. Graham, was present. The chairman of the convention asked him if he had any remarks

[Mr. Bureau.]

or complaints to make as to the ravages caused by forest fires in his district. Now, I am going to quote Mr. Graham's remarks to show that it is possible for a railway to run through a forest without causing any great damage, and to illustrate the interest taken by the Canadian National railways in protecting forests from fire as compared with the interest taken by the Canadian Pacific Railway. In reply to the invitation of the chairman, Mr. Graham said:

Mr. Chairman, we are not so greatly concerned in connection with the matter of the methods followed by the Canadian Government railways, as we have none of their lines in our territory. However, I can say this, the railway fires can, to a very great extent, be controlled or prevented entirely, through the exercise of proper precautions. We have about 100 miles of C. P. R. line in our territory, and I think that all our fires, occurring during the last three years, those started by the railway run about three or four per cent of the whole; and the area burned in any one fire has not exceeded an acre. I think that is a pretty good record for any railway to maintain, and so far as we are concerned, we are perfectly satisfied. We have nothing whatever to say against the C. P. R.

The Chairman (Brigadier General J. B. White): You are satisfied with the system this railway has adopted? You find they take prompt action in case of fires, and assist in every way in extinguishing those which they were not able to prevent altogether?

Mr. Graham: We get absolutely strict and satisfactory action from the C. P. R.

I do not want to be understood as desirous of criticising the Canadian National railways administration; I am simply bringing this up as a national question. Sir George Bury stated at this convention that the traffic from an acre of well-timbered land was worth the accumulated traffic of an acre of wheat for eighty years, because you have to bring in men, supplies and equipment and that from that traffic and the outgoing freight more revenue accrues to the railway than from a similar acreage of wheat.

I might also refer to a statement made by Mr. Sturgis, manager of the St. Maurice Forest Protective Association, who, speaking after Mr. Graham, said that the record of Mr. Graham was different from his, and that in his territory, through which the Transcontinental ran, the right of way was really dirty. Now, I do not ask you to take Mr. Sturgis' testimony for that. If the minister or any of the officials of his department have travelled over that railway they must have seen that the weeds on the right of way have never been cleared, for you can walk knee deep through dry grass and weeds. To show the minister what damage has been done I have had

photographs taken at every five miles and you can see on each side of the Transcontinental spaces of one, two and three miles absolutely bare. Out of 292 fires in 1920 152 were set by the Transcontinental railway. To show that there must be some lack of supervision I took the trouble to ask the superintendent to give me the number of each engine and the fires it had set from May 7 to October 11, 1920. Here is the record:

Engine No. 1942	6	fires,
1932	6	"
313	25	"
1888	12	"
5516	2	"
1927	4	"

Engine No. 2801	3	fires.
3269	2	"
3237	4	"
1921	2	"

During that year they burned 41,876 acres of forest land and other property valued at \$53,560.

Mr. BELAND: Who pays for those damages?

Mr. BUREAU: I can give the hon. gentleman particulars of the amounts paid. The amount paid out by the St. Maurice Forest Protective Association for the season ending December 31, 1920, was about \$51,000. This sum was contributed to as follows:

By Cash, Brown Corporation	Assessment 1920,	\$9,893 37
" Laurentide Co. Limited	"	8,867 20
" St. Maurice Lumber Co.	"	6,594 40
" St. Maurice Paper Co.	"	6,134 40
" Belgo-Canadian P. & P. Co. Ltd.	"	3,669 73
" Wayagamack P. & P. Co. Ltd.	"	3,587 20
" Union Bag & Paper Co.	"	1,526 40
" Tourville Lumber Mills Co.	"	1,185 20
" J. A. Rousseau	"	310 40
" Rodney L. Turner	"	72 00
" William Copping	"	194 40
" J. H. Dansereau	"	120 00
" Reed & Company, Limited	"	160 00
" Ellwood Wilson Company	"	156 80
" Manouan Lumber P. & P. Co.	"	36 00
" E. B. Eddy & Co. Ltd.	"	80 00
" G. C. Piché	"	25 00
" Cie Bois Rivière Blanche	"	17 50
" W. H. Weber	"	3 50
		<b>\$42,633 50</b>
" St. Maurice Paper Co. Ltd.	Assessment 1919	\$614 94
" Wayagamack P. & P. Co.	"	358 72
" Rodney L. Turner	"	201 90
" Union Bag—Paper Co.	"	152 64
" Manouan Lumber & P. Co.	"	100 95
" J. A. Rousseau	"	31 04
" C. C. Piché	"	25 03
" Cie Bois Rivière Blanche	"	17 50
" W. H. Weber	"	5 25
		<b>1,507 97</b>
" Canadian National Railways	\$	167 85
" Quebec Government Appropriation and Fire Fighting		
1920		6,713 75
		<b>6,881 60</b>
Cash in Bank, January 1, 1920		2,476 23
		<b>\$53,499 30</b>

I should add that the Canadian National railways paid in addition to the \$167 other amounts totalling about \$2,000.

The appeal that I want to make to the Minister of Railways on behalf of the lumbermen in that district is that the Transcontinental be brought under the jurisdiction of the Railway Commission, that the regulations contained in the order made by the commission when the Minister of Finance was Chief Commissioner should apply to the Transcontinental the same as

it does to the other railways, and that the Transcontinental should be made to patrol its right of way and pay its share of the cost whenever men are called upon to extinguish these fires, which would enure both to the benefit of the Transcontinental and the people of Canada.

Hon. Mr. REID: The hon. member knows that when the Canadian National Railway Bill becomes law the Canadian National system will be subject to jurisdiction of

the Railway Commission. But I am surprised at the statement of my hon. friend that there is any misunderstanding and that the order to which he refers does not apply to the Transcontinental railway. I gave instructions to the chairman of the Board of Railway Commissioners that if any complaints were made against the National Railway systems the board were to act as they would in respect to any line which was under the board's jurisdiction. Now, I did not understand until the hon. member brought it to my attention a few days ago that that order was not in force. I will send for it to-morrow and take the necessary steps to make it applicable to the Canadian National Railways.

Mr. BUREAU: Can we expect the Act respecting the Canadian National Railway Company to be soon put into effect?

Hon. Mr. REID: As soon as we can arrange it the board will be constituted and the whole thing put under one management. That will be done at an early day.

Mr. COPP: I do not want to delay the committee in the passing of these items, but the hour is now late and we do not want to sit here all night. I have no objection to all these items passing except one, upon which I may have an opportunity to discuss the Canadian Government Railways when we next go into committee.

Hon. Mr. REID: All right, we will leave one item.

Mr. COPP: With the understanding that we may discuss the Canadian Government Railways on that item?

Hon. Mr. REID: Yes.

Item agreed to.

To provide for the purchase, at prices not exceeding the amounts herein specified, of the following railways (the debt of each railway to the Canadian Government railways to be cancelled); interest on the purchase price of each to be payable at the rate of five per centum per annum from the date of taking possession to the date of transfer of title: (Such of the said railways as are within the jurisdiction of the Parliament of Canada are hereby authorized to sell their respective assets and undertakings accordingly):—

York and Carleton railway, \$18,000.00, revote, \$4,500; Moncton & Buctouche railway, \$70,000, revote, \$70,000; Caraquet & Gulf Shore railway, \$200,000, revote, \$50,000; interest estimated—from date of taking possession to March 31, 1922, not exceeding (including revote \$39,000), \$47,500—\$172,000.

Mr. TURGEON: This vote contains an item with respect to the Caraquet and Gulf

[Hon. Mr. Reid.]

Shore railway. A delegation interviewed the Minister of Railways last winter with regard to the proposed extension of the line from Tracadie to Newcastle. The minister was not able to promise that the road would be constructed but he did say that a survey would be made during the summer. I trust that that will be done so that during the course of next year there will be better results from the operations of the railways in that part of the country. When in 1911 the Caraquet Railway was provided for by the Government of that day, the extension of line from Tracadie to Newcastle was also contemplated, but nothing has been done, the war intervened, and conditions have been unfavourable to any action. I do not blame the Government so much for not proceeding with the matter during the war, but I hope that the minister will now have the necessary survey made with a view to taking action. At the same time I suggest that he have a survey made with regard to an extension from Caraquet to Point Mrcel, where there is one of the finest harbours in the Maritime Provinces. This is a distance of only seven miles, and I hope that when the minister is making the survey for the other line he will have this matter also attended to.

Hon. Mr. REID: All right.

Progress reported.

#### BUSINESS OF THE HOUSE

Hon. C. J. DOHERTY (Minister of Justice): Before the House adjourns, I desire to give notice that later in the day the Prime Minister will move:

That on and after Friday, the third day of June instant, until the end of the present session, the House shall meet at Eleven o'clock in the morning of each day except Sundays, and that in addition to the usual intermission at Six o'clock, P.M., there shall be also, an intermission every day from One to Three o'clock, P.M. and that the various committees of the House be at liberty to sit during the sessions of the House.

It has been suggested that the noon-day adjournment should be from one to two o'clock. That is a matter that might be considered by hon. gentlemen.

Mr. LEMIEUX: Might I ask the right hon. gentleman when he expects prorogation?

Mr. DOHERTY: We have had hopes for Saturday, and with a little co-operation—

Mr. LEMIEUX: Have you not received co-operation?

Some hon. MEMBERS: Hear, hear.

Mr. DOHERTY: We have, and the co-operation that we have received has strengthened our hopes.

Mr. BUREAU: Hon. members who sit behind the minister should settle any little grievances they may have amongst themselves—this is only a friendly suggestion—and members of the Opposition should be given the time of the House.

Mr. LEMIEUX: With a view to help towards reaching prorogation, I wish to say in all friendship to the Minister of Finance (Sir Henry Drayton) that if he intends to proceed with his resolution on the Insurance Act, he may have some difficulties, because I can tell him that from the attorneys general of all provinces and the various insurance companies there is very strong opposition to that resolution. I do not say that the Bill which he intends to introduce is so contentious that it should not pass under ordinary circumstances, but it is too late in the session to rush the Bill through. I would suggest that the hon. member give notice to the insurance companies of the tenor of the Bill that he intends to introduce, and that he introduce it at the next session so that we may go home on Sunday.

Sir HENRY DRAYTON: Perhaps we might take these resolutions up now and see if we can get rid of them. It will not take long to discuss them. The main subject has been before the House now for two years. It was reported on favourably by the committee last year. They reported that the Bill of last year should go through. It has, in principle, been in the hands of every insurance company that has taken any interest in it for two years, and for six weeks as far as this Bill is concerned. Some important interests will suffer if this Bill does not go through.

Mr. LEMIEUX: I am in earnest. These are friendly suggestions to my hon. friend. I have taken pains to move for the correspondence exchanged between the department and the various provincial governments—

Sir HENRY DRAYTON: That is just on one point.

Mr. LEMIEUX: I can see that from the attorneys general of the different provinces there is a hue and cry against this Bill. The minister will simply invite strenuous opposition in this House and in the other chamber. I do not say that as a threat; I am giving the advice of a can-

did friend. It is too late in the day to promote this Bill. Let us go on with the ordinary business.

Sir HENRY DRAYTON: I should like to accommodate my hon. friend. There is one section which the provinces object to, and it may be that that section will have to be dropped. There is another section which was also contentious, although it has been agreed to half a dozen times. That is the section under which I propose to reduce the tax to a nominal amount on the net insurance. There should be absolutely no objection to the main part of the Bill which is simply for the purpose of putting Canadian companies on an even competitive basis with British and foreign companies that are now carrying on business in Canada. It has been once recommended; it has been before the House a long time. I quite agree with my hon. friend that there may be delay in connection with the clauses regarding agents. I am not saying that I am going to insist on those for a moment.

Mr. LEMIEUX: I agree as regards the provision in connection with foreign companies operating in Canada, but the minister will receive opposition from all the provinces as regards licenses. There are other contentious clauses that I know of, and I have followed the resolution from the beginning. I have received a mass of correspondence and I know that the first thing my hon. friend will hear, after having, not lost, but taken the time of the House in the dying days of the session, will be that delegations are coming from Montreal, Quebec, Winnipeg, Halifax to protest against some of the clauses of the Bill, and then my hon. friend will do what I suggest he should do now. Let us be businesslike and proceed with business that will surely pass and leave this contentious Bill until next session.

Sir HENRY DRAYTON: I think we may be able to drop the contentious part of it.

#### INSURANCE ACT AMENDMENT, 1917

On the motion that the House resolve itself into Committee of the Whole to consider a resolution to amend the Insurance Act, 1917.—Sir Henry Drayton.

Mr. LEMIEUX: If I had known that the minister intended to go on with this to-night, I would have objected at this hour to taking up the discussion of this matter.

Sir HENRY DRAYTON: I thought the suggestion came from the other side.

Order stands.

On motion of Right Hon. Mr. Doherty, the House adjourned at 1.57 a.m., Thursday.

Thursday, June 2, 1921.

The House met at Two o'clock.

### MORNING SITTINGS

Right Hon. ARTHUR MEIGHEN (Prime Minister) moved:

That on and after Friday, 3rd June next, until the end of the present session, the House shall meet at eleven o'clock in the morning each day except Sundays, and that in addition to the usual intermission at six o'clock p.m. there shall also be an intermission every day from one to two-thirty o'clock p.m., and that the various committees of the House be at liberty to sit during the sessions of the House.

Motion agreed to.

Mr. LEMIEUX: When does the right hon. gentleman expect prorogation?

Mr. MEIGHEN: I understand the leader of the Opposition expects it on Saturday. I agree with him.

### RESIGNATION OF MEMBERS

HON. N. W. ROWELL, FOR DURHAM, AND  
Mr. MAHARG, FOR MAPLE CREEK

Mr. SPEAKER: I have the honour to inform the House that I have received the resignation of the following members—of Hon. N. W. Rowell, for the electoral district of Durham, and of John A. Maharg, Esq., for the electoral district of Maple Creek. I have accordingly issued my warrant to the Chief Electoral Officer to make out a writ of election for the said electoral districts respectively.

### REPORTS TABLED

Annual Report of the Superintendent of the Geodetic Survey of Canada, Department of the Interior, for the fiscal year ending March 31, 1920.—Hon. Mr. Tolmie.

Copy of the Joint Report of the International Boundary Commission upon the survey and demarcation of the boundary line between the United States and Canada.—Hon. Mr. Tolmie.

### QUESTIONS

(Questions answered orally are indicated by an asterisk).

#### CIVILIAN CARETAKER

Mr. GORDON:

1. What rate of pay is received by civilian caretakers of rifle ranges, drill halls, armouries [Mr. Lemieux.]

and other buildings under the control of the Department of Militia?

2. Is the cost of living bonus being paid to civilian caretakers for the year 1921, and was it paid during 1920?

3. What number of such caretakers receive free issue of clothing and uniforms?

4. Have civilian caretakers of rifle ranges been given an opportunity of enlisting in the caretakers' section of the Royal Canadian Ordnance Corps?

5. If so, how many have enlisted, and how many have refused to enlist?

6. Why has the Department of Militia on its staff, in some instances, enlisted caretakers, and in other instances, civilian caretakers?

7. What hours are the civilian caretakers required to work each day?

8. Has the pay of such caretakers been increased since 1914?

Hon. Mr. GUTHRIE:

1. The rates of pay for military and civilian caretakers are divided into the several classes, particulars of which are given below:—

(a) Royal Canadian Ordnance Corps enlisted men who receive regimental rates of pay, etc. The pay of a private soldier of this section amounts to \$1.70 per day, regimental pay; 85 cents per day allowance in lieu of quarters and rations; total \$2.55 per day. If married, \$200 per annum, dependents' allowance, is also paid.

An allowance in lieu of fuel and light is also issuable to all N.C.O.'s and men, based on prevailing local prices.

(b) Part-time civilian caretakers for safeguarding armouries, drill halls and other militia department buildings, are usually paid the amount of \$10 per month.

(c) Various rates are paid to full-time civilian caretakers, ranging from \$2 per day to \$100 per month, according to the nature of duties being performed.

It has recently been decided that, due to the paucity of funds in the caretakers' appropriation for the present financial year, the standard rate of pay for a full-time civilian caretaker will amount to \$66 per month (plus bonus).

2. Yes, except in a very few recent instances where the appointment has been specially approved without bonus.

3. Only the 75 Royal Canadian Ordnance Corps enlisted caretakers referred to in paragraph 1 (a).

4. In the ordinary course of events, no offers have been made to caretakers who are already employed as civilians to enlist in the caretakers' section of the Royal Canadian Ordnance Corps.

5. See answer to No. 4.

6. The larger portion of the caretakers were employed as civilians up to the date

of organization of the caretakers' section of the Royal Canadian Ordnance Corps in July, 1920. However, it is now necessary to appoint civilian caretakers only, in view of the fact that all enlistments into the caretakers' section, Royal Canadian Ordnance Corps, have been suspended due to the limitation of the Permanent Force establishments. Many of the civilian caretakers who are now employed are not eligible for enlistment into the Permanent Force, being over age, medically unfit, etc.

7. No stated hours are laid down, but this matter is usually arranged locally. As Units of the Non-Permanent Force attend drills, etc., during the evening hours, caretakers of necessity are usually required to be present at the armouries and drill halls during this period.

8. Yes, the rate of pay laid down in 1914 was \$1.50 per day.

PARLIAMENT BUILDINGS—EXPENDITURE

\*Mr. FOURNIER:

1. How much has been paid by the Government to the Lyall Co., for commission or other remuneration in connection with the construction of the Parliament Building at Ottawa up to April 20, 1921?

2. How much has been paid to architects in connection with said building?

3. What is the total expenditure to date on said building?

4. How much more will be required to complete the same?

Hon. Mr. McCURDY:

1. \$314,805.26.

2. \$342,188.24.

3. \$9,412,764.86.

4. The architects have been requested to furnish estimate in detail of further cost for completing the entire building.

FOUNDATION COMPANY OF MONTREAL

Mr. JACOBS:

1. What sum or sums were paid to the Foundation Company of Montreal for work done for the Department of Public Works during the years 1912-1917?

2. What work was done by the said company for the Government during that period?

Hon. Mr. McCURDY:

1. \$64,982.78.

2. Preparing plans for foundations of the Customs-Examining Warehouse, Montreal, and building foundation for the Customs Building at Ottawa.

BRITISH REMOUNT COMMISSION

Mr. JACOBS:

1. Did the British Remount Commission establish depots in Canada during the war? If so, where?

2. How many horses were shipped from Canada by the commission during the war?

3. How many horses were actually purchased in Canada by the said commission?

Hon. Mr. GUTHRIE:

1, 2 & 3. The information asked for is not available at Militia Headquarters, as all horses were purchased for the Imperial Government by the British Remount Commission, Montreal.

SINKING OF THE ESPERANTO

On the Orders of the Day:

Mr. WILLIAM DUFF (Lunenburg): I would like to ask the Minister of Marine and Fisheries if he has been apprised of the fact that the fishing schooner "Esperanto", which had on board many Nova Scotia fishermen, has foundered off the island of Cape Sable, and if any steps are being taken by the department to see that the submerged rock which the vessel struck, as well as the wreck of the Esperanto itself, which now constitutes a menace to navigation in the case of vessels which pass Sable island during the summer time, will be removed? I would also like to ask the minister if his attention has been called to the fact that the captain of the Esperanto, after being landed at Halifax, complained that although the wreck occurred in broad daylight no attempt was made by the crew of the life saving station to render aid to the distressed fishermen whilst they were in their boat?

Hon. C. C. BALLANTYNE (Minister of Marine and Fisheries): The matter which the hon. member has brought to my notice is already receiving the careful attention of the department. As to the complaint regarding the life saving station I will look into it and let my hon. friend know to-morrow.

SALMON FISHING LICENSES

On the Orders of the Day:

Hon. RODOLPHE LEMIEUX (Maison-neuve-Gaspé): Earlier in the session I drew the attention of the Minister of Marine and Fisheries to the conflict of jurisdiction, as to their respective interests, which exists between the Dominion Department of Fisheries and the Quebec Department of Colonization and Fisheries, as regards the application of the law concerning the issuance of licenses to fish in the river St. Lawrence, and in the various streams which empty into the river, where there is salmon. I understand that my hon.

friend is acting according to what he understands to be the law under the recent judgment of the Privy Council in the matter. However, the province of Quebec under an Order in Council passed recently, have also decided to issue licenses. They claim that the judgment does not apply within certain limits in the rivers referred to, and the result is that as the Provincial Government continue to issue licenses and on the other hand my hon. friend has enacted new regulations, there is at present a conflict of authority. The license holders are therefore "between the devil and the deep sea",—and my hon. friend (Mr. Ballantyne) represents the first element. I would like to know from the minister if it would not be possible—pending an arrangement between the Federal and the Provincial Governments—to have the old regulations stand, and then by a conference during the recess to endeavour to adjust the matter. It is in order to avoid conflict and trouble that I make this suggestion.

Hon. C. C. BALLANTYNE (Minister of Marine and Fisheries): I have nothing to add, in reply to my hon. friend, to what I stated on a former occasion when the matter was brought to my attention. The decision of the Privy Council is quite clear, so I am informed by the Department of Justice, and the fishery rights in all navigable streams leading from the sea are now vested in the Federal authority. There is no doubt about that. If our friends the Provincial Government think otherwise, of course we cannot prevent them from holding any opinions they may see fit; but no one will be allowed to fish in these navigable streams leading from the sea unless they have a license from the Department of Marine and Fisheries, Ottawa. A large number of licenses have already been issued, and I have not heard, as yet, of any trouble. If any man is foolish enough to take out a license from the Provincial Government and pay for it that is his own business; but he will not be allowed to fish in those streams unless he has a license from the Federal Department of Marine and Fisheries.

#### CRIMINAL CODE AMENDMENT BILL SENATE AMENDMENTS

Right Hon. C. J. DOHERTY (Minister of Justice) moved that amendments made by the Senate to Bill No. 138 to amend the Criminal Code be concurred in.

Mr. JACOBS: What are the amendments?

[Mr. Lemieux.]

Mr. DOHERTY: Mr. Speaker, I am not quite sure that this Order should not read: "Consideration of the remnants of the Bill left by the Senate." Their honours have introduced a number of amendments, consisting for the most part in striking out of sections of the Bill. On the principle that we want to save the remnants, I find myself under the necessity of moving to concur in these amendments, hoping that in future we may be able to have accepted the excellent legislation passed by this House but which now disappears by reason of these amendments.

The first amendment consists in striking out section 1 of the Bill. That section struck out a proviso which the Senate last year had appended to the law with regard to the seduction of girls between sixteen and eighteen years of age, that in such cases the judge would be at liberty to instruct the jury whether there was equal or greater fault on the part of the girl, and if so the man might be acquitted. That proviso, therefore, remains notwithstanding our effort to have it disappear.

The next amendment is to section 2, but it is a purely verbal modification with which I need not detain the House. It does not alter the substance of our enactment at all.

Section 5 of the Bill raised the age in cases of indecent assault in which the consent of the victim should not furnish a defence. The Senate in its wisdom has seen proper to strike that section out. I think that is to be regretted, because it makes our law inconsistent with recent amendments in regard to illicit connection.

The next amendment is the striking out of section 7. By that section this House struck out from section 301 of the Criminal Code the words "of previous chaste character" in relation to the offence of carnally knowing girls between fourteen and sixteen years of age. This requirement, that in order to constitute the offence the girl should have been of previous chaste character was inserted last year by the Senate. This House sought by the present Bill to strike out the words, but the Senate has restored them.

Mr. BUREAU: That is, their own section which they put in last year we struck out by this Bill.

Mr. DOHERTY: Yes.

Mr. JACOBS: Chacun son tour.

Mr. DOHERTY: We hope in time that their honours will come to realize the wisdom of this amendment of ours.

Mr. COPP: They will grow wiser as they grow older.

Mr. BELAND: Is not the Senate now sufficiently reformed?

Mr. DOHERTY: There still seems room for improvement.

Mr. BUREAU: The Senate may think that we are getting too old.

Mr. DOHERTY: It is characteristic of some people to labour under false impressions.

The next amendment deals with section 12 whereby the burning of chattels was constituted a crime. The penalty is reduced from fourteen to five years' imprisonment, and the value prescribed for the article burned is raised from \$25 to \$200.

The next amendments consist in striking out articles 14 and 15. These are the clauses dealing with cruelty to animals, the first clause being directed against the docking of tails, and the other against cruelly killing.

The next amendment is of a constructive character and consists in introducing into the Bill section 24A adding what appears to be an omitted offence in the article of the Criminal Code proscribing prosecution for certain crimes and is in this form:

24a. Paragraph (a) of section 1140 of the said Act is amended by adding thereto the following sub-paragraph:

"(iv) Any offence relating to or arising out of the location of land which was paid for in whole or in part by scrip or was granted upon certificates issued to half breeds in connection with the extinguishment of Indian title."

There does not seem to be any good reason why the same proscription which applies to other offences should not apply to this, and I am disposed to accept the amendment.

Then there is one other amendment, which is also of a constructive character. It introduces a provision which was contained in a Bill passed by the Senate this session. It provides for a revision of sentences by the Court of Appeal for the province in which the conviction was had. I would have preferred to have this clause the subject of further examination and consideration before adopting it. The Senate, however, passed the measure. When the Bill came to this House I consulted with the attorneys general of all the provinces, and, with one exception, I think no objection was taken to the clause, and in some instances positive approval was expressed. In view of those circumstances, and recognizing that there is merit in the proposal, I am disposed to ask this House to concur in the amendment.

Mr. JACOBS: What is that amendment?

Mr. DOHERTY: It provides for a revision by the Court of Appeal for the province in which the conviction was had of sentences in criminal cases. It does not provide an appeal proper from the conviction, but it does make it possible to submit to a Court of Appeal the question whether the sentence is either inadequate or too severe.

Mr. JACOBS: The court can increase or diminish the sentence?

Mr. DOHERTY: Yes.

Motion agreed to, and amendments read the second time and concurred in.

### IMMIGRATION ACT AMENDMENT

#### SENATE AMENDMENTS

On motion of Hon. J. A. Calder (Minister of Immigration and Colonization) the amendments made by the Senate to Bill No. 139 to amend the Immigration Act were read the second time and concurred in.

### SALE AND INSPECTION OF ROOT VEGETABLES

Hon. S. F. TOLMIE (Minister of Agriculture): I beg leave of the House, Mr. Speaker, to withdraw this resolution.

Motion agreed to and Order discharged.

### INCOME TAX ACT AMENDMENT

On the motion of Sir Henry Drayton (Minister of Finance) Bill No. 221 to amend the Income Tax Act was read the second time and the House went into committee thereon, Mr. Boivin in the Chair.

On section 1—penalty for failure to file returns:

Mr. MACKENZIE KING: Will the minister explain the amendment?

Sir HENRY DRAYTON: At present the penalty for failure to file return of income is 25 per cent of the tax payable; that is reduced to a penalty of 5 per cent of tax payable, with a maximum of \$500. Every person failing to make a return under the other provisions of the section is subject to a penalty of \$10 for each day of default, but it is provided that such penalty shall not exceed \$50.

Mr. McKENZIE: It seems to me that this penalizing principle is not sound. If a man fails to make a return as called for by the Act his offence is the same no matter whether the tax to which he is liable is \$10 or \$1,000. Why not fix a certain amount which will be applicable to all?

Sir HENRY DRAYTON: There is no doubt that the offence is the same in each case, though the result of the offence is not the same. We are adhering to the principle which is maintained throughout the whole Act, that of making the ratepayer with the lower income subject to the lower assessments. The man with the larger income and whose default seriously affects the public treasury pays the higher penalty.

Section agreed to.

On section 2—penalty for short payment:

Mr. BUREAU: We are providing that this income tax shall be paid at the time of making the return, but it is very difficult for some people to determine exactly what amount they should pay. If the taxpayer pays one-quarter of the tax upon making the return and the balance in certain instalments, he pays interest on the deferred payments. Now, I think that the interest should not be payable until such time as the taxpayer receives from the inspector of taxation a statement setting forth exactly what he has to pay. I know that I find it extremely difficult to make out this income tax return as I think it ought to be made out. If the interest payments started from the date of receipt of statement from the inspector, the taxpayer would know exactly what he had to pay, not merely à peu près. Otherwise, he does not know the exact amount of taxation to which he is liable.

Sir HENRY DRAYTON: The hon. member's objection really goes to the root of the whole Act; at present we are merely considering penalties. The ratepayer can always make sure that he will pay no interest by making a sufficient payment when he submits his return. If he pays too much he can get a refund, so that he is fully protected.

Mr. BUREAU: Does he get interest on the refund?

Sir HENRY DRAYTON: I have no doubt that he would get interest on the refund if he was entitled to it. I would point out that the result of this payment in advance is this: while last year at this time we had taken in practically nothing on the year's taxation—most taxes did not become payable until some time in November and many bills could not be got out until some time in January or February—we have already collected this year \$39,000,000. The result of the change will be

[Mr. McKenzie.]

a tremendous saving to the country by way of interest. I am sure that this method of collecting the tax ought not to be departed from. As to penalty, I admit that the old penalty was a heavy one, but it is now being modified; the penalty provided by this amendment, is, I submit, a very reasonable one.

Mr. CLARK (Red Deer): May I be permitted to offer, in a single sentence, my congratulations to my hon. friend (Sir Henry Drayton) on the success which he has achieved? To a believer in direct taxation, as I am, the success of the minister is somewhat of an oasis in a fiscal desert. No chastisement for the present is joyous, but grievous. Taxation is always more or less chastisement, but it is much more so when it is indirect than when it is direct, if people only knew it. I congratulate my hon. friend that he is a very vigorous instructor of the Canadian public along this line; he is doing a valuable public service, and I wish him greatest success in his operations. Of course, in a little while he will see the need of reducing the tariff and relieving the people at the other end of the scale, while he makes his direct penalty stiffer. I have no fear about my hon. friend's education proceeding to that further point.

Mr. FIELDING: In municipal taxation the practice is to notify the party of the amount of his tax and to give him an inducement, by way of a discount, to pay it within a reasonable time. If a man delays payment, of course he must pay the full amount. Has my hon. friend considered whether that might not be done? It is a simpler form than that adopted by my hon. friend.

Sir HENRY DRAYTON: The matter is one of rates, after all. We have to get as much money as we possibly can, and if discount rates were to be given, basic rates would have to be so much more. I do not think it is any more difficult to add than to subtract, and that is really the difference between the two methods. If taxes are not paid sharply on time, we add. Some municipalities if they get paid sharply on time, subtract. Other municipalities throughout the country follow the same principle that we are now following.

Mr. EULER: The minister stated that he does not consider this a proper time to discuss any of the principles underlying the Act. I would say to him, though, that I still believe the method by which

the taxpayer is compelled to assess himself is wrong. The only advantage to be gained from that method is, of course, the fact that the money comes into the treasury a little earlier. Has the minister sufficient information from the operation of the tax which came into operation on April 1, to say whether taxpayers have been able to make out their tax returns with any degree of accuracy? I doubt it.

Sir HENRY DRAYTON: The best proof whether a thing works out or not is results, and our results are infinitely better than they have ever been before. We have collected far more money. Not only is there the advantage of getting the money in earlier and saving the interest, but there ought to be in the future great economy in administration. That will not be so for this year, because the cost of administration this year will probably be quite as high if not higher than before. We have still the business profits tax in operation, and we have this immense amount of material to check. There will, therefore, be just as much work this year as any other year, but the ratepayers will become accustomed to tax themselves. Having done it this year, when they get the corrected bills, as they will get them the year following, it will be the easiest thing in the world for them to tax themselves.

Mr. EULER: I would remind the minister that while he quite properly has in view the object of obtaining the money quickly, which naturally is very desirable in the eyes of the Minister of Finance, he should not lose sight of the convenience of the public. I believe it is hardly worth while, even in view of the fact that he is obtaining his money a little earlier, to put the public to the extreme inconvenience that they were put to in making out their returns. After all, the minister has not answered the question that I asked him: Has he found, as a matter of actual working out, whether the returns were accurate in any considerable degree? Perhaps he cannot answer that question; I should like to know if he can.

Mr. CRERAR: Is this the practice in the United States and Great Britain where, I understand, the income tax has been carried to a pretty high state of efficiency? Is it the practice in Great Britain, for instance, for the taxpayer to make his own assessment?

Sir HENRY DRAYTON: I understand that it is not the rule in Great Britain. It

is the rule in the United States. In Great Britain they tax at the source.

Mr. FIELDING: Taxation is at all times a disagreeable thing, and I do not suppose my hon. friend or anybody else in his office can make it agreeable to the people; but we should endeavour to make it as little disagreeable as possible. I think the method of making a man make his own return and assessment is not giving satisfaction. Collection of money is not evidence of the success of the system. I notice from common talk everywhere that the demand of the minister that the people shall make their returns and assess themselves is giving widespread—I will not say universal—dissatisfaction. I sympathize with the minister in his desire to get money, but the requirement that a man shall make his own return and assessment is a very unpleasant and unnecessary feature of the matter. I do not want to insist that we shall copy English methods rather than American; but if it be a fact that in England, where the income tax is of such long standing and where they have brought the machinery of collection to a higher pitch of efficiency than in any other part of the world, they do not require that a man shall make his own return and assessment, the minister should have regard to that fact. I think hon. gentlemen sitting around the minister will tell him that this system which he has adopted is most objectionable, disagreeable and exasperating to many people throughout the country.

Mr. LEMIEUX: A great statesman in England, Edmund Burke, once said that humanity was divided into three classes, those who were born rhetoricians, those who were born historicus and those who were born mathematicus. That is, people who were born rhetoricians, others historians, and the third class mathematicians. He said that the latter class was in a large minority.

Sir GEORGE FOSTER: Where do the poets come in?

Mr. LEMIEUX: I agree with what has just been stated by the ex-Minister of Finance (Mr. Fielding), who should be an authority on this matter. When the first income tax bills were sent to the public, I think the public generally agreed that the method pursued in the collection of that tax was fair. There may have been errors, but machinery was provided to correct such errors. The last phase of

this collection has certainly created in the minds of the people—and my hon. friend knows this—a furore. I have received letters from merchants in my constituencies, I have received communications from many people, protesting against this method. People were in holy fear of being sent to jail or of being mulcted in penalties. There was published, I think, in the *Montreal Star*, not very long ago a cartoon which gave a splendid expression to that fear that the public had of the many penalties surrounding the collection of that tax, because, forsooth, the public was obliged to make the calculations. There are people whose business is so intricate that they cannot prepare the statement required by the income tax office. I would therefore ask the hon. gentleman to revert to the former system. Ask the public to state what their income is, and let their books be open for examination by the officers of the department—and I am sure the department has an excellent staff of officers under Mr. Breadner, who as head is certainly a credit to the Government. I can assure my hon. friend that the public do resent the present method of collecting the income tax, and I trust that he will allay their fears by reverting to the former system.

Sir HENRY DRAYTON: We are collecting the tax now on such a system that the fears of the public ought to be pretty well allayed. The penalty we are providing is very reasonable. My hon. friend from *Maisonneuve* (Mr. Lemieux) and my hon. friend from *Shelburne* and *Queen's* (Mr. Fielding) have spoken of the feeling of the public. I admit everything they say with regard to that. There is no doubt that taxation is unpopular, and that tax gathering is a nuisance. But while I am on the job I want to be an effective nuisance. The money has to be raised, and the returns have to be made. It is the return that gives far more trouble than the assessment. Because, in making the assessment the public have the instructions issued by the department, with a list of incomes showing the tax due on each; so that when a man has made out a return he can tell within a few cents or dollars just what his assessment should be.

My hon. friend from *Maisonneuve*, says that the machinery first adopted was fair, but if he had been in the unfortunate position in which I was, and am, he would have found that complaints were very general all over the country against the first

[Mr. Lemieux.]

method of collection. People complained that this man had received his bill and paid his taxes, while this man over here did not get his bill for months afterwards. They complained that the assessments for this town were all out and the taxes collected, while that town over there did not get its bills for weeks, and perhaps months, afterwards.

Mr. LEMIEUX: That is a question of system.

Sir HENRY DRAYTON: It is far more than a question of system. It is a question of economical administration. If you have to have enough men to make out all the bills of this country at one time, your cost of collection will go up to such a point that it would be very questionable what the results would be. As it is now, everybody is treated on the same basis.

Mr. LEMIEUX: Most people fail to make a right calculation.

Mr. MCKENZIE: I want to support what has been said by my hon. friend from *Maisonneuve* and my hon. friend from *Shelburne* and *Queen's*. If the public thought that this tax was going to continue for only two or three years until we have got out of our war difficulties, they would possibly put up with it, but if it is going to last as long as most of us here will live, the minister should certainly change the method, because I can assure him that the Canadian public will not stand for it. There is no reason why the Crown should be in a different position from any corporation which has to collect bills. I am willing that the Crown should have some advantage that the ordinary creditor does not have, but I think we should set the example of being humane and lenient in the collection of our bills. If any other concern on earth came to this Parliament and asked: Give me power to make the man who has been dealing with me for a year or two, and who knows what he has bought on credit, send in an account of what he owes me, and pay the bill by a certain date; and if he does not do so, give me power to impose a fine, or if he makes an incorrect statement to impose double the fine—everybody in this House would laugh at any person who thought for one moment that he would be given such power. We would say to him: Send out your bill and make your demand decently, and if your debtor does not pay, the courts of the country are open to you to collect your bill. Why should not the same rule apply to the Government in

the collection of the income tax? Surely, the sane and sensible thing is for the department to make out their accounts and send them out to the different individuals, to myself, for instance, telling me that if I do not pay the account by such and such a date I shall be subject to a certain penalty. I could not complain very much about that. But as it is now, the department does not even send out a form. I have to hunt around the country myself until I get a form, and a busy man often forgets about it. Then when he gets the form, he has to make the return, and if he makes a mistake in assessing himself, one way or the other, particularly if he does not send in enough money with the return, he is subject to a fine. I submit that that system does not commend itself to the Canadian people, and I say—and I am a somewhat old parliamentarian by this time and have had a great deal to do with the public in one way and another—that the Canadian people if they felt that this system was going to be followed in perpetuity would not stand for it one minute. They are standing for it now because of the war necessities, and only because this is a sort of war measure. The minister may not be able to change the system right away, but I hope that at the very earliest possible opportunity he will modify it in such a way that the department in collecting the money will be as nearly as possible on the same basis as other creditors who have to collect money from the public.

Mr. WILSON (Saskatoon): I think it is going a little too far to expect the average man to make his own assessment. It is all right to ask him to make a return, because there is no one else who can make it but himself, but I think it is going too far to expect him to make his assessment, when possibly he does not know enough about the taxes and super-taxes and exemptions to make an accurate assessment. We must not forget that the average man with a taxable income is not an expert book-keeper, and it takes almost an expert accountant to make the assessment on his own income, for the first time, at least.

There has been considerable dissatisfaction in my constituency over this system, not so much because people object to pay the tax, but mainly on the part of people who are not liable to the tax. Two of my constituents were brought before the courts in Saskatoon last winter, and were fined \$100 for failing to make a return, notwithstanding the fact that they claimed they

did make a return. Apparently there is no regulation in the income tax offices compelling an acknowledgment of returns when sent in. When I learned this fact I adopted the practice, when making my returns, of registering them, so that I might have something to show that I had sent them in. I have a letter written by a gentleman in Saskatoon, named Mr. T. J. Peacock. I desire to read this letter:

As I seem to be one of the parties picked out for the goat on this income tax returns for 1918, I am writing you to see if anything can be done regarding this, and I suppose that it is only fair that you understand the facts of the case. About the 17th or 18th December I was summoned to appear at the Police Court at Saskatoon for neglecting to make return and pay income tax for the year 1918. Mr. D. Maclean appeared with me on the 27th December before Magistrate Brown and was fined \$100 and costs. My sworn evidence showed I was not liable for tax and that there were at least two sets of forms mailed to me, one to my house address, and one to my office. I filled in the latter set, but did not fill in the former ones, as they were both the same, these were personally mailed, that was my defence, which was not contradicted. The argument put up by the prosecution was that they had mailed me a registered notice, asking for return, which I had heard nothing of although I found out later that this had been signed by one of my children when I was away from home, and also that they had called me by telephone at my house which was then rented by another party and no member of my family lived there. The Magistrate claimed the only case he had to go by was a decision handed down by some judge in Ontario who said that the penalty was \$100, and he admitted he was not clear about this himself, seeming to think that this amount should be imposed in every case not taking the circumstances into consideration whatever. The department would not swear that notices had not been received; the chief clerk went so far as to state to Mr. Maclean and myself after the case was over, that they had searched the office and were unable to locate them. Since that time I have known of different parties who have registered their returns to the office, and who have been asked to supply another set which when traced through the Post Office to the Tax Office were found to have been delivered. I asked the girl in the office if it was customary to mail receipts after having received the returns, and her answer was No; also told me that because I did not receive a receipt would be no evidence that my returns had not been received at the office, neither would this be evidence that they were not in the office at the present time. I think that this covers the whole case.

I know of a similar case, in regard to a man named S. Watson, of Saskatoon, and in neither instance was the man liable for income tax, although, of course, that did not excuse them from making out the returns. Both of these men, according to the sworn evidence, declared that they had made out their returns. I have laid the matter before Mr. Breadner, the Com-

missioner of Taxation, asking for a remission of the fine in the cases I have cited. I do not think it is at all fair that this man should have been fined, and I thought I would not let this opportunity pass without laying the matter before the Minister of Finance.

Mr. McCREA: I find myself at variance with some hon. gentlemen on this question. I do not think that the regulations are very unreasonable. It is true that the penalties are somewhat stringent, but if you do not make your regulations strong enough, you would have very much difficulty, in my opinion, in making your collections, for very many people, if there were no regulations, would not make any returns at all. As it is, even with the penalty, there are some people who do not bother to send in returns.

Mr. BUREAU: We object to paying interest before we pay our bill.

Mr. McCREA: Well, I agree with you in that; I do not think you should have to pay such interest. I do not agree, however, with the suggestion that the regulations are too severe, or that there should be no regulations such as exist, because the Government cannot make their collections successfully unless they enforce strictly the regulations in regard to the non-rendering of accounts.

Mr. LEMIEUX: As a business man, does my hon. friend not think that it would be better for the officers of the department to prepare these accounts than to leave it to the taxpayers?

Mr. McCREA: No, I do not. We are complaining just now that the Civil Service is over-manned, and over-burdened with employees, and if the department is to make up every man's returns, it will have to have double its force, and it is complained that it has already too many. It is true that there are some men who unfortunately are not scholars, and who therefore cannot make up these returns; but you will find in every community, in every village, many men who are willing to do this at a slight charge for those who are not themselves able to make up the returns. If I were not able to make up my returns, I could get a man close to me to do it, and, because he is on the spot, the work would be done more expeditiously than if one's books were all sent to Ottawa. I could call

3 p.m. in a competent accountant in whom I have confidence, and get him to make the returns.

[Mr. J. R. Wilson.]

Mr. BUREAU: You would not want to give your books to everybody.

Mr. McCREA: If I had confidence in a man, I would trust him just as much as I would the department. I do not think there is any serious objection to leaving it to the taxpayer to make up his returns; you can always find somebody who can do this for you if you are not able to do it yourself. Now, can the minister tell me what percentage of taxpayers in Canada have made returns and paid the income tax, and what measures the department is taking to bring to time those who have not made any returns, and who apparently do not intend to?

Sir HENRY DRAYTON: I quite agree with my hon. friend that the really important thing is to compel absolute conformity with the law, and to see that everyone pays who ought to pay. We are constantly enlarging the field of rate-payers, and finding out all those who ought to pay. We are exhausting all competent sources of income in Canada. For example, we have exhausted the lists of all the shareholders in companies, the bondholders, and people of that sort, and we are getting information as to mortgagees. We are getting information as to the assessments, locally and municipally of everybody through the assessment roll, although you very often find that the income a man gets is actually a good deal in excess of the amount he pays on under the municipal income collection. Besides that, we follow up the inquiry by having regard to the manner in which the man is living, the size of the house in which he dwells, the club or clubs he may be a member of, and whether he has an automobile—in other words we inquire into everything that discloses any outward signs not only of wealth but of relative prosperity.

Mr. FIELDING: In this country the income tax is comparatively a new thing, but it is not new elsewhere throughout the world. Can my hon. friend tell me whether he has any precedent for the present method of collection in any country except the United States?

Sir HENRY DRAYTON: Speaking off-hand I do not think so.

Mr. FIELDING: I do not mean to say we should adopt a thing merely because it is English, although even that fact is of some importance, because generally the thing that is English is probably right. Not for that reason, however, but because

of long years of experience on the part of the nation which has had most to do with income tax, I think my hon. friend should have more regard for the English example. Over there the income tax has been in vogue for many years and we may be sure that they have made all the efforts possible to discover what is the best course to pursue. If as the result of their great experience, running over a great many years, they have adopted a certain method, which is not in accordance with the course pursued by my hon. friend, I think he ought to have more consideration for the English example. I can acquit the hon. gentleman, from all I hear, of any negligence on the part of his collectors. I said at an earlier stage of the session that when this tax was first brought into operation perhaps there was some ground for complaint of neglect. Now, however, I have reason to believe, the officials of the department are most energetic and are trying to make everybody pay up. I think the public have made up their minds that they have got to pay—I will not say with enthusiasm, but practically with cheerfulness—and that is one great reason why the minister should try to use convenient methods of collection. He said a moment ago when I gave him the illustration of the municipal assessment—where when they levy taxes they will grant a discount if you make payment within a certain time—my hon. friend said it makes no difference whether you take it off or put it on. But if my hon. friend will study psychology a little closer he will realize that it does make a difference. Although as a matter of economics there may be no real difference as to which course you pursue, there is no question but that when a man pays an account promptly and receives a discount he feels that he has received something and made a good bargain. I think my hon. friend should adapt his methods to the convenience of the public to a larger extent than he is doing now. As to the question involved in the keeping of accounts, while we do not want to unduly increase the number of public servants, I would far rather increase the staff of the Finance Department than worry the whole of the people of Canada unduly. I am sure that many of the hon. gentlemen sitting around the Finance Minister will say that the present method is most inconvenient and most unsatisfactory. Men are willing to pay the income tax. They have come to the point where they do so cheerfully. Every

good Canadian should be willing to pay it. But it is only fair and right that my hon. friend the Minister of Finance in any methods which he employs should make that payment as easy as possible.

Mr. McCREA: While we are dealing with this matter I wish to draw the attention of the Finance Minister and the House to a feature, in connection with the income tax, which I think is an injustice. In my opinion a tax upon a tax should not be imposed, and yet that is the system which is followed. The predecessor of the present Minister of Finance, Sir Thomas White, when he was putting through income tax legislation declared that it was his intention to avoid this in every case. Now, what are the facts? Take the income tax due for 1920. It is not rendered until 1921 and a man pays his income tax out of his earnings or income for 1921. But when it comes to making his statement for the year 1921 he is not allowed to deduct the payment he made for the taxes for 1920 although I claim that would be a legitimate deduction. Consequently, I say, it is a case of imposing a tax upon a tax, and in many cases it is a heavy burden.

Mr. GLASS: There are a couple of points I would like to have cleared up at this stage. The hon. member for Saskatoon (Mr. Wilson) brought up the cases of constituents of his who had no taxable income and did not render a statement but who, nevertheless, were fined because they had not made any returns. I had occasion, just before April 1, to inquire at the Taxation Department with respect to a firm who had been carrying on business and not only had no income but had incurred considerable loss this year. It was their first year in business and I asked what the duty of these men was in reference to making a return. The official to whom I spoke told me that it was not necessary for them to make a return if they had no income, and accordingly they did not send any in. Now, what I want to understand clearly is this: in cases where there is no taxable income at all, to say nothing of a positive loss, what is the responsibility of the individual as to making a return? That is one question. The second has reference to my own case. I omitted to include in my return the travelling expenses that were allowed to me to travel to Ottawa to discharge my parliamentary duties. It is only a small matter but there is really a principle involved. To my mind a commercial traveller might just as reasonably be called upon

to include in his income the travelling expenses allowed him by his firm, as for a member of Parliament to include in his income return the money which he disburses while on his way to discharge his public duties. I should like that cleared up.

**SIR HENRY DRAYTON:** In connection with the first question, the Act calls for returns only from people who have taxable incomes generally. Then, of course, there are people who have taxable incomes and do not make returns, and the only way you can find that out is by asking that returns should be made. In doing that it very often turns out that people whom you think have taxable incomes as a matter of fact have not. So it is merely providing that just so soon as a man, no matter what his income may be, gets a demand from the department by registered letter requiring him to make a return he becomes liable to make that return.

**Mr. GLASS:** There is no responsibility unless a demand is made upon him?

**Sir HENRY DRAYTON:** Only when the demand is made. In connection with the second question as to travelling expenses, the hon. gentleman says it is a very serious matter. Well, it is something that has not come to me yet. The question of living expenses was discussed once last session, and some hon. members thought that such expenses should be deducted, but after a little discussion I think the whole idea was dropped as the indemnity was increased.

**Mr. GLASS:** The accountant of the House makes a return to the taxation officers in every district of each member's indemnity plus travelling expenses. It is too small to worry about, but a principle is involved. I did not include my travelling expenses, about \$28, and when I got notice from the taxation officer that I had made an incorrect return I was annoyed, for I did not think I was in error, nor do I think so now.

**Sir HENRY DRAYTON:** I will be pleased to look into that, Mr. Chairman.

**Mr. CLARK (North Bruce):** I quite agree with the hon. member for Shelburne and Queen's that the tax forms should be as simple as possible. At the same time I do not see how we can avoid asking the taxpayer to fill up this whole form. It is true that in respect to his municipal taxes he does not do it, but in that case he does not make his own assessment; the assessor

[Mr. Glass.]

does it for him and advises him how much his taxes are. I do not see how we can follow the same principle in regard to income tax. I think the minister should hold to the practice which he started this year of making the taxpayer himself compute his income tax. I know it is difficult in a great many cases, but any man who paid his tax last year has his receipt before him, which tells how his tax has to be computed, and he can easily make it up for himself with the assistance, as my hon. friend from Sherbrooke (Mr. McCrea) said, of a local book-keeper or accountant. While it may be vexatious, there are thousands of business men throughout the Dominion who by reason of having had to make up their own income tax returns and compute the amount of tax payable by them know a thousand times more about their business to-day than they ever did before.

**Mr. COCKSHUTT:** I think the Bill as a whole is in the right direction. I cannot agree with my hon. friend who has just sat down that it is desirable we should make up our own bills. I have had a good many dealings with people in the course of my life and I have never yet been called upon to make out my own bill in payment of any purchase. In every municipality the taxes are computed by the assessor or the tax gatherer, and I cannot see why individuals should be compelled to worry about computing their income tax as I know a great many have done. Of course, there may be some who do not worry much and do not want to put in returns, but I know many honourable people have felt it a very great responsibility to be called upon to make up their own bills. They are told that they must not make them up too small or they will be fined heavily; they must make them big enough, and in doing that they may overtax themselves. It is desirable in all matters of taxation that absolute justice and fairness should be sought, and I believe the minister is desirous of moving in that direction. It seems to me that there should certainly be no penalty if a man or woman fails to make out an absolutely correct return. I doubt if there are ten men in this House who can make up their returns and say absolutely: These are correct returns of my income this year. I certainly could not do it. I spend a great many days on my own return, and finally I referred it to one of the experts of the department in my city. My figures came very close to his, and I accepted the figures given me and paid on them

Sir GEORGE FOSTER: Next year you will know exactly how to do it.

Mr. COCKSHUTT: No, I do not think so, because my income may vary.

Sir GEORGE FOSTER: You will know the principle.

Mr. COCKSHUTT: My income may vary, some investments that I thought were good may turn out bad, and some that I thought were bad may turn out good. It is very difficult for a man who has an income from eight, ten, or twenty varieties of stocks, debentures, bonds, and so forth to make these computations. I know the minister is doing all he can in this measure to help those who have struggled in this regard. I have considerable sympathy with the contention made by my hon. friend from Sherbrooke. He is a good business man, and I think the point he has drawn attention to is one worthy of consideration by the minister, namely, that there should not be taxation levied upon taxation. But that is what is being done under the Bill now, as the member for Sherbrooke has pointed out. For instance, a man's municipal tax must not be deducted from the return made for income tax. Now, surely a man who is taxed upon his income \$500, \$600 or \$1,000 by the municipality cannot count that as "income". His income is what is left after he has paid all his just debts and liabilities. On the one hand a man has a right to include all his outgoings, such as repairs, insurance, taxes, and so forth, and on the other hand all his revenue. The reply made to me was that this Government comes first, and therefore the municipality and the province must come in their order, so to speak. I think there is a good deal in the point raised by the member for Sherbrooke, and I hope the minister will give it consideration. I am pleased that he has seen fit to relieve the taxpayer to a large extent of the responsibility in connection with these income tax returns. A great many citizens in my own city were fined very heavily last year for faults which I do not think were theirs, although, I must say, the department when I brought the circumstances to their attention, reviewed those cases. But at the same time small fines were collected from many citizens who had sought to do right. In levying these taxes, which are certainly pretty heavy on a great many people, the Government should proceed in a spirit of fairness and justice. Every precaution should be taken against unfairly regarding a person as dishonest whose

return has not been quite accurately made up. I feel that the majority of the citizens of Canada are honestly anxious to make out their returns in accordance with the Act.

Mr. FIELDING: The hon. member for Middlesex (Mr. Glass) mentions the case of the commercial traveller, who is allowed his expenses, but I am inclined to think that there is this difference: the commercial traveller is allowed only those expenses which he actually pays out, but by the generosity of Parliament and the good Canadian people, members of Parliament are allowed to collect sums by way of expenses which they do not pay out. However, that is not the main point.

Mr. LALOR: The commercial traveller's expenses are over and above his salary; they have nothing to do with his income.

Mr. FIELDING: I agree that they form no part of his salary, but he is not allowed anything for expenses unless he actually pays the money out of pocket. As I say, by the generosity of the Canadian Parliament and people, members of Parliament are allowed expenses which they do not pay, because they get free railway transportation.

Mr. BELAND: I do not follow my hon. friend's reasoning. Does he contend that we are getting amounts from the public treasury for expenses which we do not incur?

Mr. FIELDING: What any individual gets, I do not know; that is not my business. But I say the law permits a member of this Parliament to get travelling expenses, so much a mile from his place of residence to Ottawa and back.

Some hon. MEMBERS: Oh, no.

Mr. FIELDING: Is it not so now?

Mr. BELAND: No, only actual expenses.

Mr. FIELDING: As I am resident in Ottawa I have no occasion to get travelling expenses and I am not familiar with the practice of recent years. But I had the impression that we all got free railway transportation and could also collect travelling expenses on the basis of mileage. However, if I am wrong in that respect I desire to withdraw the remark. That certainly was the practice.

Mr. BELAND: Not now.

Mr. FIELDING: Then the law has been changed. Now, a question was raised some time ago by provincial ministers in Quebec

that neither their salary nor indemnity as members of the Quebec Government or Legislature was liable to taxation. I do not say that I agree with the point thus raised, but I see it stated in the press that the Department of Finance has given some qualified assent to that principle, so far as to permit the question to be raised in the courts. I should be glad if the minister would tell me just how that matter stands.

Sir HENRY DRAYTON: The position of the Quebec ministers is this: On advice of counsel they have refused to pay, and action in the matter has been taken in the Exchequer Court. I believe that the case was to come on for trial about the fourth of May; I do not think that judgment has yet been given. The procedure which has been taken is that contemplated by the Act, which provides the right of action in such cases or the submission of definite questions to the Exchequer Court. My own view is that the point is quite improperly taken, but some gentlemen of standing have very strong opinions with regard to it.

Mr. LANCTOT: I wish to ask the member for East Middlesex (Mr. Glass) a question. He told the committee that he had received \$28 for travelling expenses. If other members do not receive any such amounts, how is it that he got the amount which he mentioned?

Mr. GLASS: I did not quite catch the question. Members of Parliament are allowed their travelling expenses. The railway transportation itself is no expense; "travelling expenses" include sleeping car, dining car, hotel expenses incurred on the way, transportation of baggage—for round trips during the session. It does not include tips. A member who comes from a place more than 400 miles distant from Ottawa gets an allowance of so much per diem, which covers these expenses. It would be very unfortunate if the impression should go abroad that members who have the privilege of free transportation are allowed to charge also on the basis of mileage, for that is not the case. My point was this: while I do not wish to avoid paying tax on any item which is income, it seems clear to me that amounts paid for actual travelling expenses do not constitute income.

Mr. FIELDING: Let me guard against any misapprehension with regard to my remark concerning the travelling expenses of members. I would not have any one think that what I said was intended in any way to be a reflection upon any member

[Mr. Fielding.]

of the House, or as a suggestion that members were paid anything to which they were not entitled under the law. But I had the impression that legally and properly under the process of law a member was entitled to travelling expenses on the basis of mileage while at the same time he was getting free transportation. If that practice has been changed, then what I said in that regard would not apply.

Mr. LANCTOT: I must say that this is something new to me. I have been a member of this House for seventeen years, and I have never made out a bill of travelling expenses from my home to Ottawa, because I have always had a pass in my pocket and have used it. That being the case, I could not explain to my farmers how I could charge the country \$5 or \$6 as my expenses in coming to Ottawa. Now I understand that mileage is paid to members who live more than 400 miles from Ottawa. What is that mileage?

Mr. MEIGHEN: No mileage.

Mr. LANCTOT: How is it then, that they have such large expense bills?

Sir GEORGE FOSTER: Perhaps they are heavy eaters.

Mr. HARRISON: For some time the railroad men have been asking that the Income Tax Act be further amended so as to provide that in cases like theirs the balance of income after deducting personal expenses incurred when away from usual place of residence shall be considered as the net income for the purposes of the Act, returns for such expenses to be made under oath. This matter was placed before the Minister of Finance some time ago along with several other representations, and it is something to which the minister should give consideration. Take, for instance, the case of a crew of a passenger train running between Ottawa and Toronto. The members of the crew live in Toronto, and when their train comes to Ottawa they have to incur certain expenses for board and lodging in this city. The conductor may make \$30 for the round trip, out of which he has to pay, perhaps, \$5 for expenses, and the baggageman and brakeman may make \$25 or \$20 for the round trip and pay out \$5 for expenses. When the Government send any of their salaried men out to do work in places other than their places of residence they are allowed expenses which are not included in their incomes for the purposes of taxation. The commercial

traveller gets a salary and his expenses, but the railroad man, who lives away from home the greatest part of his time, has to pay his expenses out of his income and gets no consideration whatever on that account. I suggest that the minister provide some amendment to take care of cases of this kind.

Sir HENRY DRAYTON: There have been a number of requests for changes in the Act, as I have explained on previous occasions. We are not making any changes except as regards penalties. Amongst the points considered were the ones raised by the hon. member.

Mr. LEMIEUX: It was stated at one time during the session that the minister would have the original Act with the various amendments consolidated. Has he taken any action in the matter? While, perhaps, this is not pertinent to the present Bill, I notice that some municipalities have adopted the income tax system, and they levy even on Victory bonds which are non-taxable. I am told that there is a case pending between the city of Ottawa and one of the taxpayers. Has the minister conferred with the Minister of Justice (Mr. Doherty) on the subject, and is his department represented on that litigation? May I express surprise that those Canadian bonds, which are declared by Act of Parliament to be non-taxable and which have been circulated amongst and purchased by the public under that solemn pledge, are being taxed by municipalities in disregard of that pledge? It would seem that when federal bonds are declared to be non-taxable, no Provincial Government nor municipal government could levy a tax on such bonds.

Sir HENRY DRAYTON: The work in connection with the consolidation of the Act is going on; in fact, it is practically completed. The reason that it has not been brought down is on account of the desire to close the session, and the further fact that delay would not do the slightest possible harm; the only thing that could do harm would be these penalties which have been reduced to a very large extent.

The provision as regards freedom from taxation under any law of the Dominion of Canada does not apply to municipal taxation. We are not parties to the litigation to which my hon. friend refers.

Mr. COCKSHUTT: Is it incumbent upon a single person having an income of say \$1,200, or a married person having an

income of, say \$2,200, part of that being in both cases, deductible on account of Victory bonds that are non-taxable, thus bringing the income under \$1,000 in the one case and under \$2,000 in the other, to make returns if he is not asked to do so?

Sir HENRY DRAYTON: My recollection is that it is not; that the test is whether they have taxable income or not. In the cases put by my hon. friend, they would not have taxable incomes.

Section agreed to.

Sections 3 and 4 agreed to.

On section 5—notice of assessment.

Mr. CURRIE: I want to point out to this committee that the Government must take into consideration the question of abolishing this income tax at an early date. There is no question in the world that the troubles of this country at the present moment, the lack of business and of any initiative of any kind, is due entirely to this income tax. I have not yet been able to find out how the minister could justify last year taking off the war tax of 7½ per cent and imposing an income tax such as he imposed. The income tax last year brought in about \$36,000,000, and we cannot expect to collect more than \$36,000,000 a year from the income tax.

Mr. BUREAU: We have \$39,000,000 so far this year.

Mr. CURRIE: We have the double income tax this year which stops everybody building and everything else. I understand what is wrong with the country. It is all right for hon. gentlemen opposite, who have been fed up for years on the principle of an income tax; they cannot change their clothes now, and there is nobody left to speak for the abolition of this tax except a few old protectionists on this side. If the minister had retained the protective of 7½ per cent what would have occurred? This country would have benefited to the tune of \$75,000,000; that is the amount of additional money that the country would have received. If the question was whether the income tax or the protective tariff of 7½ per cent should be abolished, the interest of this country demands that the income tax should be taken off. There is practically no country throughout the world that has not a breaking-down income tax on the people, and that is what is stopping business. If Canada had taken off the income tax and left on the

surtax what would have occurred? People throughout the world who have capital would have brought it into this country, and we need capital very much. There is not a single tax known to economists that we do not have in this country. There is no other country staggering under a sales tax or a greater income tax than Canada. It is all very well to say that an income tax is such a beautiful thing. An income tax was imposed in England in 1799, and what occurred? It was a war tax, and an income tax always is a war tax. They did not know so much about the customs tax as we know now, because they did not have it to the extent that we have it. In 1815 and 1816, the agitation against the income tax was so great that the British Government in 1816 was defeated on a motion to impose it again, and it was ordered in the British House of Commons that all documents and resolutions in connection with the income tax of Great Britain were to be burned by the official executioner. You can search the journals of that House and you will find this fact.

In this country we need capital and business, and if you are going to take the surplus capital of the people away; if you are going to take away 12 per cent of the earnings of the people annually, you are not going to have any business in this country. So long as I have a seat in this House, I am going to agitate against this income tax, because every economist of any consequence in Great Britain has denounced it. The hon. member for Red Deer (Mr. Clark) is always talking about the Liberal and Reform Party in Great Britain and what they did to abolish the tariff and to impose the income tax. He forgets that Gladstone in 1864 went to the country on a proposal to wipe out the income tax.

Mr. CLARK (Red Deer): I am bound to forget that because he did not do it. He went to the country in 1874.

Mr. CURRIE: Well, 1874. I do not know that it was 1874. I think it was 1867, and that we are both wrong. He went to the country on that issue, and he made a promise to the people of Great Britain that, if elected to office, he would abolish the income tax. He again and again called on his successors to abolish it. He was not in favour of an income tax; I am not in favour of an income tax, and the time is coming when we will have to abolish it. Great Britain had to abolish the income tax after the Napoleonic wars.

[Mr. Currie.]

The United States imposed an income tax when they had the Civil War, and they had to take it off inside of three or four years after the war. The moment they did that, the money of Great Britain and other countries began to flow into the United States and to establish businesses and to carry the business of the country on. I love my country; I know exactly what is injuring the country at the present moment, and I say that it is the unjust and drastic taxes that are put into our legislation. If the minister had strictly enforced the income tax of last year, we would have had to double the accommodation of the jails throughout the country. We need a war tax and this House is responsible for deciding whether it is going to impose the tax on the individual direct, or by way of a customs tax. If they had left on that customs tax last year, we would have derived \$75,000,000 from it, and you could have wiped out the income tax and still been \$30,000,000 to the good.

Mr. BUREAU: That is bosh.

Mr. CURRIE: It is not bosh.

The CHAIRMAN: I must remind my hon. friend that if this discussion continues the House will be plunged into another Budget debate.

Mr. CURRIE: I am not going to enter upon another Budget debate, but I think I have a perfect right to discuss all phases of the income tax under this Bill, which covers them all. I ask your ruling on that, Mr. Chairman.

The CHAIRMAN: The ruling of the Chair is that a discussion concerning the abolition of the income tax is not in order upon this Bill.

Mr. CURRIE: Then I will talk of some other business in connection with it. What did the abolition of this customs tax cost the province of Ontario last year? I wish to discuss this because people in this House do not realize how it is causing hard times in this country. I think it would be of very great interest to the House for me to show how it is causing hard times. I do not want to put on Hansard another discussion on the Budget, but I think it is only fair to the people of this country who are paying the income tax, and who do not believe in an income tax, that I should give the facts. I believe that if a referendum were held in this country on which tax was preferred, an income tax or a customs tax, the vote would be four to one in favour of

the customs tax. Hon. gentlemen opposite do not seem to realize that. The province of Ontario imported last year from the United States, leaving out coal, \$500,000,000 worth of goods, which should have paid the 7½ per cent tax, and the people of that province paid in exchange to the Americans \$58,000,000.

The CHAIRMAN: I must ask the hon. member to desist from that argument. I have so often interrupted other hon. members when they were discussing other matters which were not in order that I certainly cannot make an exception.

Mr. CURRIE: I always bow to your ruling, Mr. Chairman. I notice that you always keep me pretty close to the mark, and I do not appreciate it very much, because you allow other people to wander all round the lot. I wish to place myself on record as being entirely opposed to the income tax.

Mr. ROBB: I submit that the hon. member has no right to cast aspersions on the Chair.

Mr. BELAND: Withdraw.

Mr. CURRIE: I have nothing to withdraw. I say that the Chairman keeps me pretty close to the mark, and he knows that. It is no disparagement of the Chairman for me to say that. It shows how impartial he is.

Mr. MICHAUD: I hope he will continue to be so on this occasion.

Mr. CURRIE: I am going to repeat that this country last year lost \$75,000,000 by the abolition of the 7½ per cent tax. There is no justification for the income tax, and if hon. gentlemen opposite wish to go to the country on that, let them go. There will be others who will go to the country on the abolition of the tax, and we will see which will win.

Mr. McKENZIE: I cannot understand how my good Scotch friend from North Simcoe can sit behind this Government and support such a blundering aggregation. He told us a few weeks ago that they lost \$100,000,000 on the blunder they made in abolishing the Wheat Board, and now he tells us they have lost \$75,000,000 on the abolition of this customs tax. That makes \$175,000,000.

The CHAIRMAN: I was obliged to call the hon. member for North Simcoe to order, and I must certainly rule the hon. member (Mr. McKenzie) out of order.

Section agreed to.

Bill reported, read the third time and passed.

#### RETURNED SOLDIERS' INSURANCE ACT

On the motion of Sir George Foster (for the Prime Minister), Bill No. 222, to amend the Returned Soldiers' Insurance Act, was read the second time, and the House went into committee thereon, Mr. Boivin in the Chair.

On section 1—provision respecting insurance and limits thereof amended:

Mr. DUFF: Before we proceed to the discussion of clause 1, I desire to add a clause to the Act which will be an amendment to section 2 of chapter 54 of the Act of 1920. I might say that the information which has caused me to move this amendment did not reach me in sufficient time for me to appear before the Pensions Committee and place my case before them.

The CHAIRMAN: Before the hon. gentleman proceeds further, I would point out that the rule to be followed in the moving of amendments to add clauses to Acts is that the clauses printed in the Bill under consideration are first considered. After they have been adopted by the committee any hon. member has the right to move any additional clauses which do not alter the principle of the Bill. The hon. member may have some special reason for introducing his amendment at this stage, and if he has, I should be glad to ask for the unanimous consent of the committee that he be allowed to proceed.

Mr. DUFF: I bow to your ruling, Mr. Chairman. I simply thought it would be better to bring the matter up now, as it refers to clauses of the original Act.

Section agreed to.

On section 4—provisions respecting death of a beneficiary during lifetime of insured amended:

Mr. POWER: May I ask the chairman of the Pensions Committee in which portion of this Bill provision is made for the assignment of a portion of a pension towards the payment of insurance premiums? Is that provision in this Bill or in the amendment to the Pension Act? It was one of the recommendations of the special committee.

Mr. CRONYN: As I recall it, the information we had on that point was that to give effect to the recommendation all that was required was a change in the regulations, and that that change would be made, so that hereafter a pensioner could assign a portion of his pension towards payment of premiums.

Mr. POWER: Was the hon. gentleman's information to the effect that such an assignment of what is, in effect, government moneys, or moneys to be derived from the Government, could be made by mere regulation of one department or another? It is generally admitted that an assignment, particularly of pensions, cannot be made. I think the general pension law states quite clearly that assignments of pensions will not be recognized, and I was wondering in what portion of this Bill or of the Pension Bill that provision is to be found.

Mr. McGIBBON (Muskoka): Has the minister considered giving to returned soldiers who take out insurance the privilege of converting it into an annuity in case there are no beneficiaries?

Mr. CRONYN: That question also came before the committee, and was considered together with a number of cognate suggestions, and in the view of the committee it was not deemed wise to make any recommendation on the point. This Bill gives the right to the assured to designate an alternative beneficiary in case he dies without a wife or children. That was as far as the committee thought it well to go.

Mr. McGIBBON (Muskoka): That might work a hardship to the insured, and I think it is acting as a detriment to the Insurance Act. People can get more favourable consideration from the ordinary insurance companies, and it is hardly fair that a man who pays into this insurance company for twenty or thirty years should not participate in the insurance himself, as of right, if he found himself in financial difficulties.

Mr. CRONYN: If the insured becomes totally disabled, he certainly gets the full benefit of the insurance. If, however, he dies without beneficiaries, under the Act the insurance goes to his estate. The whole scheme of the insurance is one not to benefit the man himself, except in case of total disability, but to protect his dependents. If he has no dependents he is not supposed to derive any personal benefit from the scheme.

Mr. McGIBBON (Muskoka): I am afraid the hon. member does not get the

[Mr. Power.]

point. A man might not be totally disabled, and although he might have no beneficiaries, he might be hard up after fifteen or twenty years in which he had paid up the insurance, and under the law he cannot participate in it.

Mr. POWER: I asked the chairman of the committee a question, and I hoped he would give me an answer. I think he understands the point I wish to make.

Mr. CRONYN: I am not aware that the particular question which the hon. member for Quebec South (Mr. Power) asked came before the committee this year, as to the right of the pensioner to assign any part of his pension. As a matter of fact, the Insurance Act and the Pensions Act are administered under one department; there is no going from one department to another. So far as I can recall, the point raised by my hon. friend was not discussed this year.

Mr. POWER: I think it was a recommendation of the committee.

Mr. CRONYN: The point raised by my hon. friend is as to the right of allowing the assignment of pensions; I do not recall that question having been raised this year. I know that when the Returned Soldiers' Insurance Act was passed last year, it was the intention of the committee that, so far as pensioners are concerned, the premiums should naturally be paid from their pensions, as being the easiest and most economical method of administration. But that was not adopted for reasons set out by the Pension Commissioner. This year the committee recommends that it should be adopted, and the pensioners given the power to assign their pensions. I understand that that can be done without any change in the Act.

Mr. POWER: There has been a recommendation of the committee to the effect that pensioners may assign their

4 p.m. pensions in order that they be attributed to their insurance.

In what practical manner is it intended to put this recommendation into force? As I understand the Pension Act, it is not possible for a pensioner to assign his pension for any purpose. I want to be informed by the chairman of the committee whether, when they made this recommendation, they had gone into the practicability of such assignment, and decided to amend the law in order to permit the pensioner to make the assignment.

Mr. MEIGHEN: What the hon. member (Mr. Cronyn) said was that, in so far as

the carrying out of the recommendation contained in the report is concerned, that can be done by regulation of the Pension Board, and that the reason there could be no assignment heretofore, to the extent recommended in the report, was that there was no regulation to provide for it. But there is no necessity to change the law to enable such assignment to the extent that the report recommends.

Mr. POWER: The Prime Minister will find that in the Pension Act it is expressly forbidden to any pensioner to assign his pension for any purpose whatever; so that, in order to carry out the recommendation of the committee, it would be necessary to amend the Pension Act of 1920.

Mr. MEIGHEN: I do not want to speak too positively, but I assume this to be the fact—that there can be no assignment as from the pensioner, but as the same department administers both Acts, it would only require a regulation, with the assent of the pensioner, to provide that he should not receive the whole of his pension, but that the department should utilize part of it for the purposes of his insurance. That would be different from an assignment by the pensioner to some third party; it means that part of the pension may be retained for purposes of insurance, with the assent of the pensioner.

Mr. POWER: If the minister assures me of that, I am quite satisfied; but I remember that, earlier in the session, I had a resolution on the Order Paper asking that that be provided, and the Prime Minister's objection was that assignments could not be made. However, if he has changed his mind, and now assures me that such assignments can be made, I am satisfied.

Mr. MEIGHEN: I am informed that the evidence of the Chairman of the Pensions Board, Colonel Thompson, who is himself a lawyer, and a good one, was based on the assumption that there was no difficulty in that respect at all.

Mr. McGIBBON (Muskoka): I want to ask the minister again what really serious objections there are to the suggestion which I have made. I know that the present system is hampering the working of the Act, and I think it is an injustice.

Mr. CRONYN: I can only repeat that the committee had considered this proposal, along with others of a somewhat similar character, and decided against it.

Mr. McGIBBON (Muskoka): For what reason?

Mr. MEIGHEN: I was not on the committee, but it seems to me that this proposal is rather outside of the purview of the Returned Soldiers' Insurance Act. The object of that Act is not to protect or give further advantage to the man himself, but rather to provide something for his dependents in the event of his demise. What the hon. gentleman urges may have much in its favour, but it is not something that is within the four corners of the Act. It is rather a sort of old age or sickness insurance plan. Of course, there is insurance of that character in the commercial world; but the purpose of this was not to provide any old age pension or old age insurance, it was to provide something whereby a man should protect his own dependents chiefly and get special advantages in doing so because he was a returned man.

Mr. NESBITT: I would like to point out that a clause providing for anything in the nature of old age insurance would involve greater cost. As to the question of disability, a man who is totally disabled can draw his insurance in instalments.

Section agreed to.

On section 6—commencement of Act.

Mr. DUFF: Before this clause passes I have a very important matter I would like to bring to the attention of the Prime Minister. Not being a lawyer I do not know whether I am adopting the right procedure or not, but at all events I may be permitted to state the facts. I would have brought the question before the special committee appointed to deal with pensions to soldiers and their civil re-establishment but I only received this information yesterday morning and consequently I could not take action at an earlier date. I am going to advance reasons showing why certain worthy citizens of Canada, who are at present excluded from the provisions of this Act, should be permitted to share in the benefits which it confers. Let me say before entering upon the statement which I desire to present that I mean no discourtesy to the Government in bringing up the matter at this time—my reason for doing so as I have already explained, is that I did not earlier receive the information which I am about to impart.

Paragraph (g) of clause 2 of Chapter 54 of the statutes of 1920 reads as follows:

"returned soldier" means any person, male or female, who served as an officer or warrant officer or who enlisted or was enrolled or was drafted for service in the naval, military or

air forces of Canada in the Great War, or having been domiciled and resident in Canada on the fourth day of August, one thousand nine hundred and fourteen, has served in any of His Majesty's naval, military or air forces in the said war; or, having been domiciled and resident as aforesaid, has served in the naval, military or air forces of one of His Majesty's Allies or Associated Powers in the Great War; and who has been retired or obtained honourable discharge therefrom."

Now, I would like to submit that there is another class of worthy citizens, other than those described in the foregoing definition, who played a noble part during the war and performed most meritorious service—I refer to the officers and seamen of the Canadian mercantile marine who, during the four years the war lasted, from August, 1914, until November, 1918, served in the submarine areas and perhaps suffered as many hardships and privations as any other class of men who figured in that great struggle. I need not expatiate upon the question in any great detail. It is within the knowledge, I am sure, of most hon. members that these officers and seamen of the Canadian mercantile marine—as well as a few Canadians who served as officers on British ships—during the whole period of the war took their vessels not only into the North sea—that great theatre of stirring operations—but into the submarine-infested area of the Mediterranean. These officers and men did their duty loyally though constantly menaced by German submarines. In a great many cases they not only lost their ships, but it is a matter of record that some of them actually had three vessels sunk beneath them during the war. They had to navigate the danger zones to which I have alluded by night and by day, in storm and in fair weather, and they were always in danger of being torpedoed by the crafty enemy that lurked beneath the sea. It seems to me, Sir, in view of these facts, and also having regard to the circumstances that some of these Canadian vessels were commandeered by the British Admiralty to carry supplies to different parts of the world for the Allied troops, that these Canadian officers and seamen should certainly receive some consideration. The men for whom I am now speaking were captured during the war and taken to German prison camps. All of us will recall that shortly after the war terminated the British Admiralty, in recognition of the good work done by the sailors of the mercantile marine as well as by the sailors of the other Allied nations, caused the adoption of a resolution commending to the country the great work of the officers

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and seamen of the mercantile marine, and in this resolution it was affirmed that the performances of the officers and seamen of these ships were just as noteworthy as those of the soldiers and sailors of the Imperial forces. When the German submarines first entered upon their dastardly operations they used to take the whole of the officers and crews prisoner, but after a while they abandoned that practice and simply took along with them the captain of the ship and the chief engineer. The remaining officers and the crew were allowed to take refuge in boats and were left to shift for themselves. The captain and the engineer, however, were kept on the submarine, and in some cases as long a period as six weeks elapsed before they were landed in Germany from their floating prison. During the term of their confinement in Germany they suffered great privations and hardships, in common with our own boys and the English soldiers and sailors. Under all the circumstances it certainly seems but fair to me that the officers and seamen of the Canadian Mercantile Marine to whom I have alluded should be admitted to share in the benefits of this Insurance Act in the same manner as the sailors and the servants of the Canadian Government. If you ask for my opinion I am free to admit that I think the men of our mercantile marine are even more entitled to those advantages than those men who simply guarded the port of Halifax, or the Nova Scotia coast and were not exposed to any very great danger. I do not know whether I am in order or not but I would like to add the following provision to the Bill:

That section 2 of the said Act be amended by adding at the end of subsection "G" the following words "or was a Canadian officer or seaman on one of the ships of the Mercantile Marine and who was captured and held as a prisoner in Germany."

I may say in conclusion that there are not very many men who passed through all the dangers I have described and who went through such suffering in German prisons but have been so weakened by their hardships and privations as not to be able to get insurance from the old-line companies. Personally I have no direct interest in this matter, seeing that only one of these men comes from my own constituency,—I refer to Captain Sprague who is now one of the commanders in the Canadian Government Merchant Marine. I think, however, the total number of men in Nova Scotia who ought to share in the benefits of this Act would not exceed twenty.

In view of the sufferings of these men, and the consideration to which they are manifestly entitled from the Government, I would respectfully ask the Prime Minister, who has charge of this Bill, to add the words I have quoted to the measure.

The CHAIRMAN: I take it for granted that the hon. member is making a request to the Government—

Mr. DUFF: Yes.

The CHAIRMAN: —and not moving an amendment? Because, of course, any amendment to the Bill which would increase the charges upon the public treasury would have to be introduced by a minister, and by way of resolution approved by His Excellency the Governor General.

Mr. DUFF: If you will allow me, Mr. Chairman, I intended to bring this matter up yesterday when the resolution was before the House, but I had a very important appointment in one of the departments and when I came into the House the resolution had gone through.

Mr. SINCLAIR (Guysborough): I should like to be permitted to associate myself with the request of my hon. friend from Lunenburg (Mr. Duff). There is no doubt that the country owes a debt of gratitude to the officers and seamen of the mercantile marine who served us so well during the war. They were really in a much worse position than the men of the navy. The latter were prepared for emergencies, it was their business to fight submarines or any other enemy they encountered; but the men of the mercantile marine were practically at the mercy of the submarines, as is evidenced by the fact that many of their ships were sunk and large numbers of seamen were drowned. No provision has been made by the Imperial authorities in regard to these cases, and it is one of the matters connected with the war where I think the Imperial Government altogether failed to do their duty. To my mind the men who manned the merchant ships during that period did their work so well and exhibited so much bravery that they should not now be forgotten. It is a remarkable fact that the Admiralty made no provision for those men. I know the case of the captain spoken of by my hon. friend from Lunenburg, because he was an employee of my own firm. The captain and his crew, after the sinking of their ship in the Mediterranean, were taken to a German prison and detained there until the armis-

tice. On being released they came to London and were discharged, receiving only one month's wages. That was all the Admiralty gave them. The owners of the ship were not legally bound to pay them anything because they were in the employ of the Admiralty. Consequently the crew had no rights against any person for their wages and the support of their families during the eighteen months they were prisoners in Germany.

I have always thought the Government of Great Britain were very neglectful of these seamen. They should at least have the rights of the men who served us in the Canadian Navy, and I agree with my hon. friend from Lunenburg that this concession should be made to them. I do not think they are very numerous so far as Canada is concerned, because very few Canadian-owned vessels were torpedoed. I am fairly familiar with the shipping business on the Atlantic coast, and I think you will find the number of men affected would not throw any very great financial responsibility on the Government. I trust, therefore, that the request of my hon. friend from Lunenburg will be sympathetically received by the Prime Minister.

Mr. MEIGHEN: Mr. Chairman, to make it possible at this stage to consider the suggestion made by the hon. member for Lunenburg, of course it would have to form the subject of a new resolution. On the general subject I may say that the officers and men of the mercantile marine undoubtedly, as a class, did their duty well during the war and deserve every credit for it. The same can be said with equal, or almost equal, emphasis as regards many other classes. But this point must be borne in mind. A division along a line of principle must be laid down. It has been laid down in every country, and nowhere more generously than in Canada. Those who belonged to the Canadian Expeditionary Force, whether in military or naval service, were not in pursuit of gain and were not serving themselves; they were serving the country as the direct object of their work. Consequently those men are classed by themselves, and have become the subjects of gratuities, pensions, special insurance provisions, and re-establishment generally. But those beyond that line were in occupations, however dangerous, where they were gaining the most they could get in doing the work that came to their hands. It is true that they were in positions where there was

special danger, but we must regard that special danger as having been taken into account in the contract between the men and their employers fixing their remuneration.

It is said by the hon. member who has just sat down (Mr. Sinclair) that there are only a few of the class of persons for whom consideration is desired—that there are only a few in his constituency and only a few in the constituency of the hon. member for Lunenburg. That may be true, but once we accede to this principle how far is it going to take us? It is said that these men who suffered in a German prison were doing their duty, and were thereby serving their country. No doubt every man who did his duty served his country; and no doubt, too, when he suffered in a German prison as a result of doing his duty he paid a special penalty. But he did not pay any greater penalty than did the man who went down in the Lusitania, and his family does not suffer as much, and if you are going to extend the principle to the cases of the officers and crews of ships sunk by German submarines I do not know where you would stop—in fact, there would be no stopping.

Mr. DUFF: There were no transport ships sunk by German submarines.

Mr. MEIGHEN: Not of ours, perhaps.

Mr. SINCLAIR (Guysborough): Does not my hon. friend see the difference between men who were in the employ of the Government and those who were not?

Mr. MEIGHEN: What men were in the employ of the Government?

Mr. McMASTER: These boats were taken over by the Admiralty.

Mr. MEIGHEN: No.

Mr. DUFF: Yes, they were.

Mr. MEIGHEN: They may have been commandeered, but the officers and crew were paid just the same as those of ships that were not commandeered. It would never do for this Government to treat men in that position differently from those who were in other merchant ships that were not taken over by the Admiralty. They were not enlisted men, nor were they impressed into the service; they were simply there because that was the job that suited them best; they were suiting their own ends in going there. It may be that some were animated by a higher purpose, but we cannot assume that all were. There is no question that there is a very material

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difference between that class and those who were impressed into the direct service of the country during the war whether on sea or on land. There is no difference at all between the class of men for whom this consideration is sought and others who suffered by reason of Germany's conduct of the war, whether they were on board the Lusitania or any other ship. I cannot see the point of difference. Furthermore this matter was thoroughly reviewed before the committee which sat this session and was doubtless before the committee in previous sessions. The committee having taken the evidence, weighed the consequences, measured just how far conceding this request would lead us, and reported their recommendation, surely it is the part of wisdom for us to accept their finding.

Mr. DUFF: Was this matter before the committee, may I ask the minister?

Mr. MEIGHEN: Oh, yes, the chairman tells me it was.

Mr. SINCLAIR (Guysborough): I do not think my right hon. friend understands my position with regard to this matter. The men to whom I refer were voluntarily serving their country in the Canadian Merchant Marine. They were not forced into the service; they were in the same position as members of the military forces, except that they were not under the jurisdiction of military officers. I submit that no fair distinctions can be made between these classes. The men who worked on the ships of the mercantile marine were volunteers like the others; they were working for the same purpose and to the same end, and they certainly have the same rights as the men who were serving in the Canadian navy.

Mr. MEIGHEN: Could not the men in the mercantile marine leave that service any time they wished? Were they not there because that was the job they were best suited for? Were they bound to stay?

Mr. SINCLAIR (Guysborough): I think they were. The Admiralty made very careful inquiries about the men whom they took into the mercantile marine; they had to find out all about their pedigree, whether they were British subjects, and so on; they did not allow them to come and go just as they pleased. The men were bound to stay on their ships.

Mr. MEIGHEN: The same precautions were taken in regard to men working in the Militia Department, but they did not have to stay there.

Title agreed to.

Bill reported, read the third time and passed.

#### PENSION ACT AMENDMENT

On motion of Right Hon. Arthur Meighen (Prime Minister), Bill No. 223, to amend the Pension Act, was read the second time, and the House went into committee thereon, Mr. Steele in the Chair.

Mr. MEIGHEN: Mr. Chairman, I desire at this stage to make a very brief statement with regard to the returned soldier problem as a whole, and with relation particularly to the report of the committee of this session on pensions, insurance and re-establishment. Three sessions ago the House adopted the policy of referring the general question of re-establishment of our returned men, in all its wide and varied phases, to a special committee composed of members respecting all parties. That committee has had the power and the duty of summoning before it advocates of every kind of assistance that has been urged upon us, of weighing the evidence adduced, gathering from the various departments and from every possible source all the information required for intelligent judgment, and of then reporting to the House what in all the many and difficult circumstances surrounding us should be recommended to Parliament for adoption. I am bound to say that if Parliament has ever been indebted to committees of one class more than another it has been to the special committees on re-establishment so appointed from session to session. The first committee, I believe, was under the chairmanship of the hon. the Minister of Immigration and Colonization (Mr. Calder). To that committee were assigned duties of extraordinary difficulty, because at that time we had not had the experience or the extent of information which later became available; and the problems that then confronted us, the difficulties that we had to surmount, were even greater than they have been since. That committee's report became almost immediately embodied in the law of the land, and I think we owe to that committee, for the hard work done by its members and the devotion to duty that was manifested, a very deep and lasting debt of gratitude. The subsequent committees have been under the charge of the hon. member for London (Mr. Cronyn). I am sure I echo the sentiments of all hon. members when I say that these two committees have lived up to the examples shown them by the first; that having regard to the extent of the assistance they have

been able to give and the good judgment they have used, the House owes to these committees the same debt of gratitude that it does to the first. It is to the credit of members of the committee, coming as they did from the various parties in the House, that they have been able, after hearing the evidence on all sides, to agree as regards what could be done. Great service has been rendered to the country by these special committees, and it was a fortunate thing that that plan of dealing with this very complicated and delicate subject was adopted—fortunate for the returned men as well as for Parliament and the country generally.

The report of this session summarizes the efforts which have been made to assist those who served so faithfully in the war, and shows what has been accomplished in the very difficult task of re-establishment. That task has been even more difficult than we had anticipated. At this time, after all the efforts that have been made, after the vast expenditures that have been devoted to the purpose, and all the care that has been exercised to see that these expenditures were along right and proper lines and that value was obtained for the money spent,—after all that, we cannot say that we do not find very considerable unemployment; that we do not find many among even the most deserving of our returned men who are still in a condition not at all satisfactory. We know, however, no matter how perfect our work, no matter how devotedly we give ourselves to it, that these consequences are inevitable. Our duty is to reduce the measure of that condition to the narrowest limits possible, and, as years go by, only by persisting in the work, by seeking improvement, by an unflagging spirit of generosity and an increasing effort to put generosity into practice, can we hope to attain the end that all Canadians of every party and every race desire shall be attained as regards these men.

The report of this session, after summarizing what has been done and the lines of work in which we are now engaged, recommends that substantial extensions be made and very material expenditures still provided in order that we may perform our task. The first recommendation is to the effect that, commencing September next, the scale of increased pensions be paid, not only to those residing in this country, but also to those residing in other countries. That involves an expenditure of about \$650,000 per annum beyond previous expenditures. There are two other recom-

mendations that involve an annual outlay of, I think, \$31,100. The report also makes extensions in the application of certain laws now in force, which extensions will undoubtedly involve us in extra expenditure. Then it goes on to provide that we shall extend the housing programme or policy adopted some two years ago and lay more money at the disposal of the provinces for use in house construction. It has been deemed wise on the part of the Government to recommend to Parliament compliance, in toto, with the report of the committee in these respects. I am sure the recommendations of the Government, embodied as they are in the Bill that has just been passed, the Bill now under consideration, and another Bill having to do with disabled men and the public, that was before the House yesterday, and, reflected in the Estimates that are still to come before the Committee of the Whole—I am sure the recommendations of the Government, following the report of the committee, will be favourably received by the House generally and by the country.

I want to make reference just here to certain considerations that, I hope, will be kept in mind by the citizens of Canada generally, but particularly by the returned men themselves. They have to do especially with a very insistent demand that, for purposes of relief of unemployment, of giving work to men who are now out of work, this Government should engage directly in a programme of house construction throughout Canada. It was strongly urged before the committee that we should follow, in the matter of construction of houses the same policy as was followed in the matter of placing returned men on the land; that loans should be provided through a Settlement Board on a certain basis of security, and that \$50,000,000 should be set aside in order to launch that enterprise. I want to draw this consideration to the attention of Parliament and particularly to that of the returned men. It is not strict economy; it is not reasonable assistance, bringing results commensurate with costs or anything like it, to enter upon programmes of construction merely or mainly for the sake of employment. To do so may relieve for a short time, but it only arrests the necessary process of deflation. It only artificially sustains a situation which, as long as it is sustained, merely postpones the sufferings incident to deflation, which, in some form or another, must come before normal conditions return. If we enter upon a programme of house construction directly under this Government, operating

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thousands of miles from the centre, lending money for purposes of construction, then I apprehend the tendency will be, by that very act, to sustain a level of prices of commodities entering into building operations, which, in the end, will prevent building operations rather than encourage them at the hands of private enterprise. That that result would ensue, there can be no doubt whatever; and because building for the sake of use is bound to come in any event—because it will pay—and because the advocated building is for the sake of employment rather than for the sake of use, I think it would be bound to result in there being left upon the hands of the Government, later on, the houses thus constructed. They could not be paid for because of conditions that were only postponed, that were merely alleviated by the programme, but that inevitably had to come. Those conditions having come, the men would find themselves utterly unable to pay for the houses after they were built.

I lay these considerations before the committee for what they are worth. I do not think this plan would afford more than a palliative, if a programme were entered upon such as is urged upon us. We would not have a cure; we would have simply a palliative; a palliative that would sooner be at an end, the evil remaining and probably more formidable than ever. It is true that there is need for more houses in this country at the present time, and I do not think we should regret that fact. It indicates that our population is probably advancing, and that the census returns may show results not disappointing. That that condition is a fact, I do not dispute; but in carrying on work of the kind suggested, we must insist upon the principle of local responsibility in so far as this Government assists at all. So long as you insist upon a principle of local responsibility, you place that check upon the promotion of expenditure that is essential if expenditure is to be sanely and wisely made. While you have local responsibility which the provinces may insist upon; while, in a word, you adopt the principle of lending money to the provinces and the provinces working through municipalities, the municipalities see to it that houses are built, not purely, even not mainly, for the sake of employment, but upon sound, sensible principles—because the houses are needed, because they will be used and paid for. Consequently, I think the committee has been wise in recommending, as it has done, that we proceed, not upon new lines, but upon

the lines that we have followed in years gone by. If the House sees fit to vote the money, we put at the disposal of the provinces certain further advances to be used by them for purposes of house construction.

Let me repeat. Under that system the provinces are enabled to secure the responsibility of municipalities, and such local supervision as necessarily results, and there is no reason to apprehend that under those conditions there will be anything in the way of foolish or unjustifiable expenditure. Consequently, in the Estimates for this year, there will be found the sum of \$12,000,000 for this purpose. The committee will recall that the appropriation originally was \$25,000,000. Of that, approximately \$15,000,000 has been expended by the provinces, leaving a little over \$10,000,000 unexpended. That \$10,000,000 is now available, and the Government has decided to adopt the principle of adding 25 per cent to what may be obtained by any province in Canada over the amount allotted under the previous appropriation, and to put in the Estimates this year such amount as they deem might be required by the provinces for the purpose aforesaid; that is to say, while there will be made available \$6,250,000, being 25 per cent of the \$25,000,000 already appropriated, there will not be required this year the entire balance, the entire balance being \$16,250,000, that is to say, the \$10,000,000 odd that remains unexpended of the original appropriation and the \$6,250,000, being 25 per cent. of the original appropriation. There will be required this year, we think, not more than \$12,000,000. Consequently, in the Estimates will be found an item of \$12,000,000 in order to implement the recommendation in that respect contained in the report of the special committee.

In this regard I feel I should call attention to the special work done by the Department of Labour,—pursuant to the report of a previous special committee, in re-establishment, and in co-operation with the provinces,—of employment offices throughout this country. Those employment offices have been able to find situations for very, very many returned men. They work in co-operation with the Re-establishment Department, and I believe that the number that they have actually placed in work now exceeds 200,000.

There has also been appointed under legislation a National Advisory Council,

and that council, conferring as it does with the Department of Labour, has assisted very materially in helping labour conditions throughout this country, and especially in providing for the movement from place to place of returned men as well as others, thereby enlarging the area of employment. That we have unemployment in this country to-day is doubtless true; that we have unemployment above the average in this country, and too far above the average, is doubtless true; and that there is suffering as a result no one can deny. But we cannot keep out of mind this fact: that under conditions of deflation, which necessarily follow any period of inflation, under conditions of returning to lower levels of values, there is bound to be, and always has been, unemployment. To-day it is a world-wide condition, by no means confined to this country, nor do I think there is any country in the world where the per capita unemployment is less than in Canada to-day. Certainly there was no country where it was anything like so small, proportionately to population, as it was in Canada last winter. In Great Britain at this time, aside entirely from the effects of the strike, the percentage of unemployment far exceeds ours; it must be at least three or four times what it is here. In the United States it has exceeded ours, and if it does not exceed it now, it at least is equal to it. Consequently, by comparison, we have no reason to feel that conditions in this country in that regard are worse than anywhere else. Indeed, I think they are better than they are in any other industrial country in the world.

Now the question comes as to what should be done as regards this problem. The Government adopted the course last winter of insisting on local responsibility as regards unemployment. We had been compelled during the war, and indeed, up to last winter, more or less to disregard that principle, but we thought the time had come to restore it; and consequently, against very great, indeed, against what one might almost call violent pressure, the Government did insist upon that principle once again. We decided on this course; that we would assist general unemployment only where the municipality primarily assumed the burden, put in organization, and itself assumed the duty of paying for the organization; and then, if the municipality took care of one-third of the cost, and the province in which the municipality was, took care of another third,

the Dominion would provide its third, a third entirely irrespective of the cost and expenditure of organization—we paid a third only of what the unemployed actually received. Under that policy we have expended some . . . 301,000 up to date, and it will probably take \$60,000 more to pay the unsettled accounts. But the Dominion did not stop at that. It was urged very strongly upon us that we had special responsibility as regards unemployed disabled men. We had, of course, already recognized, like every other country in the world, our responsibility in respect of disabled men, and the pension law of this country as it now exists is the result; it is the reflection of the determination of the people of Canada as regards the disabled men. But it was felt that we could not stop there; that the disabled men being more liable to unemployment than others—although that feature was taken into account or is claimed to have been taken into account in fixing the pension for disability—still, the very fact that disabled men were out of employment was the subject of a cry of great sincerity to the Government, a cry to which we thought we could not turn a deaf ear. As a result, it was determined that we should assume the care of disabled men in receipt of pensions above a very, very small amount—I forget just what it was—wholly as a federal responsibility. The administration of that charge was placed in the hands, naturally, of the Department of Civil Re-establishment, and the discharge of that responsibility has cost up to date the sum of \$842,403. In addition to that, there are outstanding claims that it is estimated will amount to \$600,000, the total will not likely be less than \$1,250,000. So much for the treatment of unemployment last winter and up till the present. I may add that our contribution toward general unemployment continues as long as the municipalities hold upon their own shoulders their responsibility. While they do so, we continue ours; when they cease, we cease.

As regards the disabled, the help of the Department of Re-establishment has continued up till now. I know there are very grave objections to continuing it during such periods as last month, when climatic conditions were such as to render suffering of the worst kind not so likely, even if possible at all, but we have not felt justified in entirely ceasing that form of assistance. We hope that it will not be necessary to continue that much longer. We know that overdoing anything of that

[Mr. Meighen.]

kind has a tendency to increase rather than to mitigate the evil. But we cannot dismiss from our minds the probability that in the coming winter there will be a very considerable burden in this respect. There are many who prophesy, after a survey of unemployment conditions in other lands, that we will probably have more unemployment next winter than this. I earnestly hope that will not be the case. I have reason to feel it will not be the case. I do not know that my judgment is of any special value, but there are signs that the period through which we have been passing is nearing an end. It commenced here somewhat later than in the great republic to the south. They had very considerably worse employment conditions last winter than had we. As we followed them in that regard—and, I presume it is a sort of economic necessity that we do that, they being so much vaster, and their momentum so much greater than ours—so, when the opposite process sets in, we probably shall follow them too; and the best information I can get is to the effect that in the United States business conditions are gradually improving and that unemployment conditions are likewise becoming better. If that keeps on, and there is no reason to think that it will not, there is every hope that by next winter, instead of being, as regards unemployment, in a worse condition than last winter, we ought to be, if we follow right lines, in a somewhat better condition; and from time to time we shall have the burden of the country in this matter gradually relieved.

The attitude of the Government, I think, reflects the spirit of the Canadian people; it ought to reflect it. I believe that the spirit of the Canadian people demands that we do not, in any sense whatever, abandon the care of the returned men. I know it is in their interests, as it is in the interests of the country, that the well and able man, who has no particular disability, ceases to regard himself as in a class apart, but that he consider himself once again a citizen like the rest of us, charged with the duty of battling his way in the world. But as respects him who is not in that class, who is in a more or less degree disabled, and who, although he may appear to be quite restored and just as good as other people, is nevertheless, on careful analysis, and after long experience, found to be really not so, it is the spirit of this country that we walk by his side from year to year, as we have done before, and that every possible inquiry and investigation shall be made in order

that we may be certain, as time goes on, that no injustice is being done him. That reflects the spirit of the Canadian people; it is intended to state the general attitude of the Government; and I believe that the attitude of the Government is the general attitude of Parliament. My authority for that statement is the tenor of the reports of the various committees that have deliberated upon, and all phases of opinion that have concerned themselves with, this problem. The Bill that is now before the committee has to do with pensions, and pensions alone, and I am sure it will be received with the same sympathetic and favourable consideration as that with which other Bills to the same end have been received.

Mr. FIELDING: It may be that here and there, in the remarks of my right hon. friend (Mr. Meighen) some points have been raised which will be regarded by some as matters of debate; but happily, in the main, what he has said we are able to concur in very largely on this side. It is a gratifying fact, that so far as we have been able to go in our dealings with our returned men in the matters of pensions, the care of the sick, and so forth, there has been no division of opinion. All Canadians feel that everything that is possible should be done on behalf of these men and their dependents, and we share with the right hon. gentleman, in every respect, the desire he has expressed that they shall receive every possible consideration. I would particularly avail myself of the opportunity of renewing my expression of appreciation of the work that has been done by the committee which has handled this question for the last three years. It is a very pleasing fact that while, on many questions, we differ in Parliament, as is inevitable, in this matter there has been a unanimity of opinion from the beginning. Members on both sides of the House who have sat on the committee have vied with one another to do the best they could. We all know the obligations we owe to the committee of the present year, and it is no injustice to other members of the committee if we speak particularly of the services rendered by my hon. friend the member for London (Mr. Cronyn). He has given us the most valuable service, and I do not know of any other branch of the public service in which he could have rendered more useful assistance. The hon. member stated the other day that his constituency had been almost unrepresented because he had given so much of

his time to this particular work. I am sure the constituency will make due allowance for that, and will fully appreciate the good work he has done. If there be any difference at all, it will be that

5 p.m. some of the keenest friends of the returned men—and we all wish to be numbered among them—would wish that something further could be done for them. Well, we may all sympathize with that desire; but I believe that in the various provincial governments and local authorities, to which reference has been made, and even among the returned men themselves, there will be a feeling that, while all that the soldiers may desire may not have been done, all concerned, all have been willing to approach the question with consideration, as shown by the fact that this matter has been studied from year to year by competent members of the House who have served on the committee without any party end in view, and with the single desire to reach a sound conclusion. And though, in some respects, disappointment may be felt, I think there will be universal recognition that the House of Commons of Canada has endeavoured to deal with this matter in the right spirit; and, if all that some would desire has not been accomplished, nevertheless there will be appreciation of the spirit in which the work has been done and the good results that have been obtained.

Mr. REID (Mackenzie): I have listened with a great deal of pleasure to the remarks of the Prime Minister in regard to the housing scheme, and also in regard to the share which the Provincial Government bears of the cost of taking care of the unemployed. While I am in accord with the Prime Minister as respects the housing scheme, I do not think it should be regarded as a plan to stimulate trade. In the first place, the Federal Government loans the money to the Provincial Government, which in turn loans it to the municipality, where it rests. The municipal government will then have to bear all the costs of depreciation, and depreciation may come in five years' time or sooner. This is a point which I wish the Prime Minister to consider; I think he should go a little further than he has gone. He tells us that the Federal Government carries one-third of the cost of taking care of the unemployed. I should like the Federal Government to do this in co-operation with the Provincial Government and the municipality. The Federal Government should bear one-third of the de-

preciation so that this will not all fall on the municipal government. I know for a fact that in several municipalities the scheme was not taken up because the municipal governments saw that it would throw the burden of depreciation altogether on them. This Government would be well advised seriously to consider approaching the Provincial Governments and the municipal governments if need be and proposing an arrangement all three governments would bear one-third each of the cost of depreciation.

Mr. POWER: I would ask the chairman of the committee (Mr. Cronyn) to give some explanation of what is meant by the addition to clause 11 of the words "as such"? What is the meaning of the amendment?

Mr. CRONYN: Section 11 of the original Act was amended at the last session of Parliament so as to read as follows:

The Commission shall award pensions to or in respect of members of the forces who have suffered disability in accordance with the rates set out in Schedule A of this Act, and in respect of members of the forces who have died in accordance with the rates set out in Schedule B of this Act, when the disability or death in respect of which the application for pension is made, was attributable to military service.

Upon the advice or recommendation of the Board of Pension Commissioners it is proposed to add to this provision the words "as such".

Mr. POWER: Why military service "as such"? What is the distinction?

Mr. CRONYN: I think my hon. friend will recall the discussions we have had in earlier committees on that point. Our Pension Act, as distinct from the Acts of many other countries, was virtually an insurance to the members of the Canadian Expeditionary Force—in other words; if those members, from almost any cause other than their wilful misconduct, were injured or killed during their period of service, they or their dependents received a pension. It was thought that since the cessation of the war that basis of pension should be narrowed, and that a pension should only be awarded, in respect of those who are still in the military or naval service of Canada, if the accident or death which occurred arose from military service as such.

Mr. POWER: In order to get a concrete example take the case of a man who was injured or killed at a militia camp by

[Mr. J. F. Reid.]

falling off a horse. Would that be attributable, in the mind of the chairman, to military service as such?

Mr. CRONYN: To my mind, yes, without any doubt; but if that man went off to a race track, there got a mount and raced, and was killed I do not think—even though he was a member of the forces and was properly on leave—his dependents would be pensioned.

Mr. SINCLAIR (Guysborough): Judging from the few cases which have come under my own observations I think the Pension Board sometimes give a very strict interpretation to the Act. I drew the attention of the chairman yesterday to the case of a young man who was serving in the military forces in Cape Breton. He was allowed out for a stroll and during his walk came across a live wire. He was unacquainted with the danger connected with electricity—he had been brought up on a farm thirty miles away from any electrical works, and had probably never heard of a live wire before. He lifted the wire with his hand, and in doing so was injured so seriously that his fingers had to be removed. Now the decision of the board was that he came to this accident through his own carelessness and was not entitled to any compensation whatever. The young man himself took the ground, and his father also, that if he had remained at home looking after matters on the farm he would not have suffered this injury; he was in the service of the country at the time, he was properly there, and it was owing to his inexperience that the accident happened. I do not know what view would be taken by the members of the committee in regard to a case of that kind, but it occurs to me that it was somewhat strict for the Pension Board to decide that owing to the fact that this accident happened through his own carelessness, as they say, he was not entitled to anything in the way of remuneration. The chairman of the committee has said that the Pension Act is virtually an insurance. If it is a case of insurance it would be covered by the ordinary insurance law. For example if he was an employee of any industry and an accident of that nature happened to him, he would be entitled to compensation under the compensation law of any of the provinces. My question is therefore—why should the pension insurance be dealt with in a stricter sense than is usual in the case of any of our industries? I think the committee will

understand what I mean. If that young man had been in the employ of the Steel Works, or of a coal mining company, or any of these industries that come under the Workmen's Compensation Act, the fact that he grasped a wire with his hand would not disentitle him to the usual compensation. That used to be the old doctrine under the common law—that a man was disentitled to any compensation if he was, in a measure, careless himself and contributed to the accident; but that is not the doctrine which prevails now under the compensation law as it exists in the various provinces. I think, therefore, that more generous treatment ought to be taken in cases of the kind.

Mr. LEMIEUX: While I do not wish to delay the committee, or to indulge in a rehash of old cases, I must say that in some instances, with all due regard to the Pension Board, I fear they adhere too closely to the letter of the Act instead of carrying out the law according to its spirit. I have two cases in mind which I brought to the attention of the special committee on Pensions without success. The first case was that of the Widow Martel whose son enlisted at the beginning of the war, was wounded overseas and decorated for his services, and came back with a 25 per cent disability. Unfortunately he was drowned after his return, because evidently he had not the vigour, owing to his disability, to resist the current or the tide at the place where he was bathing during the heat of the summer. Now his mother is left penniless. And one of her other children was badly injured last winter. The second case is that of Mrs. Etienne, of my own county, whose son also enlisted and was killed during the war, but because she was not assigned the pay of her son at the time he left for France, she is held to be not entitled to anything, and she has to take care of the two or three children who are left. It is proven that she received a telegram and a letter at the time her son was leaving for the front to meet him at the railway station on the arrival of his train as he wanted to assign to her his pay. He happened to be separated from his wife. But we know how troop trains were run during the war, and how uncertain were their arrival and departure. She went to the station, but it was a special train and did not stop, and she saw her son just bidding her farewell from the car window as the train passed along. He died at the front. She has the care of the young children, and she

receives nothing. That is a case where, it seems to me, the spirit of the act should be followed rather than the letter. I must protest against the decision which has been rendered in this case, because I feel that it is not consonant with the principle upon which the country has provided liberally for returned soldiers and their dependents.

Mr. NESBITT: The first case mentioned by my hon. friend certainly does not come within the Act, because the dependents are not pensionable unless the death of the soldier is attributable to military service. Certainly if a man is drowned after being discharged healthy and fit, his death cannot be attributable to military service.

Mr. LEMIEUX: But he lost his life on account of his wounds.

Mr. NESBITT: That would be very difficult to prove when he was discharged fit.

Mr. LEMIEUX: Not fit; twenty-five per cent disability.

Mr. NESBITT: A very small percentage. During last year and this year I have heard about five hundred cases—

Mr. LEMIEUX:— Too many for one man. That is how injustice is done.

Mr. NESBITT: There were three of us. I have found both the Soldiers' Civil Re-establishment Board and the Pension Board very generous in sizing up all these cases. We find that sometimes a man's trouble gets worse, and when his case is reviewed the board always grants a pension if it comes within the Act. As a matter of fact, we do give the Pension Board liberty under certain circumstances to use their discretion, but the committee, ever since 1916, have been averse to allowing the Pension Board to have too much discretion, and have drawn the Act as well as they possibly could to cover every conceivable case. I can only repeat that I have found the Pension Board and the Soldiers' Civil Re-establishment very generous in all cases, and if they have erred at all they have erred in sympathy with the applicant.

Mr. LEMIEUX: I am not charging the board nor my hon. friend with any injustice. I am simply stating what I know to be the facts. The grandmother of those children received letters from the board, and I think she began to draw a pension herself. I have seen the originals of the telegram and letter sent by her unfortunate son to meet him at a certain point in Montreal or in the suburbs. She went there

with the little boy and girl, but the train did not stop and she could only wave farewell to her son. He went to France; he was killed; and now she is left with his children, and we are told: Well, there was no pay assigned to her. But that is the very thing her son wanted to do and intended to do, but he could not. My hon. friend says he has heard five hundred cases.

Mr. NESBITT: I said in the neighbourhood of that number.

Mr. LEMIEUX: I am not charging him with any injustice, but when a man takes a certain line of action he creates precedents, and abides by those precedents. In the present instance it is too unfortunate that this poor woman should be left penniless with these grandchildren; in fact, it is a case of cruelty to her.

Mr. NESBITT: Are the children pensioned?

Mr. LEMIEUX: A little; but she is entitled to something.

Mr. NESBITT: That is not a little if they get orphans' pensions.

Mr. MICHAUD: I do not think this is a time for technicalities. Here is a concrete case, and we should do what is just and right on behalf of the grandmother and these orphans. It seems to me that we should decide this particular case as well as general cases, and my hon. friend from Maisonneuve and Gaspé has submitted this particular case so plainly and convincingly to the committee that it seems to me it should appeal to the good sense and humanity of every member.

Mr. LEMIEUX: More than that, Mr. Chairman, I have asked my hon. friend the chairman of the committee, and some other members of the committee, to take up this case. I presented the papers to them and said: Here is the evidence. Now, would it not have been fairer to that grandmother to have notified her that on a certain date her case would be heard, and then to have listened to her own story. But it was not done. All I know is that the decision of the committee is against her. Well, it is not fair.

Mr. REID (Mackenzie): I am sorry that the right hon. Prime Minister has left the chamber, but I should like to press my idea a little further in regard to the housing plan. The Bill does not mention housing, but the Prime Minister introduced

[Mr. Lemieux.]

the subject. I am in entire accord with all the good things that have been said about the hon. member who has had charge of this committee, and I should like to have an expression of opinion from him on this subject. I think if he will look into this matter he will admit that it is only fair that the three governments, municipal, provincial and federal, should each carry one-third of the cost of depreciation, whether the period be for three or five years. We all realize that there will be quite a depreciation in the cost of building in the very near future. I claim it is not fair to lay all the burden of this loss upon the municipality. As a matter of fact, that is one of the reasons why the Provincial Governments have not taken advantage of borrowing this money from the Federal Government—they did not consider it fair to put all the burden of depreciation upon the municipalities. As I said before, the Federal Government adopted a similar principle in respect to the cost of looking after the unemployed. That is a good principle, and constitutes a precedent which the Federal Government should follow in regard to the housing problem and bear one-third of the cost of depreciation.

Mr. CRONYN: I hardly think that this is a matter upon which the chairman of a committee which deals entirely with the affairs of soldiers should be asked to express an opinion. The point raised by the hon. member is with regard to the proper division of a possible loss as between the Dominion, the province and the municipality. That is surely a matter for the Government, who are considering the advancing of additional sums on this account, and I would not care offhand to express any opinion about it. I would say, however, that the Dominion does bear some part of the expense of this operation; as I am informed, the Dominion lends to the province at one per cent less than it costs the Dominion to borrow the money. That is quite a considerable item when you consider the large amount involved.

Sir GEORGE FOSTER: I might also say to my hon. friend that this matter will come up again on the vote which is in the Estimates for the purpose, and if he will reserve his question for that time I will see that the Prime Minister has an answer for him.

Section agreed to.

On section 4—provision respecting pension to widowed mother amended.

Mr. POWER: At the risk of having members of the House think that I have become a nuisance with regard to this subject, I must once more protest against the treatment meted out by the House of Commons and by the committee to the widowed mothers of our soldiers. I have on several occasions brought this matter to the attention of the House. When I present it in the form of a resolution I appear to get the almost unanimous support of members on both sides, but when it comes down to actual practical legislation I appear to be all alone. In this instance, therefore, I do not intend to submit an amendment—in the first place because I know, Mr. Chairman, your knowledge of the rules is such that you would promptly rule me out of order as you have already done on two occasions; and, in the second place, because the most enthusiastic supporter of the proposal which I have put forward is my hon. friend from Skeena (Mr. Peck), who, unfortunately, though he and I share the same opinion in this matter, is away and I am paired with him. So I am in the unfortunate position of not being able to put this matter before the committee in such form that it will be brought to a vote. But I would like to make my protest once more—perhaps for the last time, because this may be the last session of this parliament—and if only to keep my record clean in that at every session of this parliament I have protested against the treatment accorded to the widowed mother. In order to make my protest clear, Sir, and to show the anomalies of the Act, I wish to be permitted to read section 34 of the Act, subsection 1, which has reference to pensions to widowed mothers:

A parent or any person in the place of a parent with respect of a member of the forces who has died shall be entitled to a pension when such member of the forces left no child, widow, or divorced wife who is entitled to a pension, or a woman awarded a pension under subsection three of section thirty-three of this Act, and when such parent or person is in a dependent condition and was, at the time of the death of such member of the forces, wholly or to a substantial extent, maintained by him.

That is to say, the widowed mother of a soldier may obtain a pension when the soldier has left no child, no widow, no divorced wife under certain conditions, or a woman "awarded a pension under subsection 3 of section 33 of this Act." Now, let us see who the woman is who is thus preferred to the widowed mother of a

soldier. I quote from subsection 3 of section 33:

A woman who, although not married to the member of the forces, was living with him in Canada at the time he became a member of the forces and for a reasonable time previously thereto, and who, at such time, was publicly represented by him as his wife may, in the case of his death and in the discretion of the Commission, be awarded a pension equivalent to the pension she would have received had she been his legal widow. The Commission may also award a pension if, in its opinion, an injustice would be done by not recognizing a woman as the wife of a member of the forces although there is no evidence that she had been publicly represented by him as his wife.

I am not objecting to this section so far as it refers to what we have been pleased to call the "unmarried wife;" I am simply pointing out the anomalies of the Act as it exists. Under the law this woman, a man's mistress, his concubine, the prostitute with whom he has lived, will get a pension before his mother will get a pension. That is the state of the law as it exists to-day. I do not like to bring this matter before the committee, but I think it is fair that hon. members should know just what our Pension Act is. This country prides itself on its Christian spirit and on its morality, yet here we have in our statutes a provision which consecrates the principle that before the woman who bore the child shall get a pension on account of his death the woman with whom he lived in sin gets a pension. Sir, I think I have a right to protest against such a state of affairs. I do hope that if the matter cannot be remedied this year, the members of the committee and of the Government next year will see to it that this state of affairs no longer exists and that the mother that gave her boy to her country should at least get not inferior treatment to the person who, possibly, lived in open adultery with him.

Section agreed to.

On section 5—section giving additional allowance to widow and children repealed:

Mr. FIELDING: Will the chairman kindly explain the effect of this amendment in regard to deductions which were at one time made from a widow's pension? I believe that in that respect a change has been made in the right direction.

Mr. CRONYN: Under the Act as it stands to-day no deduction is made from the pension of a widowed mother if while resident in Canada she is in receipt of an independent income of not more than \$20 a

month, or \$240 a year—that is to say, she may receive her pension and, independently of that, \$240 a year. No deduction has been made on account of her own earnings, no matter where she lived, or on account of her owning her own home or getting the benefit of free lodgings. But there was a deduction made if she had sons living with her who in the opinion of the Pensions Board were fitted to support her, or if she had other children who were actually contributing to her support. In each of these cases, I believe, a deduction of \$10 a month for each such son was made. It was thought, perhaps, to be unfair that on one side there should be a widow who was entitled to an exempted income of \$20 a month, and, on the other, a widowed mother whose sons' contributions, whether they were actual contributions or implied contributions, should be deducted from her pension. The effect of this amendment is to place the contributions from the children, express or implied, on the same basis as the independent income and to exempt them up to \$20 a month.

Mr. CALDWELL: As a member of the special committee, I do not feel like allowing this opportunity to pass without voicing my protest against one particular section of the report. I had not the privilege of attending the committee on the day that this was decided upon by the committee, but the fact that I opposed this clause last year gives me a right to oppose it this year. I refer to the deduction from a widow's pension on account of her children. It is making deductions from her pension on account of, not only contributions which have been made, but contributions which should have been made, whether they have been made or not. I think, on a recent occasion, "imaginary letters" were ordered to be deleted from the records of this House. In this case we have the Pension Committee authorizing that imaginary contributions to a widowed mother's support will be deducted from her pension. If the one is illogical, the other is much worse. It is leaving it to the discretion of the Pension Commissioners to decide, not that contributions have been made, but whether they should be made or not. If actual contributions to the widowed mother's support were deducted, the matter would not be quite so bad; but in this recommendation, it is left to the discretion of somebody to say that these contributions should have been made. If they are not made, they are deducted from the widow's pension just the same as if they had been made. That

[Mr. Cronyn.]

is surely illogical. As I said, last year I opposed the deduction of \$10 a month for each son who resided at home with the mother. This year the provision is made to include not only sons, but daughters. The word "children" is substituted for the word "sons", and the word "child" for the word "son". If this widowed mother has children who reside at home or abroad, whether they are contributing or not, a deduction is made of \$10 for each such son or daughter. It is a well established fact that we need more citizens in Canada, and surely a mother who raises a large family is more entitled to a pension than to be penalized by raising such a family, but under this Act, you penalize the widow who has raised a large family. The logical thing would be to give her an increased pension on account of having contributed to the population of Canada by raising that family.

Mr. POWER: While we are on that section, I wish to read sections 3 and 4 of the Bill together. If I understand clause 4, it adds to subsection 7 of section 34 by stating that any moneys contributed by children will not be included in the income of \$240. If I am wrong, the chairman of the special committee will please correct me.

Mr. CRONYN: Up to \$20 a month.

Mr. POWER: Therefore, this \$10 which the children are presumed to contribute really no longer exists.

Mr. CRONYN: Yes.

Mr. POWER: I would suggest to the chairman of the committee that subsection 6, of section 34, be stricken from the Bill altogether, and then we would have no difficulty at all about the matter. There would be no trouble in interpreting it.

Mr. BELAND: How does it read?

Mr. POWER: Subsection 6 is amended by striking out the words "sons" and "son" and by substituting therefor the words "children" and "child" respectively. But I do not see the necessity for this subsection if we no longer take into consideration any contribution these children may make.

Mr. CRONYN: Only up to \$20 a month.

Mr. POWER: Yes, but supposing the widowed mother has \$15 and the son contributes \$10; that would be \$25. We will not count this \$10 under the Act as I understand it. Is that not a fact?

Mr. CRONYN: No.

Mr. POWER: Why not strike out the whole of subsection 6? Would the chair-

man consider that? I think if he considers it, he will find that I am right in my contention.

Mr. CRONYN: I think my hon. friend has not the facts quite correctly in his mind. The contributions, express or implied, from the children are exempt up to \$20 a month. They are not wiped off the slate altogether. If we have a widowed mother with an independent income of \$20 a month and two sons living with her who are contributing, or should contribute, to her support, either the independent income or the amount charged for the two sons is deducted from her pension.

Mr. POWER: Only the independent income would be deducted? You would not deduct the amount from the sons?

Mr. CRONYN: If she has three, four or five children, then a certain amount would be deducted each month from her pension, and I think the section would have to stand.

Mr. POWER: I thought it was the intention of the committee to strike altogether from the law all question of support by the children to their widowed mother. That was my idea, and that is the idea conveyed to me by members of the committee, that from now on there would be no question on the part of the Board of Pension Commissioners of considering whether a son who was in Western Canada should be supporting somebody who is living, say, in Nova Scotia. If, however, it is not the intention of the committee to do that, we have not improved the state of the widowed mother to any appreciable degree.

Mr. CRONYN: We have improved it to an estimated extent of \$18,000 a year, which the widowed mothers will receive and which the country will pay.

Mr. REID (Mackenzie): I should like to say a word or two in regard to the deduction of \$10 a month from the widowed mother's pension, because she has a son staying at home with her who is supposed to contribute to her support. I suppose all the sons of Canada are good boys or, at least, presumed to be so; but I know of more than one case where, instead of a son being a help to his mother, the opposite is the case. It is absolutely unfair that a mother's pension should be reduced on account of the fact that she has a son who is supposed to support her, but over whom she has no control. This matter has not been given very serious consideration.

Mr. CALDWELL: The hon. member for Mackenzie (Mr. Reid) speaks about a son residing at home with his mother. This amendment includes not only sons, but daughters whether they reside at home or abroad, if the commission consider that they should contribute to their mother's support. This does not mean children who are contributing, but children who, the commission consider, should be contributing, to the mother's support. I opposed the Act last year when it applied only to sons, but it is much worse now when it applies to daughters as well. Supposing a daughter of a widowed mother is doing housework at \$5 or \$6 a week, earning hardly enough to clothe herself. It is within the power of the commission to decide that that girl should be contributing \$10 a month to her mother's support when she is not earning enough to support herself. It is a most iniquitous provision, and as a member of the special committee, I wish to put myself on record as being absolutely opposed to the clause. I move in amendment:

That subsection 6 of section 71 of chapter 62 of the Acts of 1920 be struck out.

I wish to add my meed of praise of the very efficient manner in which the chairman of this Pension Committee has carried on his work, and also of the very harmonious relations of the members of that committee. I would not want to make it appear by these few remarks that I do not think the members of the committee were sincere. There was no evidence of partisanship in that committee, I am pleased to say, and I think that if we could carry the spirit of that committee into this House business would proceed much more rapidly, and we would have more of a fellow-feeling possibly when the session is over than we have under the method now prevailing. I wish most heartily to add my meed of praise to what has been said of the devotion and ability and fairness of the chairman of the committee, as well as the other members.

Mr. CRONYN: I am afraid there is some confusion of mind over this matter. In the first place, if children living apart from the widowed mother do not contribute, no deduction is or can be made.

Mr. POWER: The Act specifically states:

When a parent or person in the place of a parent has unmarried children residing with him or her who should, in the opinion of the

Commission, be earning an amount. . . . each such unmarried child shall be deemed to be contributing—

And so on.

Mr. CRONYN: That is the point I am trying to make clear; we are getting the two things mixed. Where a child does not reside with the widowed mother, unless he makes a contribution to his mother, no deduction is or can be made. Now let us put that case aside, and take the case of children residing with the mother. Undoubtedly there is under this section, given to the Board of Pension Commissioners, power and discretion to say whether that child, be the child boy or girl, is fitted to earn and is earning an amount sufficient to charge the mother's account up to \$10 a month. By the amendments now before us we are exempting \$20 a month of those supposed earnings, so that the widow would have to have more than two children who, in the opinion of the commissioners, should be contributing to her support before any reduction could be made. You have to leave it to the discretion of somebody, and it was strongly represented to the committee that public opinion took offence at a condition of affairs which allowed several strapping boys to be living with the mother and yet not held liable to contribute to her support. That, I think, was the expression of opinion given to the committee, and perhaps was the reason which caused the committee to pass this section some time ago. The course taken this year is to ameliorate the condition of the widowed mother in respect to that one particular.

Mr. POWER: By an amount of \$18,000?

Mr. CRONYN: Yes.

Mr. POWER: Out of \$33,000,000. You made a good job of it.

Mr. McKENZIE: What is the meaning of the amendment, which reads:

such income being considered to include the contributions from children residing with or away from her whether such contributions have actually been made or are deemed by the Commissioners to have been made.

As I understand that, it means that the exemption of \$20 a month takes into account what is supposed to have been contributed by the children, and no deductions are made even if she gets that contribution?

Mr. CRONYN: Up to \$20 a month.

Mr. McKENZIE: It might be more than that. The wording is not very clear. To

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my mind, it means that whatever contributions may have been made may be included in the exemption.

Mr. CRONYN: If we read the section as it now stands, with the amendment proposed, perhaps the result will be more clear:

The pension of a widowed mother shall not be reduced on account of her having an income from other sources which does not exceed two hundred and forty dollars per annum, such income being considered to include the contributions from children residing with or away from her whether such contributions have actually been made or are deemed by the Commissioners to have been made.

The contributions which are deemed to have been made are those from the children living with the mother.

Mr. McKENZIE: Or apart from her?

Mr. CRONYN: No. In such an event they have to be actual contributions.

Mr. POWER: Supposing "such income" included contributions from three children living with the mother, \$30 a month. That would not be taken into account under the Act?

Mr. CRONYN: Yes, \$10 a month would be taken off the pension.

Mr. POWER: I do not see how the hon. gentleman reads that here. It says "such income being considered to include the contributions—" it does not say two or three contributions, but—"the contributions from children residing with or away from her whether such contributions have actually been made or are deemed by the commissioners to have been made." I think that would include all contributions from children. I do not know what the intention of the committee was.

Mr. CRONYN: This amendment was drafted by the legal adviser of the board and was passed upon by Parliamentary Counsel. Let me read the original section once more.

Mr. McKENZIE: It is perfectly good, so far as I am concerned, but I think its effect will be that there are no deductions at all, if you leave it as it is.

Mr. CRONYN (reading):

The pension of a widowed mother shall not be reduced on account of her having an income from other sources which does not exceed two hundred and forty dollars per annum, such income being considered to include the contributions from children—

Mr. POWER: All the contributions from children.

Mr. CRONYN: So long as they do not exceed \$240 per annum, they are exempt. If my hon. friend from North Cape Breton and Victoria (Mr. McKenzie) is satisfied as to the legal effect, I think we all ought to be.

Mr. REID (Mackenzie): That was not the case last year.

Mr. CRONYN: No, it was to correct just that very practice that we made this recommendation and are bringing in this amendment.

Mr. FIELDING: There is a point which I think the hon. member has made clear, but which I want him to confirm. In the case of the widowed mother having sons residing, not with her but in other parts of the country, who perhaps should contribute to her support but do not, I understand that no reduction is made?

Mr. CRONYN: No.

Mr. FIELDING: So long as they do not actually contribute?

Mr. McGIBBON (Muskoka): What particular clause of the Act specifies that? It says here "such contributions have actually been made or are deemed by the commissioners to have been made."

Mr. NESBITT: That is to cover the boys that live at home.

Mr. McGIBBON (Muskoka): it does not say so.

Mr. MORPHY: I would like to know whether or not the word "children" is intended to cover both male and female?

Mr. CRONYN: Yes.

Mr. MORPHY: It seems to me a hardship that a section of that kind should apply to the daughters of a widowed mother having no particular employment, but who are slaving to help the mother out.

Mr. CRONYN: It was made to include daughters, because in certain cases daughters hold important positions, this being chiefly the case in the city of Ottawa. They are paid a bonus as heads of households, and it was thought that it was only fair that they should be held to be contributing \$10 per month towards the support of the widowed mother. But, outside of a very few cases, the Pension Commissioners have never ruled, nor do they intend to rule, that a girl earning a bare livelihood, perhaps not more than enough to pay for her own board and clothing, should be held to be making any contribution to the support

of her widowed mother, because of any occasional assistance she may give.

Mr. POWER: In regard to pensions paid to people outside of Canada, there is a provision somewhere in the Act that the pension is not to be diminished because of such residence outside of Canada. Does this apply to widowed mothers?

Mr. NESBITT: Yes..

Mr. POWER: Then I would ask the chairman of the committee to take steps to amend the original Act to make this clear. I think the Chairman understands me?

Mr. CRONYN: I am afraid I do not.

Mr. POWER: The Act provides that the pension of a widowed mother shall not be reduced on account of earnings of personal employment, etc., so long as she resides in Canada.

Mr. CRONYN: That point was not considered by the committee. The only change made with regard to residence outside of Canada was that the bonus of fifty per cent should be the same, whether the pensioner lived in Canada or outside.

Mr. POWER: So that the widowed mother does not benefit by that?

Section agreed to.

Bill reported, read the third time and passed.

At Six o'clock the House took recess.

#### After Recess

The House resumed at Eight o'clock.

#### CANADA TEMPERANCE ACT<sup>1</sup>

On the motion of Hon. Mr. Doherty, Bill No. 219 with regard to certain proceedings under Part IV of the Canada Temperance Act was read the second time and the House went into committee thereon, Mr. Boivin in the Chair.

On clause 1—proclamation valid if it states prohibition shall go into force on day and date declared by Order in Council.

Mr. FIELDING: There are two sets—perhaps I should say two classes—of interests which may be affected by this Bill. First, of course, there is the public interest which must be paramount. There is also what I may call the private interest—the interests of parties now in court to which, while they are entirely subordinate, we still must give some consider-

ation. If the public interests are likely to be affected by the existing order of things I quite agree with the minister that he has a right to intervene. If, owing to a mistake made by the Government in drafting the Bill, or by this House in enacting it, or by any official of the Government in administering it, a situation has been created in which there is a probability, or even a possibility, of important public interests being set aside on a mere technicality, I quite agree that would be justification for the minister to intervene. The subject with which this Bill deals is the question of prohibition. The various provinces concerned have spoken in no uncertain manner. They have approved of the principle of prohibition and desire it to be enforced, and I am sure nobody in this House would desire to interfere with the carrying out of the deliberate voice of the people. Certainly I have no desire to do so, and I quite concur in the view that no mere technicality should be permitted to override the deliberate voice of the people in this respect. But there remains the question of the private interests of persons who are already in court on the subject. In so far as my right hon. friend proposes to legislate that these technicalities shall not prevent effect being given to the deliberate voice of the people in these matters I desire to entirely concur with him; but I would like to receive an assurance from him that the interests of individuals who may be in court at present will not be at all adversely affected by this Bill.

Mr. DOHERTY: To the extent that persons are seeking to attain a result which obviously is opposed and injurious to the general public welfare—namely the setting aside of what the hon. gentleman has spoken of as the deliberate voice of the people; to the extent that those interests desire to have prohibition defeated; to the extent that private individuals may be seeking by reason of an alleged defect in form to defeat that voice of the people, they must necessarily be deprived of the opportunity of doing so by this legislation.

Mr. FIELDING: That is not the kind of private interest I mean.

Mr. DOHERTY: I cannot conceive what substantial interest there is that wishes to destroy the effect of the voice of the people by this technicality. If we say that because somebody might perhaps, if action were deferred—which is all that would come of it if we did not prevent the possible defeat of this law in the manner we

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are proposing—lose some money, or be enabled to make some money because of this accidental, and perhaps fatal, omission, then possibly some interest might in that sense be affected and no doubt anybody in that position would be debarred from obtaining an advantage resulting from such omission. I do not know that anybody will be prevented from making money by reason of our curbing that accidental omission, but if there be anybody no doubt he will be affected to that extent. Against that, however, we have the great general public interest. In the first place it is highly important that the desire of the people so emphatically expressed should not be defeated by this merely accidental omission. In the next place there is the great, substantial, material public interest to be protected which consists in the fact that if all that has occurred in the past is declared nugatory, all the expense which has been incurred in connection with these different plebiscites will be wasted money, and the people will only be put in the position to have their voice prevail by the country being put to the same expense all over again. Now, as I pointed out in introducing the Bill, there has already been incurred and actually paid in connection with these different plebiscites a sum exceeding half a million dollars. I am also informed by the Auditor General that so far as regards the expense incurred in connection with the plebiscite in Ontario, he estimates that not more than 20 per cent of that expense has been already paid, so that there remains a very large sum to be added to that half million. If it should happen that it should be found that there has been an omission, and that that omission is fatal to the validity of the proceedings that have taken place, that sum of money will be absolutely wasted in so far as the public of Canada are concerned, and the whole proceeding will have to be commenced all over again. We cannot anticipate that communities who have so emphatically expressed their desire that this law should become operative within the boundaries of their respective territories, will sit back and not make a second endeavour to have their wishes carried out. Now, it seems to me those circumstances make a case where the private interests involved must yield in the face of this paramount public interest. I am not disposed to dispute that as a general principle, legislation having a retroactive effect is not desirable legislation; but I think that if there be a case—and there are numerous

cases—where parliaments have considered the exercise of the power of enacting retroactive legislation as justified we are in the face of the typical case. It is a question of a private interest, because it sees some advantage to itself, seeking to defeat the public will by reason of a mere omission in the procedure enacted by the law.

Now, I desire to refrain from expressing any opinion or making any argument as to whether there does or does not exist under the law as it now stands an omission fatal to these proceedings. That is the question which is actually sub judice, and I do not think it would be proper for us to discuss it. I think it is proper to simply state these two circumstances: That the Court of Appeal of Alberta, composed of three judges, decided, with one judge dissenting, that there is no such fatal omission; and that the law officers of the Crown who are responsible for the preparation of the proclamation, at the time acted advisedly, being of opinion that it conformed to the requirements of the law, and they are still of that opinion.

Mr. LEMIEUX: Would that legislation affect any existing cases?

Mr. DOHERTY: It would affect the pending case of the Gold Seal Company vs the Dominion Express Company, in which the question to be decided, as I understand, is whether the express company was justified in refusing a shipment from the Gold Seal company because of this law being in force. Nothing is involved directly in that case but that question.

Mr. LEMIEUX: But there are damages accruing.

Mr. DOHERTY: There was no adjudication of damages because the proceedings were dismissed. Nobody is entitled to recover damages unless he has been deprived of some substantial right.

Mr. PROULX: Has the case been heard by the Supreme Court of Canada?

Mr. DOHERTY: Yes, but it has not yet been pronounced upon.

Mr. ETHIER: Then why not wait for the judgment of the Supreme Court?

Mr. DOHERTY: If we had assurance that judgment would be rendered before this House adjourns we might wait. But the position would not be altered if we did wait. It would become just as much our duty then to modify the law which the court declared a nullity upon this particular

ground. It is furthermore to be pointed out that there is perhaps this advantage in the matter being dealt with before the judgment is rendered. In that particular case this accidental omission is by no means the only, nor the principal, question raised; the whole issue of the constitutionality of the Canada Temperance Act legislation and of the provincial temperance legislation has all been fought out. A judgment that would dispose of the case upon this irregularity would simply leave the constitutional question undecided, and therefore if the will of the people is to be given effect to, you would have to begin all over again the plebiscite proceedings, and after doing that and getting what I think we may assume would be the same result, you would have to begin all over again the proceedings for determination of the constitutionality of the law.

Now, I think we are faced with a position where the intervention of Parliament is not only justified but is called for. We have a preponderant public interest to be protected by this legislation as against what is certainly an unimportant, if indeed there be any real, private interest that may be adversely affected. Principles are of great importance and are to be respected, but, after all, I think there are few principles that call for absolute adherence in the face of conditions and circumstances which make such absolute adherence work out to serious public detriment. If this matter turned upon this particular question, and should be decided in a sense adverse to the validity of the proceedings. I think it would be a case where you would find the most absolute justification for the application of the old adage that succeeding generations of lawyers, even those most profoundly imbued with respect for law, have recognized to be sound, namely, *summum jus, summa injuria*. Because of difference of opinion as to whether you sufficiently stated the day on which prohibition will come into effect by simply stating that it will be fixed in a proclamation specially provided by the statute, or whether it was essential that you should fix the actual particular date, and the setting aside of these entire proceedings on the ground of an error in that regard, would certainly seem to me to be a case where by the application of *summum jus* to an unimportant private interest you would produce this *summa injuria* to the general public interest.

Mr. FIELDING: If the right hon. gentleman, an eminent lawyer, feels not

free to express any opinion on the merits of the case now in court, there are a thousand more reasons why no layman should dare do so, and so I have not the slightest thought of expressing any such opinion. Even if there were no question of expense, in view of the expressed will of the people of these various provinces in regard to prohibition, I would be heartily in accord with the right hon. gentlemen that whatever legislation is necessary should be enacted to make it clear that from this time forward, if it was not good law a month or two ago, it is good law now. There is really not very much difference between us. But there is the question of private interest. I do not happen to know anything about this particular case, but there are two parties to it, say Smith and Brown, and the case has been entered in the courts under the existing law. I am quite content that my right hon. friend shall make a correction or cure in the law as respects all future interests, but as respects the particular interest of Smith and Brown who are now in court, I do not think it is fair that they should be legislated out of court. I draw a distinction between legitimate private interests and the interests of the country. I want the public interests to be protected, but it seems to me that a fair argument can be made that the people who have gone into court under the law as it now stands shall in respect to damages or costs, or expenses, not be legislated out of court, and I hope my right hon. friend will take that into consideration. I do not differ from him as to the form of legislation as far as may be necessary to give effect to the expressed will of the people in all these things. The only question is whether he has given fair consideration to the interests of private litigants who are now in court.

Mr. BUREAU: To make my position clear, Mr. Chairman, I wish to state that I am speaking for myself and not in the name of any other hon. members on my side of the House or of my party. I was shown some despatches to-day which indicate that there has been an attempt to make political capital out of the fact that I objected to the introduction and first reading of the Bill the other day on the ground that proper notice had not been given. There is before the Supreme Court of Canada to-day a case in which the plaintiffs are proceeding on the ground that the Canada Temperance Act is not in force in the province of Alberta. The

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matter was argued before the Supreme Court of Alberta, and as the Minister of Justice has said, two of the judges decided the proceedings were regular and one dissented. On the judgment rendered, Mr. Justice Harvey stated that the point raised with regard to the omission in the proclamation was an important one and that were it not for important considerations of public interest it might have had an effect upon the decision. Now, I want to be thoroughly understood: I strongly object to any legislation having retroactive effect, the more so when it affects a case pending before the courts. There is more involved in this case between the Gold Seal Company and the Dominion Express Company than the simple question of private interests. I admit that the majority must rule, but it must be remembered that there are people in Alberta who did not vote in favour of this temperance Act under Part 4 prohibiting the importation of liquor into that province. By Part 4 it was provided that upon petition from the legislature the Governor in Council might appoint a day by proclamation upon which the vote of the citizens of the province in question should be taken, and that in the proclamation should the vote be favourable the day on which the law would come into force should be mentioned. Well, in this case the Governor in Council is the Minister of Justice because he is the adviser of the Governor in Council. My hon. friend says that the officers of the Crown who prepared the proclamation are responsible for the omission and that in their view the omission is not fatal. But so far as we in this House are concerned the omission was made by the Minister of Justice, and it is not for him or for us in the House to pass upon the question whether or not the omission is fatal, having regard to the fact that a case involving an interpretation of the proclamation is pending before the courts. If we exempt pending cases from this legislation I do not see that Ontario, Manitoba or Saskatchewan will be adversely affected, because in those provinces no cases are pending in which the plebiscite is disputed; the only case I know of is that of the Gold Seal Company and the Dominion Express Company. This is, to say the least, restrictive legislation and comes pretty near to being penal legislation. When we restrict the liberty of the individual on account of a wave of feeling in favour of temperance or prohibition we should give him every

opportunity to defend his case and to bring before the courts any point which he may wish to establish as to the legality or otherwise of a proclamation issued under the law. I say that there is a principle involved here; it is an attempt to legislate persons out of court. If I go before a court basing my case on existing laws and existing conditions and he who is responsible for an error involved in the case seeks to legislate me out of court, I say that such a course is immoral; it is worse than passing legislation and giving it retroactive effect when no cases before the courts bearing upon the matter are pending. If, therefore, we are to pass this legislation we ought to put a proviso in the Bill that it shall not affect pending cases. I do not want to bring about a vote on the question, but I do want to make it perfectly clear that I am absolutely against any legislation having retroactive effect, especially any legislation which will have the effect of putting out of court people who are rightly and legally before it.

Mr. McMASTER: Mr. Chairman, it will not be necessary for me to detain the committee at any length, but I do wish very briefly to emphasize the position taken by the hon. member for Shelburne and Queen's (Mr. Fielding). As regards giving legislative effect in its entirety to the expressed will of the provinces which have declared themselves in favour of prohibition, I for one am prepared to cure any defect if such there be in the present legislation. But there are litigants before the court, and they should not have any rights taken from them which they now have under the law. It is not merely a question of private interests; it is of public importance that people should have confidence in our courts, in the administration of justice, and in the parliamentary institutions of the nation. For Parliament to take away from a litigant a right which he otherwise under the law would possess is to undermine the very basis of our whole constitution. Now, the minister has practically admitted that in clause 3 of the Bill. Under that clause the court can decide concerning costs in such a way that the costs will not fall upon a party who fails by reason of the legislation that we are invited to pass to-night. I want this principle to be followed as regards not only the cost of the litigation, but the litigation itself. I want a proviso put in this Bill that it shall not affect pending litigation. I would not object to the Bill being retro-

active inasmuch as it will take rights away from persons in these provinces if they have not asserted those rights before the courts. It is quite reasonable to consider that they did not wish to avail themselves of any rights they might have had, if they had not asserted these rights before the courts; but I would appeal as strongly as I know how to the Minister of Justice (Mr. Doherty) not to commit what I consider the injustice of passing retroactive legislation which will affect the position of litigants who are before the courts of this country. The question is not whether this will hurt the Gold Seal Company or the Dominion Express Company; the private interest involved fades into insignificance in comparison with the public interest, which is that retroactive legislation should be had recourse to only in the most extreme and desperate cases, only when some overwhelming public interest demands it. There is not such a situation in this case. We wish to shut the doors—and I am quite willing that the doors should be shut—against any further litigation after this Bill is passed, but there are certain parties before the court now. Are we to pull the judge off the bench and to say to him: "You can no longer decide this question on one of the principles which have been urged before you. The only decision that you can make upon this point is a question of costs." This is most unwise. Nothing could be more calculated to destroy public confidence in courts and Parliament than to pass retroactive legislation in this manner.

Mr. NESBITT: I confess that I do not know very much about law; but after listening to the observations of different members who have spoken on this subject. I certainly do not think that we, as a Parliament, should anticipate the decision of a court once a case has been taken to that court. I do not know what this law intends to cover. If the proclamation is wrong, surely the sentence should cease at the proclamation. Apparently, it goes on and intends to cover anything, on the earth or under the earth or on the sea, that might happen under the Act.

Mr. MACLEAN (Halifax): I beg to suggest that we proceed to the consideration of the Bill, clause by clause. Apparently at the present stage there is no opposition to legislation confirming the proceedings referred to in the Act, but there is some opposition, well founded, I think, to cutting out the rights of litigants now before the

courts. When we reach clause 3, I think it should be expressly and clearly stated that proceedings now pending in any court of Canada, in which is involved the regularity of the proclamation in question, should not be affected by the first two clauses of the Bill. We would make progress if we considered the Bill clause by clause.

Mr. BUREAU: If we spoke on the principle of the Bill, that was because there was no discussion on the second reading. Perhaps my hon. friend was not in the House when it was agreed to by the Minister of Justice that the principle and the whole of the Bill could be discussed in committee.

Mr. MACLEAN (Halifax): I did not hear that.

Mr. MOWAT: The best way to get over the difficulty here is to discuss the whole Bill at one time. Apparently, the feeling upon both sides of the House is that if we have made a technical error—and this is denied by the law officers—which will destroy the main Act and the vote of the peoples in Alberta and other provinces, then it will be beneath the dignity of Parliament to allow that.

But the question arises: Shall we, by passing this legislation, interfere with the rights of private litigants? As I understand the matter, the whole case is that of the Gold Seal Liquor Company asking for a mandatory order against the refusal of the express company to carry the goods. That would mean that the only remedy that the Gold Seal Liquor Company would have had would be the costs if they were successful in getting that mandatory injunction. Therefore, the third clause of the Act, which allows the court to award costs in view of this legislation, should put them in exactly the same position as they were before they started their litigation. It is inconceivable to me that with a clause like clause 3 in force, the court, when advised of the passing of such legislation as this would not decree that all costs incurred by the Gold Seal Company, of which they would be deprived by reason of this Act, could not be reimbursed to them. My only trouble in connection with the clause is that it does not say by whom the costs are to be reimbursed. It would not be fair to ask the Dominion Express Company to reimburse the costs which the Gold Seal Liquor Company would obtain by litigation because no fault would lie with the express company. The clause might be re-

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cast by in some way enacting that the costs should be otherwise reimbursed. It would not be out of the way to suggest that the Dominion of Canada itself should reimburse any of the litigants for costs incurred in proceedings which are nullified by this legislation. I would suggest to the Minister of Justice (Mr. Doherty) that he should add to the clause something to that effect.

Mr. JACOBS: What are these proceedings which are now before the courts?

Mr. DOHERTY: They are proceedings seeking to compel the Dominion Express Company to accept a shipment of liquor from the Gold Seal Liquor Company. In that connection, I might point out just two things; This Legislation does not legislate the Gold Seal Company out of Court. The Gold Seal Company invoked other grounds upon which it bases the action.

Mr. BUREAU: This is one of them.

Mr. DOHERTY: Yes, they invoke a number of other grounds.

Mr. McMASTER: It legislates them out of court on this count.

Mr. DOHERTY: It makes the question that they raise not open to them to raise. But when statements are made about depriving them of something that they had an acquired right to, when hon. gentlemen say that they have no objection to—that they support—the validation of the proceedings so that the law may have been in force from that date, let me point out that such validation is inconsistent with the preservation of a right to those people to have their goods shipped. If the effect of this validation is to make that law valid at the time of these things happening—and that is the only thing that we can do, or let it alone—if there be an interest affected, we are in a position where we are called upon as I pointed out, even assuming that there is going to be some injury to a private interest, to determine, which is the preponderant interest that has to be considered.

As regards the question of damages to the party who was seeking to enforce a right that under this now validating proceeding he would not have, the extent to which that man is worse off because, unfortunately, he took this litigation, or to which he is affected by our present action as distinguished from other people who have not brought actions, depends upon whether he has incurred useless costs.

We are providing that the courts shall determine that question of costs just as though this legislation had not been passed. It can hardly be suggested that the court should make the Dominion Express Company, after this has been validated, carry a man's liquor.

Mr. JACOBS: It seems to me that it is not the function of Parliament to invade the province of the courts. We have the legislative, the executive, and the administrative functions, and we have always kept these jurisdictions apart and independent of each other as well as we could. It seems to me that Parliament ought not to interfere with the functions of the court. The court is organized for the purpose of determining whether these parties are right or wrong, and for Parliament to interfere and declare by a solemn Act what should or should not be done seems to me, firstly, a somewhat unsportsman-like thing to do. The court is there for that purpose. The court is there to hold the balance in its hands, and to see that justice is properly administered, regardless of who the parties are. For Parliament to throw the weight of its influence into one side of the scale appears to me to be, to say the least, unmoral.

Mr. TWEEDIE: I just wish to say a few words in regard to this case, and to put myself on record in regard to the position which the Government have taken in connection with it. I wish, however, before I give expression to my views to state that if this matter came to a vote in the House, I would not feel at liberty to vote on the question, as it is one in which I am personally interested.

I certainly am opposed to the general principle of the legislation which has been introduced by the Government. The case arises over a dispute between the Gold Seal Liquor Company, which is an incorporated company carrying on the business of wholesale liquor dealers in the western provinces, and the Dominion Express Company. Liquor was tendered by the Gold Seal Company to the Dominion Express Company for the purpose of transportation in the provinces of Alberta, Saskatchewan and Manitoba, but the Dominion Express Company refused to carry the liquor on the ground that it would be in violation of the amendment to the Canada Temperance Act, and that they would subject themselves to a heavy penalty for so doing.

Mr. CRERAR: May I ask where the Gold Seal Liquor Company are located and have their offices?

Mr. TWEEDIE: They have offices in the city of Vancouver, Calgary, and elsewhere, I believe.

Mr. CRERAR: This would be a shipment from Vancouver to Calgary, I suppose?

Mr. TWEEDIE: From Vancouver to Calgary, and from Calgary to other provinces in which the plebiscite had been taken. It was agreed between the parties to the action that a case should be stated and submitted to the courts in the province of Alberta, and that was done. One of the admissions made was the proclamation which had been issued, which was really the foundation of the taking of the vote in that province. Objection was taken to the proclamation, because it did not contain the provisions which were expressly set out by the statute, one of these provisions being that the proclamation should set forth the date upon which prohibition should come into force in the event of the plebiscite being carried in favour of prohibition. When the whole thing was argued it was decided, as the Minister of Justice has said, by the Appeal Court of Alberta that that was not such a serious defect as would invalidate the election which had been held under the proclamation. The matter then came to the Supreme Court of Canada, and in view of the fact that it is being adjudicated upon by the highest tribunal we have in this country, I do not believe that this Government should at this date, or at any other date pending that action, submit any legislation to the House to ratify the proceedings which were taken in connection with it. It has been suggested that this is not a matter of paramount public interest, but that the interests which are affected are really those of private corporations—the Dominion Express Company and the Gold Seal Liquor Company. I would submit that that would be true to a very large extent were it not for the fact that the rights of other people in those four provinces which took the plebiscite are very materially affected, because other persons in those four provinces did not vote for the enactment coming into force. Only a very small percentage of the people in those four provinces when the plebiscite was taken voted for the prohibitory law in this country. In the three western provinces, I

suppose there are approximately 1,750,000 people. The number of people who are registered to vote in those provinces is, in Alberta, 195,000, in Saskatchewan, 278,000, and in Manitoba 218,000 odd, but all these people who were registered and had the right to vote did not vote. We find that in the province of Manitoba the number who voted for prohibition was 68,000, in Saskatchewan, 86,000, and in Alberta, 63,000. So there were approximately 200,000 people in these three western provinces, out of a population of 1,750,000, who voted for total prohibition of the importation of liquor into those provinces. It would not be fair to say that all those who were entitled to vote, and did not vote, would have voted for the importation of liquor if they had voted, or that the balance of the 1,750,000 were all entitled to vote, but we find that a great majority of the people in these three western provinces did not vote on this question at all, and that only about one-eighth or one-ninth of the people cast their vote in favour of prohibition. The people who voted against prohibition in that province have some rights. The people who did not vote at all on the plebiscite have some rights, and the case which is now being determined by the courts of Alberta, and which is now under consideration by the Supreme Court of Canada, affects the rights of every person in the three western provinces and the province of Ontario. Those people who were opposed to prohibition have just as good a standing before the courts of this country as those people who voted for it. I submit that when the courts have this question under adjudication, it is not the duty of this Parliament to interfere by means of legislation supporting either one side or the other side of the public, any more than we have any right to introduce legislation which would support the rights of either of the private parties to the case that is before the courts.

But I object to this legislation on a much broader ground than the plebiscite which was taken in that province. The nearest analogy that we have to this plebiscite for the introduction of prohibition in the provinces is a proceeding which is very often invoked, the proceeding of acquiring public domain by statutory authority, and there is a general principle of law—and I believe that no person in this House is more familiar with it than the Minister of Justice—which is to the effect that where you are depriving any man of his

[Mr. Tweedie.]

rights by statute you shall be held to strict compliance with every letter of the statute if you wish to exercise the statutory authority which you have under it. These proceedings have come before the courts in this country many times in connection with election petitions, and everybody knows that many elections have been set aside, notwithstanding that the verdict in those elections may have reflected the will of the great majority of the people in the constituencies concerned. Many such elections have been set aside on pure technicalities, and I do not believe that this House or any other legislative body in the country would consider introducing legislation to validate an election to the House of Commons or any other legislative body if it were discovered that there had been a defect in the election proceedings.

Mr. McMASTER: The hon. member is forgetting the case in the Yukon.

Mr. JACOBS: The exception proves the rule.

Mr. TWEEDIE: I do not say that there may not have been such a case, but the will of the people is not regarded when the legal rights of the parties before the court are in question, and no legislation can be introduced to validate defective proceedings. We find practically the same principle in connection with by-laws passed by municipalities, and also in connection with by-laws passed by corporations. If they wish to exercise any power which is delegated to them, they must assert their rights strictly under the authority or the law delegating that power to them. The House of Commons, in the amendment to this Act, has delegated certain power to the officers of the Crown for the holding of elections and taking the votes of the people, and in my opinion the officers should follow strictly the power delegated to them, and it should not be said, after people have exercised their rights: "Well, it was simply a technicality and we are going to brush it aside with further legislation." It is of the utmost importance to this country, as it is to any other, that, when rights are established by law, they shall be respected by the Parliament which creates them; and when you have a superior judicial body established for the purpose of determining the rights of parties under our laws, neither this Government nor any other should step in and validate something that was irregular in the proceedings. I submit that in the in-

terests of the general principles of law in this country we should do well if we bore with the mistake that has been made and began all over again, so that public officials would know that this is not an institution to remedy any errors they may have made.

Section agreed to.

On section 3—court may make order as to costs:

Mr. McKENZIE: Does the minister think that this section empowers the judge to make the Government liable for costs? If it does, I shall be perfectly satisfied with the whole Bill. The express company has no right to be held liable in costs. They take for granted that the proclamation and all the proceedings of Parliament are correct, and in refusing to take the goods they were under the impression that they were obeying the law of the land. Suppose it turns out that they were wrong, that by reason of some defect the proceedings were not valid. They will be mulcted in costs by no fault of their own, but simply because they were standing by the law which they thought was right. Why should they be put into a difficulty because of some irregularity on the part of the central authority? Should they not be protected, having stood by the law as it was? If there is a mistake, and they are to suffer in any way at the hands of the court, if the minister thinks that the judge has power to protect the defendant company by making the Crown pay the costs, I would have no objection to the Bill at all. I quite understand the principle which has been set forth by hon. gentlemen opposed to the Bill. We must not lose sight of the fact

that there must be merits in a case, and I am not impressed with any merits in this case at all. The plaintiff company must have believed that it was the intention of Parliament, and of the provinces as well, that this law should be enforced, and therefore they were taking great chances in proceeding on a mere technicality. I do not regard the case as having very much merit, but if they succeed they should get costs, and if they do not succeed, they are not entitled to consideration. But if the express company loses by reason of the fact that they stood by the law, then the costs should not be paid by them, but by the Government.

Mr. DOHERTY: If the Dominion Express Company were liable to be condemned to pay costs because this legislation had been passed, then I would quite agree that

it might be a proper thing to provide that the Dominion of Canada should pay the costs. The question as to the regularity of the proceedings will be decided so far as costs are concerned just as though this legislation had never passed. The only case in which the Dominion Express Company could be condemned in costs would be if it were declared that the prohibition proceedings were invalid, and therefore they were bound to take the shipment; but that position is not created in any way by this legislation. There is no action that we are taking now which renders it in any way more likely that the Dominion Express Company will be condemned in costs. As regards the costs, the litigation will be determined between these people, so far as this question is concerned, just on the law as it stood when they instituted their proceedings, and therefore I do not see how you could justify the Dominion of Canada paying the costs when it is not any action of the Dominion or of this Parliament that in any way affects the adjudication of the case in so far as such costs are concerned.

Mr. McKENZIE: If this law was not properly brought before the people it is our fault; if our proclamation was incorrect, and it got a man into trouble who believed he was safe in acting under it, then we are responsible. It is our fault if our proclamation was bad, proclaiming to be in force a law which we did not bring into force properly. It is our trouble; it is our fault. It is not his fault; he has a right to believe that the law is valid and right. He says "I will not take your case because there is a law to prevent it. The Governor in Council has said so, and the Parliament of Canada has said so." But he finds when he goes to court depending upon that declaration of the Parliament of Canada that all these proceedings were irregular, that the shelter he was putting up for himself is useless, and he has to pay the costs because he was depending upon the law being valid. For that reason I say we have a right to protect that man from any bad effect resulting to him by reason of the law we have passed.

Mr. DOHERTY: It would be a very dangerous principle—

Mr. CLARK (Red Deer): I would request my right hon. friend the minister to save just a little of the energy he is expending upon the uplift of society for the uplifting of his voice.

Mr. DOHERTY: I flatter myself that I will be able to do both. I was going to point out, in answer to what was said by the hon. member for North Cape Breton (Mr. McKenzie) that what he says involves our accepting the principle that wherever it may happen that this Parliament passes a law which may be found to be ineffective, it will become the duty of the Government of Canada to pay the costs in all the cases that may be instituted under that law. If that is a sound principle we should adopt it for general application. If it is not a sound principle we should not apply it in this case. If the liability for costs was affected in any way by the passing of this Bill, and if somebody who would have his costs paid if this Bill had not been passed were deprived of those costs by the operation of this Bill, or if somebody who would not have had any costs to pay if this Bill had not been passed became liable in costs because of its passage, then I would say the suggestion of the hon. gentleman was perfectly proper and ought to be acted upon. But so long as in the matter of costs—and that is the effect of section 3—everybody is left in absolutely the same position as if this legislation had never been passed then, as I pointed out, we can only provide that the Dominion of Canada ought to pay the costs in this case if we were prepared to adopt as a principle that every time it happens, for one reason or another, a law of ours is found by the courts to be ineffective we will step in and pay the costs of the people who took the position—and mark you took the position because it was in their interests to do so—that our law was valid. I submit that is a principle to which this Parliament should not commit itself. I might, however, add this: If when this legislation is over it be made to appear that somebody has suffered prejudice in some special way in connection with this case, it will be open to him to lay his claim before the Government and before this Parliament, and if there is any inequity we can deal with it then; but I do earnestly submit that we should not by this Bill endeavour to create rights which do not arise in connection with or by reason of this legislation but are based on a different principle; and moreover that it is most undesirable that we should enable the court to pronounce judgment against the Government of Canada in a case to which that Government is not a party at all. But my main reason is that this Bill leaves absolutely untouched the question of costs in the pending litigation.

[Mr. M. Clark.]

Mr. POWER: If I understand the minister his reason for bringing in this legislation is to give full effect to the will of the people of three western provinces as expressed at the poll. I for one have no intention of criticising the minister for this very laudable intention, but I would like to ask why he would not treat the people of Quebec in the same way? We in the city of Quebec have by a petition signed by an enormous majority—

Mr. LEMIEUX: Nineteen thousand.

Mr. POWER: Yes, nineteen thousand, asked the Governor in Council to suspend the operation of the Canada Temperance Act. Not only is this true of the city of Quebec but, a large number of counties in the province have gone through the same procedure. Under the Canada Temperance Act the Governor in Council is empowered to suspend the operations of the Act. Under certain conditions provided, petitions have been duly signed and sent to the Minister of Justice, as I understand, by the people interested throughout the whole province, to suspend the operation of the Act in question, and though there has been to my knowledge—and I think to the knowledge of every member here—no contrary wish expressed by anybody or any society in the province, the minister has refused to accede to the request. I would like to ask him therefore why he is giving to the western provinces what they have asked for, by legislation which is of a more or less doubtful character, and why he is withholding from the city of Quebec similar legislation in order to free themselves from an Act which the people there have decided is not in the best interests of the province. I would ask the minister to tell us if there is any real reason why they should not be given legislation similar to that which is granted to the West.

Mr. DOHERTY: I would gladly answer the question that is put to me and discuss the position in Quebec city with regard to suspending the Scott Act at any time when it was pertinent or relevant to the business that we were concerned with, and I think it would be easy enough to make the opportunity. But that question, I submit with a good deal of confidence, has no relevancy to this particular Bill.

Mr. JACOBS: This is liquor legislation.

Mr. POWER: Will the minister pardon me? It is pertinent because this is a Bill to amend the Canada Temperance Act and we would like an amendment which would

permit us to have the Canada Temperance Act repealed so far as the city of Quebec is concerned.

Mr. DOHERTY: As I said I shall be quite prepared—if it be held that this is the proper time and place to discuss that question in connection with this Bill—to answer the question put to me, but I do submit—and I would be glad if the Chairman would give a ruling upon that point—that the question now put is not relevant to anything contained in this Bill, nor is a discussion upon the question of the powers and duty of the Governor in Council with regard to the suggested suspension of the Scott Act in the city of Quebec pertinent at the present time.

Mr. POWER: I submit it is pertinent to the discussion. We are now discussing an amendment with regard to certain proceedings under part IV of the Canada Temperance Act. If I understood the Prime Minister yesterday, when we were discussing the question of two portions of an amendment to the Civil Service Act, and hon. gentlemen on this side of the House objected to certain resolutions being incorporated in the Bill, which was then before the House, he stated that he did not wish to have two separate amendments to the one Act during the session, nor two individual Acts.

Mr. ETHIER: It was the same with the bankruptcy legislation.

Mr. POWER: The Minister of Justice should incorporate in this Bill, which is designed to amend the Canada Temperance Act, any other amendments which might be suggested to him by hon. members and which he might think fair. Now, I suggest that he give effect to the expressed will of the people of the city of Quebec and of the people of several counties in the province of Quebec—not only that, but that he give effect to the expressed wish of the government of that province. He might just as well do that for the province of Quebec as for the province of Alberta.

Mr. DAVIDSON: Mr. Chairman, I submit that the subject introduced by the hon. gentleman would be relevant if this were the second reading of the Bill, but we are discussing clause 3, and I submit that the discussion is not pertinent to this particular clause.

The CHAIRMAN: The point of order taken by the hon. member for Annapolis

would certainly be well taken if we were following in committee the rules of procedure which should be followed. When the second reading was called from the Chair, it was understood between the Minister of Justice and the hon. member for Three Rivers that there would be no discussion of the principle of the Bill then but that it would take place in committee. It is absolutely impossible for the Chair to decide when discussion of the principle ceases and of the clauses begins. Therefore under the circumstances I do not think that I can very well call the hon. member for Quebec to order.

Mr. DOHERTY: I simply want to have a ruling upon this question, not on the ground of adherence to a particular section but whether or not this is the proper time to enter into a discussion as to whether the Governor in Council should or should not have suspended the Scott Act in the city of Quebec. We have this Bill before us in its entirety. I am quite prepared to deal with it if in your judgment that is a question which we should discuss as being germane to the principle of this Bill. All I desire, and this is the view that occurs to me, is that we should proceed in some method that will be regular and will lead us somewhere. Might I point out to the hon. gentleman that the amendment he has suggested should not be proposed until we have first dealt with the clauses of this Bill? It would have to be an addition to this Bill, and I think it is at least a little premature to discuss it before we have disposed of these clauses, even if then it be a proper matter for amendment.

Mr. POWER: I am simply suggesting, perhaps at an inopportune time, but before the Bill is ultimately carried, that the minister bring down an amendment to the Canada Temperance Act which will permit the people of the city of Quebec to obtain that for which they have expressed a wish, and which is the overwhelming desire of themselves and their representatives. I am sure the minister could draw up an amendment in a very short time that would give effect to the will of the people of Quebec.

Mr. MACLEAN (Halifax): Mr. Chairman, the first two clauses having been passed, there is only one issue left to be determined by the committee, and that is as to the treatment which shall be meted out to the pending litigation, and I think we can determine it very quickly. I propose moving an amendment that clause 3 be

struck out and the following be substituted, if I can get a seconder. Before reading the amendment, let me say that I think we should not consider this Bill, having in mind the litigation before the Supreme Court of Canada or other litigation pending in any other courts. It seems to me that it is better to close our eyes to such facts. Nor do I think the suggestion of the hon. member for Parkdale practicable at the present time.

I think the Minister of Justice is perfectly right in declining to accept that suggestion. My amendment is:

That clause 3 in the present Bill be stricken therefrom and replaced by the following:

3. Any proceeding pending in any court in Canada at the coming into force of this Act in which the validity of any proclamation referred to in section one of the present Act is questioned shall not be affected by the provisions of this Act but shall be determined in the same manner as though this legislation had not been enacted.

Mr. PROULX: Does my hon. friend think that this might have the effect of nullifying the vote taken last fall in Alberta?

Mr. MACLEAN (Halifax): I would not think so.

Mr. DOHERTY: It certainly will.

Mr. MACLEAN (Halifax): It is too large a question to express an opinion on here, but I would not think so.

Mr. DOHERTY: I think if the hon. gentleman reflects for a moment he will realize that the effect of the amendment will be this: That if there be any defect in the proclamation the whole plebiscite of Alberta will be set aside and count for naught; and I may tell him that the same thing will be true in regard to Manitoba, because though I am not aware how far the proceedings in that province have advanced there are proceedings pending there. The effect of the amendment is to defeat the purpose of this legislation as regards those two provinces.

Mr. MACLEAN (Halifax): But sections 1 and 2 of the Bill validate all the proceedings. The amendment is intended only to preserve the right of existing litigants, as to costs.

Mr. DOHERTY: But the right that existing litigants are urging is the right to have all these proceedings declared invalid. If we declare them valid and say, nevertheless, that our declaration of their validity shall not affect any pending pro-

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ceedings; if in those proceedings the court is asked to declare, contrary to our statute, that they are valid—if we tell the court that it is to decide that question just as it would have decided it if this legislation had not been passed, then we make this legislation entirely inapplicable as regards the plebiscites held in Alberta and Manitoba. One of the principal purposes of this Bill is to validate the proceedings as regards those provinces as well as provinces in which suits have not as yet been instituted—Ontario, for instance. Now, what would be the effect of our doing that? We would make a discrimination as between citizens. The hon. member for Calgary spoke of the rights of the people who had voted against the prohibitory legislation. Those rights, whatever they may be, are just the same in a province where the suit has not yet been instituted as in a province where a suit has been instituted, and the man who instituted the suit in Alberta has no greater rights than every other man in Alberta who would have been entitled to have liquor shipped if he had asked for it.

Mr. MACLEAN (Halifax): I do not object to the passage of clauses 1 and 2 of the Bill, which seek to validate certain proceedings. The amendment I propose does not seek to disturb anything enacted in clauses 1 and 2 of the Bill. If judgment is given it will be inoperative, but the proposed amendment will affect costs. If the amendment is not properly drafted my right hon. friend might cure that.

Mr. DOHERTY: The hon. gentleman does not want to affect the judgment to be rendered under the clause, or to prevent the application of the two previous clauses to the Alberta plebiscite. If he does not want to do that and if they do apply, then as regards this formality the question remains before the court to be decided, so far as costs are concerned, by the law as it stood irrespective of this legislation. So that interpreting his amendment as I understand him to interpret it, that is to say, as saving the rights as to costs and providing that they will be decided just as if the law had not been changed—the present section 3 confers that power upon the court and is, I think, the usual section drafted for precisely that purpose—should the court arrive at the conclusion that if it were not for this legislation the prohibition would have been invalid, it will then be free to adjudicate the costs in favour of the party who brought the suit. It is for that purpose that this section is included, but the suggested amendment

of the hon. gentleman entirely overshoots the mark and produces the result that not only as to costs but as to the merits or substance itself the court would have to be guided not by this law, which we are passing to guide it, but by the law as it stood irrespective of this legislation.

Mr. LEMIEUX: I do not object to the Bill in itself; it would be unfortunate, I think, if after the expense of a plebiscite in a given province it should become necessary, on account of some technical omission in a proclamation, to hold another plebiscite. But as has been pointed out, litigants in pending cases are supposed to be proceeding in good faith, and with the passing of this legislation there must be a decision by the court as to which party shall pay the costs. It would seem upon a reading of the third section of the Bill that it simply gives discretion to the judge with regard to costs and that the parties may be sent back without having the question of costs determined. On the other hand, having cured whatever defect there was in the proclamation, will the Supreme Court, if an appeal is inscribed in that court, care to adjudicate as to costs in a purely hypothetical case? If I remember rightly, some three or four years ago a hypothetical case was submitted by the Government to the Supreme Court of Canada and the court refused to adjudicate upon it. With the passing of this legislation there remains only the question of costs, and as neither party would win I do not know how the court would deal with that phase of the matter.

Mr. DOHERTY: I do not think that Parliament should impose an obligation on the court to decide the costs in a particular way. The purpose of this section is to obviate any suggestion that because this Act might make one party lose who otherwise would have won the court is called upon to give costs to the party winning. It is to emphasize the fact that the costs remain in the discretion of the court, and that it may give the costs to the party who lost, supposing that he lost by reason of this legislation. I think hon. gentlemen will agree with me that it is a general principle that costs are in the discretion of the court. No doubt it is a sound discretion for the court to exercise to give the costs to the winning party, and that is the rule. But hon. gentlemen will recollect, I have no doubt, numerous cases in which the court has said: "Yes, this plaintiff is right on the abstract law, and I have to give him a judgment, but there are cir-

cumstances connected with his conduct in connection with this case which make me feel that he should not be entitled to his costs." That is one instance. Take this particular case and see what might happen.

Mr. LEMIEUX: Each party paying his own costs.

Mr. DOHERTY: That might be so. Take this particular case. As I mentioned, this alleged irregularity is only one ground upon which this matter is contested. There are several other questions of much greater importance, questions involving the constitutionality of the Temperance Act, and the constitutionality of the provincial legislation. It would be perfectly proper for the court to consider, supposing it arrived at the conclusion that, under the law as it stood without this amendment, the plaintiff was right on this particular question, but was wrong on all the other issues raised, that the exercise of a sound discretion would be to divide the costs or to deal with them otherwise than to condemn a man, who was right on, say four or five of the questions raised, but wrong on this minor question, to pay all of the costs. I would very much regret if this Parliament felt it to be its duty to take away from the court any discretion with regard to these costs. What we are doing makes a perfectly safe position for any party who would have won without this legislation. The court will not deprive him of his costs if it would otherwise have given them to him had it not been for this legislation. That is what we want to secure. I think I am quite safe in saying that this is the clause in practice adapted to produce exactly that result. It was drawn up by the deputy minister, and I might add that the only observation that the deputy minister made when I suggested it was that it was not a necessary clause because, by law, costs are in the discretion of the court. I thought, and I still think it is a wise clause, because I want to make it clear to the courts that they shall be at perfect liberty to give costs even to the man whose case may fail by reason of this amendment, but who would have been right if it were not for this amendment.

Mr. MACLEAN (Halifax): Does my right hon. friend not think that clause 3 in the Bill will absolutely prevent courts from granting costs to the party who fails to prove that the proclamation was valid. The discretion is given to the court to give costs, but then the sentence ends with the following words:

Having in view the provisions of this Act.

The provisions of this Act are that the proclamation and other proceedings are valid. It looks like a deliberate enactment to prevent—

Mr. DOHERTY: I am quite willing to strike out those words, if they are thought to—

Mr. MACLEAN (Halifax): I think my amendment is the better way of bringing about that end.

Mr. DOHERTY: The hon. member's amendment goes too far.

Mr. McMASTER: It seems that there is a clearer-cut and shorter way of arriving at the destination which both the hon. member for Halifax (Mr. Maclean) and myself, and, I believe, a number of the members of this House desire to reach, namely, that people who are asserting rights which they had acquired prior to the introduction or the passing of this legislation should not have those rights taken away from them. My suggestion—and I make it by way of suggestion—will be that clause 3 be struck out and the following substituted therefor:

This Act shall not affect pending cases.

Mr. MEIGHEN: I certainly do not want to prolong this discussion if I can avoid doing so. I should like to say something that would have the effect of shortening it if I could. I think the amendment moved by the hon. member for Halifax (Mr. Maclean), and also the suggestion of the hon. member for Brome (Mr. McMaster) respecting the Bill, if enacted would utterly destroy the effect of the Bill as regards Alberta and Manitoba. It would mean simply that the judges should not have regard to this Bill at all in deliberating on those cases. Consequently, if the Bench should find that, on all the main subjects that were before them, the case went against the applicant, that is against the plaintiff, but on the plea that there was some irregularity in the proclamation they were compelled to find in his favour; or if they said: "We will not bother with the main subjects at all; we will deal only with this latter, because that is all that we need deal with, and we find in favour of the plaintiff on that"—if that should be the judgment of the court, then the judgment will be just the same as if no Bill at all passes, because the court would have to say as regards these cases: "There is no Bill, therefore, we hold that because of the

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irregularity, the whole plebiscite goes by the board in Alberta and Manitoba."

Mr. MACLEAN (Halifax): This is not new legislation. You will find it in the British statutes; you will find it in the statutes of all the provinces. It has only the effect of rendering the whole or part of the judgment ineffective, but it leaves the question of costs free.

Mr. MEIGHEN: There are cases, of course, of altering a law and saying that the alteration shall not apply to pending cases, and then the law stands. Where the pending cases are merely the individual rights of one citizen against another as to property, that may be all right; but here the pending case is a case to upset the whole law, and if the courts hold they cannot regard this Bill in relation to that, the law is upset in both Manitoba and Alberta. We do not want to bring that result about. I know the hon. member does not; but if his amendment were to pass, that would be the result, and the same result would occur if the suggestion of the hon. member for Brome were to be adopted. The way the matter stands now, if the last few words have some effect, as suggested by the hon. member for Halifax, there is no objection in the world to deleting those words. I would not think they had that effect, but I think the sentence is quite complete without them and, consequently, they might be deleted. The judge has discretion. If, for example, the court should hold that, on account of irregularities, had it not been for this legislation, the plaintiff would have won, then it would seem to me that the court, exercising the discretion vested in it by clause 3 would say: "Inasmuch as the plaintiff would have succeeded here had it not been for this Bill, the plaintiff is entitled to costs. He had the law on his side, it may be on a technicality, when he entered his action, it may be on a technicality, until he completed his action; he, therefore, should have his costs." Had this Bill not passed, he would have had his costs from the defendant, therefore, he would have them still; but supposing there should be such a finding that we should think it unfair to the defendant that he should pay the costs, the Government could consider afterwards the possibility that the costs should be paid out of the treasury. There will be plenty of time to consider that afterwards.

Mr. MACLEAN (Halifax): Is my right hon. friend satisfied that the clause as it

will remain after striking out the words "having in view the provisions of this Act" will accomplish his purpose? It does not seem very clear, at least.

Mr. MEIGHEN: I think the words "having in view the provisions of this Act" makes it rather clearer. It simply says to the court: This is an Act passed while the case was sub judice. Now having in view that fact, we vest in you full discretion as to costs; keep that fact in mind in allotting costs. That is what it says. I think it says the same, though perhaps not quite so clearly, if those words are left out. That is surely all that is at issue.

Mr. MACLEAN (Halifax): We are trying to accomplish the same purpose, and it is just a question of the best possible way of doing it.

Mr. TWEEDIE: Costs against whom?

Mr. MEIGHEN: Had there been no such Bill and the court had found that on account of the irregularity the plaintiff would succeed, then against whom would the costs be? As against the defendant, of course. Why should this Bill relieve the defendant of costs? No reason in the world. The court would say: Had the Bill not been passed the defendant would have been mulcted in costs. The passing of the Bill should leave him as to costs just where he would have been if the Bill had not been passed. Therefore the defendant should pay the costs. Why should he not?

Mr. TWEEDIE: In case of the decision being against the appellants there is no provision in the third clause whereby the Crown can be charged, by order of the court, with the costs.

Mr. MEIGHEN: There should not be any. The appellant was the plaintiff in the first case, I understand. Very well. Had this Bill not been passed it is the defendant, as between him and the plaintiff, who would have been mulcted in costs. Would he not? Well, the defendant is in no better position in the litigation because this Bill passes. It is no credit to him that this Bill passes; he should not receive anything because it passes. If he was wrong in the first place, in law, he should be mulcted in costs. This Bill enables the judge so to decide; that is all.

Mr. MACLEAN (Halifax): There is only one way of determining properly who shall pay the costs in any given piece of litigation, and that is the determination of the legal issue involved. If you cut that

out I do not see how a court can exercise jurisdiction in the matter. I am not impressed with the point that my right hon. friend and the Minister of Justice makes that the amendment which I propose will destroy the whole purpose of this Bill. Surely, sections 1 and 2 remain effective and they nullify the judgment of the court upon the issue before the court. The only thing that is not affected would be the costs.

Mr. MEIGHEN: The costs do not follow the event as a matter of course. They do not in our province. I have conducted litigation where I have succeeded and have had to pay the costs of the other man besides.

Mr. JACOBS: That is what drove you out of law.

Mr. MEIGHEN: I would rather be inclined to think that even without this clause—I do not speak positively, because I never reached the Supreme Court in my practice, I was confined within more modest limits—the Supreme Court would have power, were the plaintiff to be defeated because of this Bill, to give him costs. This makes it absolutely clear, and, indeed, is an indication that in the disposition of costs the fact that this Bill has passed will have no effect whatever.

Mr. JACOBS: Does not the question of damages arise also? We seem to have been discussing the matter wholly from the point of view of costs.

Mr. MEIGHEN: The question of damages was discussed, and the committee came to the conclusion that there were only costs involved in so far as there were rights of defendant or plaintiff, and that that was all we need consider so far as this Bill is concerned. There are really no damages. It is really a case based not on a claim for damages, but put forward only for the purpose of testing the validity of the law.

Mr. McKENZIE: That must have been a very bad case that the Prime Minister mentioned, where he won and had to pay the costs. It reminds me of the dictum of a very venerable Chief Justice we had in the province of Nova Scotia. I heard him deliver a judgment once in which he said that the case was wrongfully brought, badly advised, and badly conducted, and he had much pleasure in dismissing it with costs. Perhaps it was a case of that kind my right hon. friend had.

The right hon. Minister of Justice is putting me in wrong, in a way, by saying

I am defending the principle that if ever a statute is found to be defective, or that it does not accomplish its purpose, the Government must pay the costs of the defendant. If I stated anything of that kind, that was certainly not my intention. Let us suppose we pass an Act of Parliament. It passes this House and the Senate, but through some inadvertence it does not receive the assent of the Crown through the Governor General. In that condition it finds its way to the statute book, and goes out to the world as a statute that has passed Parliament and received the assent of the King, although it never had. That is clearly a mistake. The statute in that shape is a mere empty piece of paper. We will suppose that a litigant takes advantage of that statute, thinking it to be all right, and when the case comes to court it turns out that the statute never received the assent of the Crown, and that it was therefore invalid. That clearly would be a mistake on the part of some executive officer, and no fault of the litigant at all. It clearly being the fault of the parties in charge, namely, the Crown, the party who thought that the statute was all right should not be mulcted in costs or damages because he was innocently led into thinking that the statute was perfectly valid. That is the case here. This express company had a right to expect that the proclamation was all right, and they are standing by it. I am told that the Government did not do all that was necessary under the statute in connection with the proclamation, and that consequently we are rushing to put that right. Now the man who thought the proclamation was all right, and put that up at his defence should not suffer any damages. That is the position I take. There was clearly a default on the part of the authorities in putting the proclamation into force.

Amendment negatived.

Section agreed to.

Bill reported, read the third time, and passed.

#### CUSTOMS AND EXCISE ACT

On motion of Hon. Mr. Wigmore (Minister of Customs and Inland Revenue) Bill No. 211, respecting the Department of Customs and Excise, was read the second time, and the House went into committee thereon, Mr. Boivin in the Chair.

On Section 2—department constituted.

Mr. McKENZIE: There is some reference in this section to a preventive ser-

[Mr. McKenzie.]

vice. I have had some communications with the commissioner of the department in regard to a case in my county, in the northern part of Victoria, where complaints are being made about the illicit distillation of liquor. In previous years there were a couple of officers in that part of the country, but a few years ago the Department of Inland Revenue dispensed with the outside officer. The official at Bay St. Lawrence and McLellan was dispensed with, and since then, I am informed, there has been considerable illicit distillation of liquor in that part of the country. I have been requesting the department either to appoint a man or send one down there to look after the business. Only a couple of days ago I had a letter from a respectable clergyman saying that no one had been sent to the district and that this illicit traffic is creating quite an annoyance to himself and others. Is it the intention of the Government to appoint an officer there permanently? It is exceedingly difficult to send a man down there off and on, and it would be much less expensive to have an official on the spot permanently. In winter time, at any rate, it is practically impossible for a man to get there; the place is 125 miles from a railway, and it would be a physical impossibility for a man to get through the large accumulations of snow. There should be an officer on the spot as there used to be; if there were, there would be no trouble of this sort.

Mr. WIGMORE: Since this matter was called to the attention of the department, a man has been sent down there. He returned a couple of days ago and reported to the department. The department is now considering the advisability of appointing a man permanently rather than sending one from time to time. An officer would have been sent before now but for the impassable state of the roads and the adverse weather conditions. We realize that this illicit traffic is increasing, and a closer watch will have to be kept.

Mr. JACOBS: I notice that the deputy of the department is referred to as Commissioner of Customs. Why is he not designated deputy, as in other departments?

Mr. WIGMORE: He is the deputy, but he is also chairman of the Board of Customs Commissioners, and that is why he is called Commissioner of Customs.

Section agreed to.

On Section 3—Minister's duties, powers and functions.

Mr. JACOBS: What is the reason for this section?

Mr. WIGMORE: It is the usual constituting clause which appears in all Acts.

Mr. JACOBS: I thought it was a reflection on the present minister, and I wanted to remove it.

Mr. WIGMORE: Thank you.

Section agreed to.

On Section 6—Entry not perfect unless invoice produced, and on foreign shipments of \$100 or more bears a certificate of trade or consular officer.

Mr. FIELDING: We have already discussed the general question whether or not there should be trade agents in the United States. I do not want to repeat

10 p.m. the debate on that question, but this clause contemplates allowing these officials to collect fees and keep them. There may be exceptional circumstances to justify that, but, speaking generally, the practice is not a sound one of allowing officials to collect and keep fees. The wiser policy, wherever you authorize a public official to collect fees, would be to make him account for them and let him receive whatever salary is fixed. I want the Minister of Trade and Commerce (Sir George Foster), whose department is affected by that clause, to consider the suggestion.

Sir GEORGE FOSTER: The suggestion is a very proper one, and it is not at all the intention to do other than turn in to the general fund the fees that are collected; and they shall be accounted for. But as in similar cases in other countries, there are sometimes men who are appointed as sub-agents or sub-commissioners who are at some outport or place that is not very important. They get a certain allowance and they have to account for the fees. But instead of, for instance, remitting to a far country a small amount and having a cheque sent back, or adopting some method of payment which involves transmission for a long distance and also expense, an arrangement can be made with any bank which is close at hand so that these fees can be paid into that bank and checked out again.

Mr. FIELDING: The practice my hon. friend proposes is that regulations may be made to determine what proportion of these fees, if any, shall be retained. I quite

agree that fees should be paid into a bank and checked out whether that may be possible, but in this case the department is not doing anything of the kind. What it proposes will lead to confusion and is not, I think, in accordance with sound business.

Sir GEORGE FOSTER: There may be some instances where it will be difficult to make use of a bank. This simply gives a discretionary power, and that power will not be used except where it is practically impossible to carry on transactions through a neighbouring bank.

Mr. MACLEAN (Halifax): We were informed the other day, when the resolution upon which the present Bill was founded was before the House, that the clause in question was inserted at the suggestion of the Minister of Trade and Commerce, and therefore I shall direct my remarks to him. I am going to move that this clause be struck out and I hope the committee will unanimously support my proposal. But if hon. gentlemen should make a mistake in judgment and not support my amendment, I hope the Minister of Trade and Commerce will not proceed with the enactment of the clause without at least giving himself the opportunity of a further study of it and providing that it will not go into effect except upon proclamation. I want to say to the minister that this clause will not carry the judgment of anybody in this country who has given to it any study or reflection whatever. I venture to say there is not a business man in Canada who will accord it his approval, if he considers it for ten minutes. Somebody made the astounding statement the other night that the clause is calculated to extend Canadian trade in the United States. Well, trade is usually extended by consuls, vice-consuls, or even by trade commissioners. I admit that the sending of a special trade commissioner, possessed of special qualifications, to a foreign country to study a special trade—for example, the extent of cotton production in India—might be of great advantage to people engaged in that particular industry. I also agree that a trade commissioner, designated to study trade conditions in foreign countries, with directions to report to his home country might do some good, although I have some doubts even as to that. If my right hon. friend were to go to the most advanced industrial countries in the world, that have the most experienced trade representatives abroad, I think he would find them giving it as their judgment that

they did not believe their trade was substantially increased by having trade agents. Trade can only be increased by reason of the operations of the law of demand and supply. There must be a buyer and there must be a seller. Well, does my right hon. friend mean to say that he is going to extend trade and commerce by having trade agents who are to be paid \$2.50 in respect of each invoice? The contention was made here a few days ago that the United States does exactly the same thing, and in this country. Well, the United States is not an exemplar to us in all things. They make mistakes just as we do. They made mistakes in years gone by, and have perpetuated them, and persisted in them, just as we and other people do, therefore, the practice of one country cannot be presented to the people of another country as a safe guide always. Now I have made inquiries of the American consular agents in Canada and I am informed that while theoretically they are supposed to do what they can, along with their other duties, in extending American trade, yet, practically, and as a matter of fact, they pay no attention to it whatever. In my own province I know several of the persons appointed as consular agents who grant these certificates to Canadian exporters to the United States, and I know as a matter of fact that during the whole period in which they served in such capacity they never did anything to extend American trade in my province—they never thought of it. You cannot extend trade through the influence of a man who is paid a small fee of \$2.50, on invoices accompanying the exports to another country, which individual has, in all cases, other duties and other work to perform. I would rather have my right hon. friend approach the United States and inquire if—as between Canada and that country—some formula could not be worked out by which—so far as Canada and the United States are concerned—this practice of exacting a fee upon the invoices, known as “the consular agency fee” should be abolished. I believe that if my right hon. friend approached the United States with a proposal of this kind he might possibly succeed. He should direct his efforts to bringing this about rather than adopt the foolish absurd, and irritating practice which the United States follow. Now people who are engaged in business know how inconvenient and irritating the practice is of requiring the payment of a fee and an

[Mr. A. K. Maclean.]

invoice upon exports from Canada to the United States. In many cases men are obliged to travel from twenty-five to fifty miles in order to secure certificates, and from time to time to overcome this inconvenience requests are made by Canadian business men to appoint further United States consular agents at points here, there, and everywhere. I suppose that within the last twenty-five years the United States Government have had twenty-five hundred applications, at the rate of one hundred a year, to appoint consular agents in order to meet the requirements and convenience of Canadian exporters. Now how could you possibly get a sufficient number of persons appointed in the United States that would meet the requirements of American exporters to this country? I see that my right hon. friend has a vote of \$100,000 in the Estimates this session for this purpose. It will not commence to meet what I think will be the legitimate demand which will be made upon this service if it is created in the United States. I think you will find that in many cases Americans will refuse to accept the orders of Canadians if they are obliged to go twenty-five or one hundred miles in order to secure this certificate, or if they are obliged even to send a letter a distance of fifty or one hundred miles and be exposed to the delay consequent thereon.

Now, at this late hour I do not wish to detain the committee unduly, but I simply put my views before the minister with the hope that he will abandon this proposal. It will not extend Canadian trade to the amount of one dollar. I venture to make the statement that he cannot find in the United States any business man who believes that American trade has been extended in Canada by reason of the appointment of consular agents and the exaction of this fee on the granting of export certificates. The United States is doing business in this country by reason of the fact that we want some of their productions, and that their commercial travellers are in Canada every day meeting their customers. And the way to build up trade between Canada and the United States is to have the Canadian exporter send his commercial agent or representative across to the United States and meet at first hand prospective purchasers of his productions. Why waste \$100,000 or more hoping to extend trade in this way when the Canadian exporter and the American importer can be brought to-

gether almost within forty-eight hours? I regard the whole proposition as directly inimical to the business interests of this country. I say that it should not be accepted by Parliament, and I trust my right hon. friend will agree to abandon it altogether. But if he remains adamant, I hope he will at least insert somewhere in the Bill a proviso that this clause shall only come into effect by proclamation, so that in the meantime he will have adequate opportunity of canvassing Canadian business opinion on the matter.

Further, I would urge upon my right hon. friend that instead of endeavouring to repeat what I think is a mistake on the part of the United States, he should approach the Government of that country with a view of entering into some arrangement whereby the requirement of a certificate upon export invoices and the exaction of this fee of \$2.50—which, after all, is almost petty graft in the eyes of the business men of that country—will be abandoned.

Mr. LALOR: May I ask the hon. member for Halifax a question? In exporting to the United States all exporters for any amount over \$100 must get a consular certificate and pay a fee of \$2.50 or \$3, I forget which.

Mr. DUFF: \$2.75.

Mr. LALOR: That fee we must invariably pay. Now, what is the judgment of the member for Halifax as to shipments coming this way? Will the American pay that fee, or will they make Canadians pay it, or will we be able to take the same position as the Americans do? If we are able to take the same position, then I do not see any reason why Americans should not pay a fee on their exports into Canada. I must say that I hardly realize what our position would be, whether we would be compelled to pay or not, because we are obliged to import from the United States cotton, coal and so many other commodities that we cannot get along without. Whether we can make them pay that consular fee or not is a question, but if we can I would be glad to make them pay it.

Mr. MACLEAN (Halifax): I think that in our case Canadians would pay that fee. There is no way of determining the exact proportions in which the Canadian importer would pay, but our position is different from the United States in that respect, and practically in all cases we would pay this fee. But I go further than

that, I say the United States should not have that regulation.

Mr. LALOR: But they have it.

Mr. MACLEAN (Halifax): They do not claim that it is a factor in the promotion of their trade with Canada. It was adopted many years ago and has been continued. They are not proud of it as a matter of principle.

Mr. CURRIE: How much does it amount to annually?

Mr. MACLEAN (Halifax): Figures were presented the other night, and the hon. member for Simcoe and other hon. gentlemen were proceeding upon the assumption that the United States trade in Canada was developed by reason of the fact that they exacted this small fee.

Mr. CURRIE: Excuse me, I never said that; I knew better.

Mr. MACLEAN (Halifax): My hon. friend left that impression upon my mind, and I am very glad indeed to find I was mistaken. I do not know that I can say anything further, Mr. Chairman. I see no merit in this proposal, and I think it should be abandoned.

Mr. PEDLOW: Mr. Chairman, I have very great pleasure in endorsing absolutely the position so well taken by the member for Halifax, a position that is indisputable. The member for Haldimand (Mr. Lalor) has stated that he is in doubt as to who would pay this imposition of \$2.50 for certifying export invoices. Who pays the salaries of his employees, his light and heat and all the other expenses of conducting his business? Why, of course, to ask the question is to answer it. It is the consumer who in the last analysis pays these expenses. It will be the consumer, and the consumer alone, who will pay that imposition, whether it be the consumer in Canada, the United States or elsewhere. Some hon. members have urged the position that because it is an exaction by the United States and has been in force there for years we should follow suit. Whoever heard of two wrongs making a right? I never have. And if it is a mistake on the part of the United States to exact that fee, why should we follow the same course?

Mr. CURRIE: Let me ask the hon. gentleman a question. Supposing I ship a carload of wheat to the United States, I have to pay a consular fee of \$2.50. The ultimate consumer is in the United States. Can the hon. gentleman tell me some

method by which I can make the ultimate consumer pay that fee?

Mr. PEDLOW: It is positively absurd in this day and generation to ask a question of that kind. The same rule applies in that case as in the case I have cited already in respect to the member for Haldimand—the consumer absolutely pays everything. You charge that much more for your wheat, and that additional cost is included in the cost of producing your wheat.

Mr. LALOR: I was merely asking the judgment of the hon. member for Halifax, as to who would pay it; that is all.

Mr. PEDLOW: I might perhaps in reply ask the member for Haldimand what is his opinion on the question?

Mr. LALOR: If I thought the Canadian had to pay it I do not think I would feel like supporting the proposal. I would be in hopes that the American would pay it.

Mr. PEDLOW: The member for North Simcoe has stated time and again on the floor of this House that he has even slept with Adam Smith. If he will consult him again before he takes another nap he will find that Adam Smith will set him right on the question who pays the cost of production.

Mr. CURRIE: The hon. gentleman has not answered my question. He says that the ultimate consumer pays. Well, the consumer of the car of wheat is in the United States; does he pay that \$2.50? Can I add that \$2.50 to the cost of delivering over there or must I take the Chicago price and absorb the \$2.50 myself? My hon. friend is very well versed in economics; he might explain that to the committee.

Mr. PEDLOW: I thank the hon. member for the compliment that he pays me in assuming that I am well posted in economics. It is a very large subject, and I must say that I understand only the fringe of it. If I live as long as my hon. friend the Minister of Trade and Commerce hopes to live, say another hundred years, I shall still have something to learn on that subject. But to answer the question put by the hon. member for Simcoe, there is no question but that the consumer pays all the costs, plus the profits. The Minister of Trade and Commerce informed us to-night that he hoped to obtain a revenue of about \$500,000 through the imposition of this system. Now, who pays that \$500,000? The Cana-

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dian consumer, plus customs duties and the profit on top of that. All proposals of this kind have only one purpose in view, that of retarding and hampering and interfering with trade and commerce. It is not possible to extend your import trade by certifying invoices of exports. To have American consuls in this country certify to invoices of Canadian merchandise going to the United States does not help the export trade of the United States, and to have Canadian consular agents in the United States certify to invoices of goods shipped from that country to Canada does not help our export trade. Merely to state the proposition is to show its absurdity. I have asked the Minister of Trade and Commerce just what he expects to gain by this imposition; I put the question to him a few nights ago, and I am still without a straight, definite answer. I am sure that the minister does not intend to be evasive, but certainly he has not given a direct answer to that question.

I want to criticise another feature of this clause. It provides that the fee to be charged is to be determined by the Governor in Council. Why not embody it in the Bill so that importers may know what is expected of them? Then, the last part of the clause is, to my mind, the worst feature of the whole situation. It is similar to some other legislation that is at present in force; it provides that officials of the Inland Revenue Department, detectives who go round the country for that department, may obtain part of the fine in cases where conviction is secured. I submit that all laws of that kind have an immoral tendency and a bad effect on the individual and on the department. If the department must have officials of this kind scattered all over the world, by all means pay them salaries; let there be no inducement for the imposition of undue fees of this kind. If the minister insists on this clause being carried I would hope that at least this feature of it would be remedied, but I agree with the member for Halifax that it would be much better if this clause were entirely dropped from the Bill. It can serve no good purpose; it certainly will not help to increase the export trade of Canada.

Mr. NESBITT: I hope that the minister, as has been suggested by the member for Halifax, will give very serious consideration to this provision before he puts it into effect. As a matter of fact, American consuls in this country who sign these certificates are of no benefit to the trade of

the United States; they do not solicit business. The Americans send their travellers in here just as we send our travellers there. Those travellers know their own goods and can talk their own goods. You could not possibly appoint a consular agent or trade commissioner who was capable of talking all kinds of goods. Everybody who knows anything about manufacturing or about commercial life knows that you have to train men in handling the particular goods they represent so that they will be able to talk the goods. I do not believe, therefore, that we would increase our trade by appointing these so-called trade commissioners. If a man lived in Buffalo, and there was no trade commissioner there and he had to send to Washington to have his invoice certified, that would be worse than a nuisance. The member for Halifax is quite right as to the nuisance brought about by the United States provisions along this line. I agree with the hon. gentleman that the minister might engage his time very profitably by trying to induce the United States to do away with that silly arrangement—because it is silly and it does not help their trade a bit. Now, it has been asked who is going to pay for this. Do you think the United States Steel Corporation, for instance, would not pass on to the customer any charge of that kind? If you do, you have another think coming. The reason is simply that these people sell at rock bottom prices. When you buy at rock bottom prices you have to pay brokerage charges. Take the cotton market; if the manufacturer of cotton buys from the growers or from the Cotton Exchange, he buys through a broker. Do you mean to tell me that that broker pays the \$2.50 on these certificates? By no means; he charges it to the customer. In the case of goods bought from England, if there is any wharfage or any other charge of that kind, it is included in the invoice, and so it is with any of these things that we buy. Think of the enormous quantity of coal that we bring into this country, on invoices, maybe, of trainloads, but more frequently of carloads, and those merchants have to send off to some trade commissioner or a British consul to have those invoices certified to. Do hon. members think that the men who are selling the coal are going to pay the cost of having that done? If they do, they have another think and a good long think coming.

Mr. MORPHY: \$2.50 on a car will not break them.

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Mr. NESBITT: It does not matter what the amount is; they will pass it on to the consumer, as anybody knows who knows anything about buying coal or other goods at rock-bottom prices. If a manufacturer is making certain goods on which he makes enough profit to pay for this trouble and the fee, he will pay it, and so will we.

Mr. MACLEAN (Halifax): This broker, whom the hon. member instances, might have to despatch a clerk 25 miles away to procure the certificate, and that would add to the cost.

Mr. NESBITT: Very likely, and you may be sure that if you have to buy your goods "right", you will have to pay that.

Mr. CURRIE: It is not done in that way.

Mr. NESBITT: It is done in that way.

Mr. CURRIE: I have put hundreds and thousands of invoices through and I know better.

Mr. NESBITT: So have I and I know better too. I have put through cotton and you have not. I am telling you what I think, and I have just as much right to say what I think as you have to say what you think.

The CHAIRMAN: I must remind the hon. member that the chairman has been very silent.

Mr. NESBITT: I beg your pardon, Mr. Chairman, but why do you not correct my hon. friend? I hope my right hon. friend (Sir George Foster) will do what the hon. member for Halifax has asked him to do—give the subject very serious consideration before he undertakes this expense. I assure him that it is an expense that will not be paid by any manufacturer in the United States. As regards foreign countries, I have nothing to say. I believe our trade agents there do remarkably good work, but they do that by putting us in touch with the trade that we want to get in touch with; they do not do it by selling the goods directly to the people themselves. As regards trade agents in the United States, the matter is quite different. The United States lies right beside us. We send our agents there if we want to sell goods, and we will not use any trade agent who may be appointed, because, if it is worth our while selling our goods on the other side of the line, we will see that our representatives go there and sell the goods. If we want to buy and buy "right", I may tell my right hon. friend that we will pay the charges.

Sir GEORGE FOSTER: We had a pretty long discussion on this subject when the resolutions were before the House. That, of course, does not preclude another discussion to-night when the Bill is before the committee. Whether we shall get much farther in enlightenment from the continuance of the discussion, I do not know, but every man has his right to speak. I never intended, because that would be an impossibility and an impracticability, to place a section in this Bill with the idea that it should come into force when the Governor General signed the Bill. It has always been my intention to add to that clause or to add a clause to the Bill that it should not come into force until it was proclaimed by the Governor in Council. It would be an impossibility to put it into force directly because we have not the staff in the United States nor in other countries of the world. It is impossible to put it into effect with regard to the United States unless you, at the same time, put it into effect in all foreign countries. To do otherwise would be an act of discrimination. This requires time, and I think, when we were discussing the resolutions, in respect to some point that was raised by the hon. member for Halifax (Mr. Maclean) I told him that I thought I would be able to get this into force within six months, and we had a little bit of persiflage between ourselves whether he should live long enough to see it in force, or whether I should live long enough to compare notes with him some years hereafter. But it goes as a matter of arrangement that we shall put in, as I always intended we should, a clause that this should be brought into force only on proclamation by the Governor in Council. That gives opportunity for laying your plans, for more consideration. I do not say that I have given this matter all the consideration that it demands. It was not very long ago that I had much the same opinion as the hon. member for North Oxford (Mr. Nesbitt), that we lay so close to the United States of America, it was so easy passing over from one side of the line to the other, that trade commissioners were not so necessary, if they were necessary at all in the United States. Since I have looked into the matter a little more, I have come to the conclusion that that argument cannot be pressed too far, and that there are large possibilities in the United States of America for increasing the exports of Canadian products, if we had any trade commissioners—we have none now—in various sections of the

[Mr. Nesbitt.]

United States. Under the legislation and under the vote of a preceding year, we have a representative in New York, and this is being continued. I had a conference with him not long ago in New York city. He is a live man, and he pointed out to me where, by personal visitation, by keeping his eyes open to opportunities, he had been able to put Canadian manufacturers and producers in touch with large and profitable transactions in the United States. I am at one with my hon. friend and other hon. gentlemen in this House, in believing that no trade commissioners can do the particular work of the manufacturer, or the selling itself. Individual representation is absolutely necessary to the best condition of foreign trade, and unless we follow up what the Canadian trade commissioners do in the way of bringing information to light, of making suggestions and, as it were, of putting out leads for our exporters to follow in various ways, we shall not get the maximum benefit. But I do not share with my hon. friend from Halifax (Mr. Maclean) the view that trade commissioners are not necessary in this age; that they are not a benefit to the export trade of this country. I cannot take that opinion, because I have been living with trade commissioners more or less intimately for the last twenty-five years, and I know what they have done.

Mr. MACLEAN (Halifax): I beg to correct my right hon. friend. I did not quite say that.

Sir GEORGE FOSTER: My hon. friend was so close to it that I could not take his statement in any other way, but I do not want to bind him down to that assertion if he did not mean to make it.

Mr. MACLEAN (Halifax): I was debating the clause; I deliberately stated that, in certain instances, trade commissioners might be of great value in the extension of the trade of one's country, but you are not going to do that by this clause.

Sir GEORGE FOSTER: That is a difference of opinion between my hon. friend and myself. He is cocksure that we cannot do it in this way. My hon. and genial friend from Renfrew (Mr. Pedlow) is just as sure that this business cannot be carried out to the profit of Canada. I think it can. I believe that by this method, if I have an opportunity to work it out, I can place within a year's time Canadian representatives and commissioners to a very large extent in the outside foreign world, who

will not only give the leads which may be followed up by the producers and manufacturers of this country with the result of a large extension of our foreign trade, but who will also open up actual avenues of communication which could not, and will not, be opened up by representatives of our different exporting concerns themselves. Look at the mass of export interest which we have in this country and total up, if you can, the number of actual representatives they have in the foreign markets of the world. Some have their representatives in many countries, but a great majority of those in this country who manufacture for export have few, and most of them no representatives in foreign countries, though occasionally a man may be sent. But if you can multiply your trade commissioners, and they are of the right kind, efficient, wide-awake men, you can greatly extend the export trade of this country abroad. My hon. friend seems to argue on this line and this line only: What benefit is it to the trade of Canada to have a man take a pen and sign an invoice certificate? He says that that will bring no trade to this country. I do not say that it will. That is only an incident in the work of the trade commissioner and of the trade representative. He signs the certificate on the invoice and forwards it as directed, but that is only an incident in his work. His main work is to promote the extension of the trade of Canada to find the sources on the other side of the line and in other countries that bid fair to beckon and call, and where, ultimately, our manufacturers and producers may find a market for the surplus they have to sell. That is what the trade commissioner is there for. The signing of the certificate and the collection of the fee is but an incident in his work. The signing of the certificate or the collection of \$2 or \$2.50 for the fee will not promote trade to any great extent, but if by the doing of that you can put one hundred or more active trade commissioners in the foreign field, working along the lines along which our trade commissioners have worked in the past, you will do just that much more for the extension of the foreign trade of Canada, then you are doing to-day. That is what we shall get out of the invoice certification and the small fee that is charged therefore.

My hon. friend from North Oxford (Mr. Nesbitt) cites certain methods of carrying on trade whereby the broker will

eventually charge that \$2 or \$2.50. That may be so. But there are a great many and divers kinds of trade carried on. Take the gentlemen sitting here who have been exporting to the United States for the last number of years, and who have been obliged to have a certificate signed, and to pay for that certificate. I will call them to witness whether or not they have charged that fee to the ultimate consumer, whether there are not hundreds of instances in which you cannot charge it to the ultimate consumer. There may be some cases in which you can charge it to the ultimate consumer, but there are more in which you cannot. A man on the other side of the line is filling an order for 500, 1,000, or 2,000 tons of coal. Before that coal comes to this country there has to be an invoice certification fee paid of \$2.00 or \$2.50. Now whoever pays that; how much does it amount to on a large invoice?

Mr. NESBITT: Little drops of water.

Sir GEORGE FOSTER: Little drops of water and little grains of sand have their effective good in the end. The effective good in that respect is that while the drop is not felt by the individual who pays it, in the aggregate you have a fund out of which you can carry on your trade commissioner work in foreign countries on a scale that it would be impossible to ask Parliament to provide the necessary funds for now.

My hon. friend from Halifax (Mr. Maclean) says that we would be better employed if we went to the United States and got them to take their fee off. We have had experience with reference to what the United States will take off, and what it will not. This method of trade invoice certification and payment therefor has been followed by the United States for many years, and instead of going back upon that form of doing business they are perfecting it and extending it. Only last year they added to the fees that they charge. And what are they doing? They are paying out of the fees they collect their entire diplomatic expenditure, but not all out of the invoice certification fees, because their agents, their consuls and vice-consuls also charge fees for other things, but the trade invoice certification fees make up the bulk of the fund that they gather. They have through all parts of the world a system of trade representatives which they are perfecting every year, and which is better now than it ever was before, with a better class of men, and a larger distribution throughout foreign countries. These

men are the fore-runners and exponents of the resources of the United States. They are bidding for trade and opening up the sources of trade continually from year to year. We are in competition with them. My hon. friend said: Why follow the example of the United States? Because the United States does it, you need not do it. It is a fact that the United States does it, but we are not doing it simply because the United States does it. We are doing it for the purpose I have set forth, and my conviction, from the study I have given to the matter, is that if we get this authority from Parliament and put the system into execution after thorough preparation, we shall lay the foundation for a system of trade representatives that will do great things for Canada in the future. Not only the United States has that system, but, as I said before, there are few countries in the world that have not such a system and that do not charge a fee for certification of invoices. All the countries of South America, with the exception of perhaps one or two small countries, and most of the countries in Europe have the very same system. It is the European practice as well as the practice of the South American continent. Only a few months ago France raised the fees for her consular service. Great Britain also has her consular charges. Her consular charges are made for certificates of origin. I am not sure that Great Britain charges on simple commercial invoices, but she charges on certificates of origin. They have to be signed by her consuls, and there is a rather stiff consular fee for that.

Now as to inconvenience. During the last ten years we have been sending to the United States on an average \$500,000,000 or \$600,000,000 of goods a year. Every invoice that has gone with those goods to the United States of America has paid the certification fee. This country extends for 3,500 miles east and west, and for a long distance north and south. There are not more than eighty or ninety signers of United States certificates in Canada, and yet this business of export up to \$500,000,000 and \$600,000,000 has been going on every year and we have not heard a whimper as to its being impracticable or impossible to carry it out. You do not have to put on the snowshoes to travel to the nearest consular officer to get the certificate signed; there are mails and mail carriers, and the thing is done by correspondence. Men slip into the practice so easily that it is very little trouble to

[Sir George Foster.]

them and our business men have grown used to it. The people in the United States have done the same, and I do not see any particular prospect of success in my going to Washington and trying to get the United States to abolish a great system which they have built up during the last ten or fifteen years, making it stronger and more effective every year. I do not think there is the least chance in the world of doing that. Now, all I want is that we should take this into consideration; we must try to do everything possible for the extension of our trade. I say to the committee that the matter will be very carefully considered before it is put into operation. I am convinced that it can be put into operation and be made a great success in the extension of our foreign trade, and I should like to have an opportunity to try it. I am not going to take up more time in the matter, because I think I have said enough to show the importance of it.

Mr. CLARK (Red Deer): I think, for the first time, the Minister of Trade and Commerce (Sir George Foster) has failed to convey his exact opinion in regard to the subject under discussion. Will this measure of collecting fees—which is what we are discussing, by the way, under this clause—have the effect, in the first place, of increasing imports from the United States, and, in the second place, of increasing our export trade to the United States?

Sir GEORGE FOSTER: As I said before, the mere getting of an officer, or any number of officers, to sign an invoice and charge a fee for it, will not draw trade either one way or the other; but if by that you accumulate a fund and get a set of Canadian trade commissioners, in the near future, whose whole business it will be to look for sources of trade, to get information and send it back to this country, and open up in that way communication and send it back to this country, and open up in that way communication between our own people and the markets in the United States, in the long run you will multiply the amount that we shall buy from the United States along certain lines that we do not buy now, but you will multiply greatly what we may sell to the United States that we do not sell now. New York is a very live commercial city, and just a little before my visit there, our man in New York, by carefully noting things, and keeping himself au fait with what was going on, was able to get into communica-

tion with a man who wanted a large quantity of a certain Canadian product. He was trying to buy this article in New York, but he got into communication with our representative there and, for the first time, was informed that there was anybody in Canada supplying the same article of a superior quality. Within a week's time our man had brought these two parties into communication and was instrumental in selling many thousands of dollars' worth of that product to a new man in a new market that was not used before. This is the benefit of having a live man who keeps on the job and hunts up in the papers for new sources of trade. By personal communication he gets into touch

11 p.m. with men, imparts information, and puts buyer and seller into communication with each other, thus promoting trade.

Mr. CLARK (Red Deer): My right hon. friend's answer was longer than the question, but I understand it in spite of its length. He has committed himself to the view that this step, which he asks to be allowed to take in this clause, will increase both exports and imports in our trade with the United States—"in the long run", as he adds. I do not wonder that my hon. friend the member for Renfrew (Mr. Pedlow) was anxious to know what the object of the Government is in this clause. Without going into the details of the matter, we now know that the object is to increase the trade of the country; my right hon. friend believes that this clause will do that. I am a little surprised that the minister should want to bring about that increase, and I wish that the Government would get some composite views on the advantages of trading with the United States. We had a debate on reciprocity a little while ago in this House, and my hon. friend the Minister of Finance (Sir Henry Drayton), speaking in that debate, took the position, almost in the first words he uttered, that we did not want any more trade with the United States. He said: Have we not enough trade with the United States now? Now, that is a small point, but after all the Government, in regard to the very important matter of our trading with the United States, should not be divided as between the Minister of Finance and the Minister of Trade and Commerce, the Minister of Trade and Commerce declaring that we want more trade with the United States, and the Minister of Finance

expressing the view that we have too much. Have we not been hearing, during the whole of the Budget debate, that our imports from the United States are too numerous? That is the general attitude of hon. gentlemen opposite. I have now furnished, I think, a sufficient ground why this clause should be dropped. Before another session, the Minister of Finance and my right hon. friend can get together and settle for the Government, perhaps, whether or not we really want an increased trade with the United States. When they settle that question, they will be in a much better position to choose the methods by which to promote that trade. If the ministers are working at cross purposes, however, we shall find ourselves in a peculiar position under a Government that governs in that way.

Sir GEORGE FOSTER: Will my hon. friend allow me a moment?

Mr. CLARK (Red Deer): Not to make a speech.

Sir GEORGE FOSTER: Well, finish then.

Mr. CLARK (Red Deer): I am scared of my right hon. friend. If I allowed him a moment, he might take half an hour, and I do want to facilitate things so that we may prorogue on Saturday night. I desire to make just a few remarks on the clause. I hope I am not mistaken in thinking that the clause has purely to do with the collection of fees. These fees are to be collected by a Canadian trade commissioner, the British consul, or other duly accredited officer. I am afraid of that phrase "other duly accredited officer". Are officers to be appointed in addition to the two specifically mentioned? I see in that phrase, in the hands of the minister, who seems to be very much enthused over this method of promoting trade, the possibility of an immense increase in the expenses of Government, at a time when, I think, every one in this House agrees that the Government ought to look well into every item of increased expenditure which they sanction. I see the opening of a door there for more officials for a purpose which I think is a very doubtful one. I agree emphatically with my hon. friend from Halifax (Mr. Maclean) that trade between the United States and this country will be best promoted by the individuals whose business it is to trade; it will be best promoted by the Government if they take down certain obstacles to the trade. Now with regard to this particular pro-

posal, my first objection to it is that I fear the door is opened to the appointment of officials who are not needed, who will increase the expenses of the country at this moment and will not give any compensating advantage. I have put that point as clearly as I know how, and I pass on to another.

This is not the time to undertake fresh expenditure unless we know precisely what it is for, and we are sure the Government is going to get the benefit of such expenditure. My right hon. friend, I am certain, will agree with me on the general principle. Now, as to the effect of this method that my right hon. friend is so strong in recommending, I have very clear views. It amounts, as my hon. friend from Shelburne and Queen's (Mr. Fielding) pointed out the last time we were debating it, to an increase of the tariff. I do not care how small the amount involved is; that is what it is. In its practical operation it amounts to an increase of tariff, and in my judgment it will increase the cost of the articles which we import to the consumer of those articles. I could have understood its being strongly recommended by the Minister of Finance, because he thinks we have plenty of trade with the United States. Indeed, if I interpreted his words correctly, he thinks there is rather much coming this way. I could understand him strongly recommending my right hon. friend's proposition; indeed I am not sure that he has not a Mephistophelian purpose in his mind. At the present moment, I believe, he is quietly patting my right hon. friend on the back because he sees he is going to reduce the imports from the United States, while the Minister of Trade and Commerce—poor simple man!—thinks he is going to increase them. That is a point I should like them to settle between themselves. Personally I am with the Minister of Finance upon the subject as to how it would act—I believe its tendency must inevitably be to decrease trade. Then it will increase the price of everything that does carry the certificate. Any obstacle to trade decreases trade. It must do so, it cannot act in any other way. That is all I want to say about this proposition.

I have due regard to the lateness of the session, but I want to agree with my hon. friend from Renfrew (Mr. Pedlow) in the general expression of opinion which he gave, that all these restrictions upon trade are in the long last harmful. They do not promote trade—they decrease it. They do

[Mr. M. Clark.]

increase the cost of living—they do work harmfully to the country. That is my opinion. I want to go on record as having offered to my right hon. friend a warning that he is only adding one more restriction to trade when we need to trade. When our trade is falling, in my judgment he is taking steps to make it fall further; and I should not be doing my duty to my own convictions and to the country at this time if I did not point out that it is a bad way to remedy a falling trade to decrease it. It is a bad way to remedy the high cost of living to increase the cost of living. It is because I believe the proposal is helping towards both those steps that I wish my hon. friend from Halifax would stand strongly upon the position that this clause should be withdrawn, and if he proposes an amendment along that line I shall certainly vote for it.

Sir GEORGE FOSTER: There is no necessity for my hon. friend to advise the Minister of Finance and myself to try to get together on the trade question and not to pull in different directions. In order to make that appear to the House, my hon. friend had to commence with a statement that the Minister of Finance was opposed to having more trade in the United States. I have listened carefully to what the Minister of Finance has said, and I have never heard him take that ground. I have heard him state that the disparity of imports and exports between the two countries was a thing to be deplored and a thing to be remedied. My hon. friend the Minister of Finance and myself are at one. I am in favour of more trade between the United States and Canada but not of an unfair proportionment of that trade. I want to see more imports into the United States from Canada to balance the too large preponderance and the disparity which now exists between exports and imports. Now, as far as our trade is concerned my hon. friend makes an argument upon premises which are not sound, and his premises were not sound when he represented either the Minister of Finance or the Government as being opposed to trade with the United States. We are not opposed to trade with the United States, but we do want to see a larger amount going out from our country to the adjoining republic in order to balance the overlarge amount which shows against us in the trade figures. My hon. friend must take one of two horns of the dilemma in another case. In the first place he must

take back the statement that if we put this into operation we will add immensely to the expenses of the country by the payments to the trade commissioners and agents that are to be employed.

Mr. CLARK (Red Deer): My hon. friend must not be unfair. He will see when he reads Hansard that I never used the word "immensely".

Sir GEORGE FOSTER: Then we will say "largely".

Mr. CLARK (Red Deer): Do not use anything except what I said.

Sir GEORGE FOSTER: My hon. friend gave me the impression, and I think he gave the impression to the committee, that he was against this because it would add to our expenditure.

Mr. CLARK (Red Deer): It depends entirely on the number of people employed.

Sir GEORGE FOSTER: Exactly, then we are at one on that. He opposed this proposition because it will add largely to the expenses of Canada, and therefore we shall have larger demands upon the treasury which is not overfull at the present time—I am not mis-stating his position there. Then he goes on to state, alongside of that, what brings him to this conclusion. Well, he cannot have both things; he cannot have his cake and eat it at the same time. If there comes in from the United States of America five hundred, six hundred, or seven hundred millions of imports and we place a fee of \$2, or \$2.50 on each invoice it will make a sum of money as a fund out of which the expenses of these trade commissioners may be met. He argues on the other side that that will be so much added to what the consumers in this country will have to pay. But my hon. friend cannot argue both ways. Therefore if we put an invoice fee upon the certification, and the exports from the United States are even, or nearly even, with what they are to-day we shall have a fund which will pay these expenses without any draft upon the Canadian treasury. Both those things, I think, are worth considering, but I do not think they sustain the position of my hon. friend.

Mr. DUFF: Can the right hon. gentleman tell us from statistics how many entries passed through the customs house during 1920 on invoices of over \$100? Then on a \$2.50 basis we can figure how much revenue we may expect to get on goods imported from the United States.

Sir GEORGE FOSTER: We have no figures of that, but the customs authorities have within the last two months been keeping track of the number of invoices that have come in monthly.

Mr. DUFF: That is what I want.

Sir GEORGE FOSTER: And the number of invoices month by month that are coming in are fairly well proportioned, I should think, to the number of invoices which would come in under the new scheme. If the United States takes out of Canada so many million dollars worth of goods, and the fees amount on a certain number of invoices to the gross sum of over \$400,000, as it did last year, you can pretty accurately estimate that the return invoices on the other list would average about the same in number. So that the investigation which is being carried on by the Customs Department at the present time, bearing in mind the parity of volume of goods which pass between the two countries during the year leads to the conclusion that there will be a gain to us of revenue equivalent to what the United States gains through her consular fees, and that revenue will be quite sufficient to pay all the expenses of our trade commissioners. I have no hesitation in saying that so far as I can see it now there will not be a single dollar of expense to be put upon the Canadian treasury in carrying out this system.

Mr. HAROLD: Mr. Chairman, this is one of the most important questions that has come up this session, and I feel that we should give it thorough discussion. It seems to me that as a method of raising revenue it is the most expensive that was ever devised. We would have to appoint hundreds of men throughout the United States who would have no interest whatever in Canada shipping goods in to that country; the sympathies of many would in all likelihood be more towards encouraging trade from the United States to Canada, because we could not get Canadian citizens to represent us in many of the points in the United States where required.

Now, it seems to me that there might be a way devised of collecting this revenue without so much expense. For instance, a special stamp could be provided by the Government, which a shipper could purchase and keep in his office, so that without paying part to anybody he could put the stamp on his invoice and thus avoid delay in shipping whereas, if the fee is collected by these brokers or others that you might select in the United States, the same as

the United States do in this country, they naturally would retain a very large proportion of that revenue. The United States check up their certified invoices at the point of shipment: our method is to check them at point of destination, and we have a very large number of customs houses scattered throughout the country to protect us in that respect, but the United States is not so well equipped. Therefore, we might effect a better way of collecting revenue from these shipments than by copying the methods of the United States.

It seems to me that the amount involved in the fee of \$2.50 on each shipment is not the important thing to consider. The important factor in my opinion is the way in which this is going to interfere with legitimate business between the two countries and put upon both Canadian and American business men unnecessary restrictions. It would mean delay in shipments. As any one knows who has ever tried to ship goods from this side, the railway people will not accept the shipment until you get the consular certificate. If you wanted a shipment in from the United States by express—and thousands of such shipments come through—it might be delayed some days until they get this certificate signed; whereas if it is just a matter of putting a stamp on, the shipment could go forward without any delay. In my own experience it has been most exasperating to attempt to ship goods into the United States, and it seemed to me that their system was most unsatisfactory. I would consider it a great misfortune if this country should copy it; in fact, I am so convinced of this that I should like to advise the Government to go very slowly with this legislation, because they might get partially started to find it so annoying that they would have to retrace their steps.

Mr. CLARK (Red Deer): Mr. Chairman, perhaps I might be permitted to clear up a point regarding the difference of opinion that arose between my hon. friend and myself. I want to establish my character for accuracy when I quote members of the Government. In the debate to which I referred what the Minister of Finance said was this:

Are we not trading enough with the United States? Our trade with the United States is constantly increasing.

That, I think, justified the statement I made when I referred to an expressed opinion by the Minister of Finance this session, and it justifies my view that he

[Mr. Harold.]

did not think it necessary to take the steps which my right hon. friend on the other hand contends would increase that trade. I submit again that the difference of opinion between the two ministers is a sufficient reason why this clause should not be pressed. We are dealing with a Government that does not know its own policy. My right hon. friend may laugh, but it is not a thing to laugh at. There should be Cabinet responsibility and coherence on a matter of this grave importance.

The other point made by my right hon. friend I am not sure I understood. He said that I could not eat my cake and have it. That is an old proverb and of course is true. But I like a proverb reduced to a little more practical shape. What did my right hon. friend mean in applying that to my statement that this thing meant expense to the people of this country? It is the people I am concerned about. As I said when discussing this subject previously, the people are my only concern. They supply all the expenses of the Government of this country, and it does not matter if you take the money in the first instance by certificates in the United States, the money that pays for those certificates eventually finds its way on to the cost of the articles to the Canadian consumer, and thus the total cost of the increase of government in that particular falls upon the people of Canada. That is my contention in a sentence, and I do not need to go one step further. There was no want of logic in my position. I contend that it is an increase of the expenses of government without a good purpose, and that that increase will come on to the shoulders of the Canadian consumer simply in the way that I have indicated.

Mr. LALOR: There seems to be a great difference of opinion as to the measure which is before the committee, and that difference of opinion does not prevail on only one side of the House; it is very strongly marked, I observe, in the Agrarian group. The two leaders of the Agrarian group, the member for Marquette and the member for Red Deer, should hold a little conference with a view to seeing that their opinions are somewhat alike upon the great trade questions that come before this House. I hold in my hand a copy of Hansard of February 26, 1921, page 285, in which I find an expression of the views of the Agrarian leader, who said—

Mr. CLARK (Red Deer): I rise to a point of order, Mr. Chairman, and I must point out to my hon. friend that we are not responsible for the government of the country. There is more freedom of opinion in an opposition than there is in a government. There is no Cabinet coherence required here; we are the freest niggers on the North American continent.

Mr. LALOR: I believe that the member for Red Deer read from Hansard of this session.

Mr. CLARK (Red Deer): To correct a positive contradiction on the part of the minister.

Mr. LALOR: I am rising, then, to correct your own impression as to your own party.

Mr. CLARK (Red Deer): On the point of order, I say that there is no justification for breaking the rule in this case. I must have a ruling, Mr. Chairman.

The CHAIRMAN: I do not think the hon. member for Haldimand will read from a previous debate. The Chair has often ruled that no reference can be made to a previous debate of the same session. It is true that an exception was made in the case of two Bills of the same nature, where an hon. member quoted from a debate on a previous Bill which might be considered as a former stage of the Bill which he was discussing, but any quotation from the Budget debate or the debate on the Address would be quite out of order.

Mr. LALOR: Mr. Chairman, I must bow to your ruling. I was merely going to make the statement that I heard an address delivered by an hon. member in this House in which views were expressed entirely opposite to those expressed by the member for Red Deer to-night. Without mentioning any names, I may say that in the address to which I refer great fault was found with the Minister of Trade and Commerce for not making an attempt to expand the trade of the country and for not employing trade commissioners in the United States. He went on to tell how many trade commissioners were employed in Canada and to argue that this same system should be employed by Canada in the United States with a view to expanding our trade. A few nights ago the hon. member for Red Deer was making a statement in the House, and realizing that I might not quote the address of the member for Marquette I took it over to the whip of the

Agrarian party and asked him to read his leader's views upon the question which the member for Red Deer was discussing—and I may tell you that they were quite different from the views which were being expressed by the member for Red Deer and from the views which that hon. gentleman evidently holds in connection with the matter now under discussion.

Mr. CLARK (Red Deer): It is extremely flattering, I am sure, to my hon. friend from Marquette to find out that he has become so influential a person in this country that he actually dictates the policy of the Minister of Trade and Commerce in this Government. Coming events cast their shadows before, and the time evidently is approaching when the member for Marquette will be elevated to a position in this country of less freedom and more responsibility. But at present he enjoys his freedom—the freedom of being in Opposition—and so do I. As to his opinions, I have no doubt he is able to support them in his own way. If they do not commend themselves to my reason, I shall take exactly the liberty that the Minister of Finance takes in a much more responsible position of differing from a colleague. But I want to point out to the hon. member for Haldimand that cabinet responsibility requires that the members of a cabinet on important questions of policy should think alike. I never heard that principle laid down in regard to the members of an opposition.

Mr. LALOR: There is an old saying that a prophet is without honour in his own country. Perhaps I may express the hope that the prophecy of my hon. friend from Red Deer as to new Cabinet ministers may not be wholly fulfilled. I am glad that he has complimented the Government for accepting the advice which was given them by his leader with regard to the advantage to be gained from the appointment of trade commissioners.

Mr. COCKSHUTT: In order that the county of Brant may not be wrong on this question I think that it is necessary that I should say a few words in support of the minister's resolution. I am surprised to find the member for Halifax showing so much heat on a subject in connection with which it may be presumed that he has not had very much experience. He makes the statement that this proposal cannot promote trade, and he attacks violently the principle upon which the minister is proceeding. I want to tell him that one of

the largest associations of business men in Canada have requested that this mode of procedure be adopted. I presume that the member for Halifax would take the view of the Halifax Bar Association in preference to that of 2,500 or 3,000 of the brightest men in manufacturing and commercial circles in the city of Toronto. Does he think that the view of these men should carry no weight?

Mr. MACLEAN (Halifax): I would not take their judgment at all; I do not think it should carry weight in this country or in any other country if they stated that clause 3 would have the effect of extending Canadian trade.

Mr. COCKSHUTT: Well, there may be a difference of opinion on that point. I prefer to take the opinions of the business men rather than those of the legal men, who seem to think that they understand not only law but every other subject in creation, although they may have had no experience whatever in trade matters.

Mr. MACLEAN (Halifax): Will my hon. friend allow me—

Mr. COCKSHUTT: The hon. gentleman has had his say; I would like him to let me express my views with regard to this matter.

Mr. MACLEAN (Halifax): Will my hon. friend allow me a short, simple question? Have 2,500 of the business men of Canada requested this legislation?

Mr. COCKSHUTT: My information is that the Board of Trade of the city of Toronto, which comprises more than the number mentioned, has asked for this legislation.

Mr. MACLEAN (Halifax): I thought you were speaking for the nation.

Mr. COCKSHUTT: I was not speaking for the nation. I said that an organization of business men had expressed a view as against that held, perhaps, by a few lawyers down east. The hon. member denied that he had decried the power of trade commissioners to increase trade, but if he refers to Hansard to-morrow he will find that that is what he said. He may not have meant it, but he did say it and many men on this side heard him say it. If it is not corrected in Hansard I think he will find that he said that trade commissioners could not and would not increase trade.

Mr. MACLEAN (Halifax): I went out of my way to admit that in special cir-  
[Mr. Cockshutt.]

cumstances and in some countries they might do a great deal. But the question whether we should or should not have trade commissioners is not involved in this section, and I want to point out to you, Mr. Chairman, that most of the speakers have been out of order.

Mr. COCKSHUTT: You have been more out of order than anybody else.

Mr. MACLEAN (Halifax): I beg the hon. gentleman's pardon; I kept well within the rules.

Mr. COCKSHUTT: The hon. gentleman has had a pretty full say, and as I have the floor at present I think I should be allowed to finish my remarks with regard to a subject that I know something about. I have had experience as an importer and as an exporter. I have paid this fee of \$2.50 for many years on all exports to the United States, and I have gone through all the formalities necessary before those goods could be passed through. The hon. member for South Renfrew (Mr. Pedlow) tells us that in the long run the consumer pays the duty, and that the consumer will pay this charge. But he does not tell us which consumer. He took very good care not to say that. Is it the American consumer or the Canadian consumer? That is the important point. He cannot show that they are going to pay both ways.

Mr. PEDLOW: Mr. Chairman, I desire to answer the hon member.

The CHAIRMAN: The hon. member for Brantford has the floor. The hon. member for South Renfrew (Mr. Pedlow) will certainly have a right to take the floor and answer the question when the hon. member for Brantford has concluded his remarks.

Mr. COCKSHUTT: I am pointing out that the hon. member for South Renfrew, who thinks he is so very clear and lucid on all questions, said that the consumer would pay the charge on these invoices, but he did not tell the committee whether it was the American consumer or the Canadian consumer. He must take one or the other.

Mr. PEDLOW: Does the hon. member want an answer or not?

Mr. COCKSHUTT: The hon. member can answer afterwards.

Mr. PEDLOW: Does the hon. member want an answer?

Mr. COCKSHUTT: I do not want an answer right now.

Some hon. MEMBERS: Oh, oh.

Mr. COCKSHUTT: I did not ask the hon. member a question. He rose himself to ask the question. I am pointing out the defect in his argument. As regards the express parcels mentioned by the hon. member for Brant (Mr. Harold), let me point out to him that this does not apply to small invoices. Express parcels rarely exceed \$100 in value, and they would not require this certificate, as I understand the matter.

Sir GEORGE FOSTER: That is right.

Mr. COCKSHUTT: The minister says that is right, so that all parcels of a value less than \$100 do not require this certificate. Therefore, there will not be the delay nor the charge. The value of an export must be \$100 or more before this certificate is asked for, and the percentage is a very small one. The Minister of Trade and Commerce (Sir George Foster) has a good idea; he is trying to put it into force at no expense to the country, and that is where the hon. member for Red Deer (Mr. Clark) makes the mistake. If the policy of the minister is sound—and I believe it is—he proposes to collect from American exporters to Canada all the money that will be required to pay for 75 or 100 trade commissioners in the United States. That is the policy. It has been made to work in one direction. Why should it not work in the other? This is not applied only to the United States; it is intended to be applied to all the countries of the world. Why then should we confine the argument only to the United States? I think this item shows that Canadian trade commissioners are required and that those trade commissioners will be able to increase trade; I mean now trade in the direction from Canada to the United States by the sale of Canadian products to United States firms, for the reason that they will be able to show where certain goods can be got and how they can be got to the best advantage. That will be a marked help to Canadian exporters. Hon. gentlemen opposite, who have not had much experience in export trade, talk very glibly of sending experts to foreign countries to develop the trade of a single firm. I can tell them something about the cost of a single representative for a single year. How much would it be? I am giving a very moderate estimate when I say that it would cost an individual firm from \$10,000 to \$15,000, including the salary of the expert traveller and of his travelling and hotel expenses. Unless a firm expects to do business amounting to hundreds of thou-

sands of dollars per annum, it cannot afford to send a representative of its own. Firms from Brantford have had representatives in Australia for years, and I believe the average cost is above \$10,000 per annum. You have to do a big business in order to pay the salary of a man to work up a foreign trade. The minister proposes to have a few trade agents scattered about the various countries so as to take the place partially, if not wholly, of personal representatives. They will take the place of representatives who will draw the attention of those countries to Canadian goods, where and how they can be got most effectively and cheaply. I believe the policy is a sound one and the business men of Canada will be in favour of it to a large extent, in spite of the opinion of lawyers and other men who have had no experience in importing or exporting goods, but who import and export opinions, and who often express opinions that are not wanted on trade questions about which they know comparatively little. I would advise the hon. member for Halifax (Mr. Maclean), who has given so much strong advice to the minister, to study trade questions a bit himself. He would be a great deal more guarded than he has been to-night in attacking a measure that has been devised with the best intention, and that will probably result in a vast increase in Canadian trade.

Mr. DUFF: We seem to have wandered a great distance from the subject under discussion. It seems to me that we have no right to discuss the question of trade commissioners or whether the consumer or somebody else pays the fee. But since other speakers have dealt with these trade commissioners and the question whether the consumer or somebody else pays the fee, I presume I shall be allowed to say a few words regarding this matter. The hon. member for Brantford (Mr. Cockshutt) wanted to know from the hon. member from South Renfrew (Mr. Pedlow) whether the Canadian consumer or the American consumer paid the fee. To my mind that was a most foolish question to ask, because the American consumer would not pay the fee on goods coming into Canada; it would be the Canadian consumer, if anybody, who would certainly have to pay. There is only one consumer in the case of goods exported from the United States to Canada. The hon. member for Brantford also objected to the hon. member for Halifax (Mr. Maclean) speaking on this question because the latter was a lawyer. I happen to be a sea lawyer, but

I am going to talk about this question just as much as I like, and the hon. member for Brantford is not going to criticise me or I am going to answer back and criticise him.

Mr. COCKSHUTT: Go ahead.

Mr. DUFF: We can very well understand why the hon. member for Brantford wants this legislation to go through. Anything that will prevent goods coming from the United States into Canada, whereby the plain people will get goods cheaper and the cost of living will be reduced, is against the principles of the hon. member for Brantford. That is no doubt the reason why he wants this legislation to go through. Another reason why he wants this legislation to pass is that exporters of goods from foreign countries will pay a certain fee so that he and others like him will not have to pay commercial travellers to go to foreign countries to sell their goods. He wants people in this country or in foreign lands, through this fee, to pay that expense. If a business man in this country wants to sell goods, he should be prepared to pay his own commercial travellers to do this work for him, and not ask people in Canada or foreign countries to pay it for him.

The only argument that the minister put up in defence of this clause referred to something that has nothing to do with the question. He stated that, by passing this clause and collecting this fee, he was going to establish trade agents throughout the world. I am absolutely in favour of trade agents; I believe we should have trade agents in every country in the world where we can afford to send them in order to get business for Canada; but the trade agents whom the minister may appoint will have nothing to do with this at all. Take for instance the Atlantic seaboard in the United States. I think hon. members will agree with me that, if this is feasible at all, we shall have to have trade commissioners in Calais, Maine, Perth Amboy, Boston, New York, Newport, Jacksonville, and in several ports in the Mexican gulf, because wherever there is an export town or city where goods are exported from the United States to Canada, it would be necessary under this clause for the exporter to get consular invoices stamped by somebody. Under this clause if the exporters have to get consular invoices for everything, it will be necessary to have a trade agent in every place. I asked the minister a few moments ago how many invoices came through the custom house of this country last year, but

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he could not tell me. It seems to me that as Minister of Trade and Commerce, and as a businessman, before he asks this committee to pass this clause he should be able to give that information. It is all nonsense for him to say that he is going to collect \$500,000 or \$800,000 in fees when he does not know how many invoices pass through the custom house in a year. There is no comparison at all between the invoices which go from Canada to the United States and those which come from the United States to Canada. Every business man will agree with me that even if we send just as many invoices to the United States as they do to us, the amount of their invoices is very much larger than ours.

Let me go a little further as to the inconvenience of this system. I agree absolutely with the hon. member for Brant (Mr. Harold). Like him, I have had a little experience, but not so much, of course, in this matter, and I say that the present system under which business men in Canada have to go to United States consuls and have their papers stamped and signed is a nuisance. I agree absolutely with what my hon. friend from Brant has said along that line. I think I am right in saying that my town passes more entries of Canadian goods going to the United States than any other town on the Atlantic seaboard. What have we got as American consul in that town? What is the inconvenience to which we are subject? Half the time we cannot find him. He has an office in a dwelling house which is about a mile back of the town, and every time that I or any other man has goods to ship to the United States, or a vessel to clear with goods to Porto Rico, which is a dependency of the United States, and we want a bill of health so that we can clear, we have to look around all day for the American consul. That is the inconvenience to which we are put in my town, and we ship more goods to the United States than any other town on the Atlantic coast. I say the system is impracticable. It is useless for the minister to say that he is going to get a large revenue from this source when he does not know how many invoices come through the ports I have mentioned. Outside of New York and Boston he would have twenty consular invoices issued in those other ports in a year. That would be \$55. Yet the minister would have a consular agent at Jacksonville, Port Arthur, New Orleans, and several other ports in the Mexican gulf, and another at Perth Amboy, Baltimore, Philadelphia, Boston and so on. What's the use of him

talking when he cannot come forward with a proper business proposition and tell us exactly how many invoices come through the different ports I have mentioned in a year. I say this is a foolish proposition. Take the Argentine Republic. How many invoices come from Buenos Aires in a year? The minister has a trade commissioner there who has cost us some \$20,000. I do not suppose there will be twenty invoices passing through there to Canada in a year. What about Rio de Janeiro, Santos, Bahia, Pernambuco, or any of these other foreign ports? Does the minister expect that they would collect sufficient fees to pay their expenses? It is impossible. I say that when the minister comes before this committee and tries to tell us that the fees collected will pay for maintaining these trade commissioners, he does not know what he is talking about. He has no right to try and tell the members on this side of the House that we do not know much about business. In fairness to the committee, I think that this section should be dropped unless the minister can give the committee proper information with regard to the matters I have mentioned.

Mr. STEWART (Lanark): As a member of the bar, I hesitate to take part in the discussion after it has been entirely disposed of by the hon. member for Brantford (Mr. Cockshutt). I should just like to say, however, so far as the development of Canadian business in the foreign market is concerned, that I think my hon. friend's suggestion is not profound. I will presume also to say that sending a personal representative to develop any ordinary Canadian business in foreign markets is the proper way not to do it. I have had some experience in foreign trade myself, and if this were the proper place to discuss the matter, I think I could tell the hon. member for Brantford how to develop foreign trade.

Mr. COCKSHUTT: Go ahead.

Mr. STEWART (Lanark): This is not the place or the hour.

Mr. COCKSHUTT: You cannot tell me anything about it.

Mr. STEWART (Lanark): Well let it go at that.

Mr. COCKSHUTT: I have done more foreign trade than you have.

Mr. STEWART (Lanark): I rose for the purpose of suggesting to the minister that

all the words after the word "therefor" on the third last line of the section should be dropped. If we send trade agents to the United States or any other country with the idea that they are going to promote Canadian trade, they are either going to promote Canada's export trade or its import trade. Now if the balance of trade as between Canada and the United States is to be equalized, and the adverse balance against this country wiped out, it is to be accomplished by promoting Canada's export trade, by creating a condition in the United States whereby large quantities of Canadian goods will be purchased. I therefore think it is wise that the words in this section to which I have referred should be left out for the reason that their inclusion will tend to encourage, not our export trade, but our import trade. If we are going to pay the trade agents whom we send out by permitting them to retain the fees they charge, the only fees they get would be on the trade they create in the foreign country on invoices of goods which are to come into Canada. If we wish to wipe out the present adverse trade balance against us, our trade should be moving in exactly the opposite direction. So it seems to me that any agents we send out should be paid a straight salary, and that the commission feature should be dropped altogether.

I am quite willing to defer to the minister's opinion as to the possibilities of this system of developing trade, although personally I have my doubts. I have no doubt, however, that the department and the Government have carried on an investigation, and I am quite willing to defer to their views, but I do not think that the real development of our foreign trade is bound to come through the manufacturer doing it himself. It is unnecessary, under conditions as they exist to-day, for a Canadian manufacturer to send his own personal representatives to the Far East, for instance. A business with which I am connected has built up a large trade in India and the Far East, and notwithstanding the depreciated currency of these Far Eastern countries, we have been able to maintain that trade, and we have not found it necessary to send exclusive agents there as suggested by the hon. member for Brantford. I therefore suggest to the minister that all the words after "therefor" in line four on page 3 of the Bill to the end of the section be struck out. If they were struck out it would do away with the commission fees and put the representative on a

straight salary basis. It would not create the selfish interest that would exist in promoting trade into Canada rather than export trade from Canada; and if we are to get rid of our adverse balance, it must be by creating export trade rather than encouraging imports into Canada.

Mr. JACOBS: I am heartily in accord with the remarks of the hon. member for Lanark (Mr. Stewart). In fact, although he sits on the other side, I find that whenever he rises to express an opinion, he appears to be exactly in accord with the members on this side. Why he sits opposite, therefore, I cannot understand. The hon. gentleman reminds me of a Biblical character who was sent on one occasion to curse the Israelites, but who blessed them when he opened his mouth. I do not wish to press the comparison any further, but some of the members who make a specialty of reading the Bible will know the character to whom I refer.

Sir GEORGE FOSTER: Was it the rider or the animal?

Mr. JACOBS: It was the rider, not the ridee. It is very refreshing to find members on the other side of the House with the independence of the hon. member for Lanark. He happens to be a member of the bar, and is also a very successful business man. I must say that I resent in the very strongest terms the remarks which from time to time are directed against the members of the bar, and particularly do I resent them from the member for Brantford (Mr. Cockshutt). The member for Brantford represents very ably the district from which he comes, but he also represents certain particular interests, and it seems to me that it comes with very poor grace from that gentleman to hurl accusations against members of the bar. They have no axe to grind here; first they are on one side, and then on the other. They act for the party who pays them. When they are in the House, they are paid by no one, so that they must be more or less independent; they express their own views. But when the member for Brantford, who represents an important manufacturing interest, gets up, he usually talks for the manufacturing interests, I find, and never against them. The member for Halifax (Mr. Maclean) is a member of the bar, and a very distinguished member, and when he is here, he leaves his legal proclivities in the city of Halifax and speaks as a member of Parliament. I repeat, therefore, that it comes with very poor grace from the member for Brantford to

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speak derogatorily of that profession, to which myself and others, the member for Halifax included, happen to belong. If he carries that condemnation a little further, he will have to read the Prime Minister out of Parliament. That right hon. gentleman made a position for himself as a member of the bar before he thought of Parliament, and I can go on and recite the case of Sir John Macdonald, Sir Wilfrid Laurier, and practically nine-tenths of the important men who have sat in this House.

An hon. MEMBER: The Minister of Justice.

Mr. JACOBS: The Minister of Justice was at one time a member of the bar.

Mr. DOHERTY: And still is.

Mr. JACOBS: Yes, still is; and after the next election he will be practising in Montreal as before. Now, with regard to this clause to which objection has been taken, I cannot understand how you can expect to have a responsible and important Canadian trade commissioner, who is supposed to be able to do something for Canadian trade, in the person of a man receiving \$2.50 for passing entries and giving a certificate. To my mind, the thing is incongruous. I have in mind, as an ideal trade commissioner, a man of the type of Lloyd Harris, or Sir Charles Gordon, or such people who bulk largely in the eye of the public. Do you think these people would be willing to accept the position of trade commissioner and live off \$2.50 per invoice which they would receive under this clause? It is absurd. They belong to an entirely different class. If you want to maintain men on \$2.50 per invoice, you must look for men who are receiving now, perhaps \$2.25, and who want to improve their position by getting the extra quarter; but they are not the kind of men who will promote trade for this country. We want big men who are able to divert business into this country. The minister would be well advised, in the light of the discussion which this clause has had, and the strenuous objection which has been raised to it, to withdraw the obnoxious portion to which exception has been taken. I understand that my hon. friend from Halifax has moved an amendment, and I shall be glad to support it.

Sir GEORGE FOSTER: I had already prepared an amendment along the line I explained to the committee a little while ago, and possibly, had I read it earlier, we should have been deprived of the

charming persiflage with which my hon. friend from Montreal (Mr. Jacobs) has entertained us.

Mr. JACOBS: I thank you for the kind words.

Sir GEORGE FOSTER: But we must not have too much persiflage; we must get some business done, and I therefore move that there be added to Section 6 the following:

This section shall come into operation on a day to be fixed by proclamation of the Governor in Council.

With reference to the suggestion made by my hon. friend (Mr. Stewart), another lawyer who presumed to get into the discussion with a representative of the manufacturers, it is not a vital part of the subject that the words to which he referred, and which were never meant to be applied generally, should be retained. As I explained to the committee, they might be useful in the way of ensuring payment at some rather unimportant and out of the way places where you might want to have a man to whom you would not be able to give a large salary. However, the absence of those words does not militate against the principle of the clause, nor does it add to the difficulty of carrying it out. Therefore, if any hon. members think they should be struck out, I am willing to delete those words.

Mr. CURRIE: I understand that the clause is necessary so that money can be placed to the credit of, say, the commissioner in Brazil. What is the use of sending it back and paying exchange to Canada?

Sir GEORGE FOSTER: The clause as amended will read, after the preliminary portion of it:

Who may also prescribe the fee to be charged therefor;

That will be the end of the clause, leaving out the words following. Then I move to add after the deletion, these words:

This section shall come into operation on a day to be fixed by proclamation of the Governor in Council.

Mr. CAHILL: Will the minister agree to consult each member of the committee before putting the proclamation into effect?

Mr. DUFF: The amendment is not satisfactory; it does not go to the root of the matter. The Governor in Council can issue a proclamation this day week and put the clause into effect. That part of the

amendment is absolutely useless; I would not trust this Government until to-morrow morning, let alone next week. Consequently, if we accept the amendment the minister may go to his colleagues next week and say he wants to appoint 173 trade agents to issue one consular invoice a month, and they may be apt to do it at great expense to this country. Therefore I cannot accept that part of the amendment—it is absolutely useless as far as regards the obnoxious feature of this clause of which we complain.

Now with regard to the suggestion made by the hon. member for Lanark (Mr. Stewart) it certainly improves the wording of the clause, but it does not get at the root of the matter at all. I also agree, with the hon. member for Brant (Mr. Harold) bearing in mind my own experience, that the thing is nonsense and quite unnecessary. There is no need for it at all. For instance, every business man knows that when a shipment of goods comes in from the United States, or from any other part of the country, that shipment must be accompanied by three copies of the invoice, and the Canadian business man, when he takes those invoices to the custom house, has to make an affidavit declaring that it is a true statement of the contents, and that the prices and the amount are correct. He has to fill out certain forms and endorse the name of his firm across the invoices themselves. It seems to me that should be sufficient for any purpose which is considered necessary in regard to the importation of goods into Canada. I say that the business man in the United States should not be subjected to the same difficulties which the Canadian business man encumbers with regard to shipments to the United States. Every time you ship goods to the United States, or to Porto Rico, or other foreign port, you have to go to a consular agent first and make out four copies of the American consular paper. You have to make out certificates and go to him and get those filled out. Then you have to fill out entries for the custom house, and other papers as well, and if the shipment comes by railway you have to produce all these papers and in many cases the goods arrive at their destination before the invoices are received. The American consul in a small town, who perhaps is not much of a business man, keeps the consular invoices in his desk for four or five days before mailing them, and sometimes the goods reach their destination be-

fore the consular invoices arrive. I say the whole thing is nonsense and quite unnecessary, and we should not subject American business, or business men in other foreign countries to the same inconvenience that Canadian business men are put to. In my opinion, therefore, the hon. member for Halifax is quite justified in asking that this clause be struck out.

Mr. CURRIE: The principal reason for this legislation is to enable us to establish commercial agencies all over the world which we do not have at the present time. It is the boast of the United States that they have the finest commercial agencies in existence, that they are represented by their own men in every port, and that the countries in which those men are stationed pay the salaries of those officers and that after all expenses are met, there is a profit left. Now we are confronted with a situation which has to be faced. If you had asked me a year ago whether it would be possible for us to adopt this course, I confess I would have taken a position very similar to that of some hon. gentlemen on this side who have offered opposition to the measure; but the world has been moving, and business conditions have changed, making it absolutely essential for us that we take immediate steps to place our agents in almost every commercial centre in the world with which we do business. It has been said that this is an objectionable way of proceeding. It is a little difficult but nevertheless that difficulty can be surmounted. I have knowledge of the facts. I am associated with concerns that ship possibly five or six cars of stuff a day, a lot of which goes to the United States. The consular agent is one hundred miles away from the point of shipment, but the invoices are made out and they are mailed to him. Notwithstanding that, everything goes through smoothly and there is no hitch. It is not a fact that the goods can get to the United States in advance of the invoices, because until the consular invoice is signed the cars cannot pass the frontier. This is a method that the Americans have adopted in order to develop their trade, it is a method of peaceful penetration, and when we are up against all kinds of competition we must accept the best method in vogue in other countries in order to meet that condition. Now what is the change in conditions that have taken place? Anybody who reads the Government reports must know that our trade is falling off at the

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present time, and what is the reason for that? I am going to try and place the situation as fairly as possible before hon. members. After the war began we had agents of foreign countries in Canada buying up all the goods they possibly could get. Such supplies as they could not obtain in Germany, or France, or Russia, or other countries, they bought in Canada, and they shipped them out to foreign countries and displaced German and other foreign trade to the extent of millions of dollars. Our trade in recent years has grown to a far greater extent than that of any other country of our size. Now what has occurred within a recent period? In the last six months the commission agents to whom I referred have left Canada. In many instances they have established themselves in Germany and they are offering to Canada to-day the very same goods which a year and a half ago they were purchasing in this country. Unfortunately manufacturers in Canada entrusted their business to these foreign commission agents, most of them British or American, and allowed them to sell our goods in China, in South America, in Australia, and other countries and to carry on our business for us. Now we are face to face with the fact that we have no trade agencies in those countries to carry on our business, and that is the very reason why our trade has been falling off for the last six or eight months. I believe that the Agrarian group, and the Opposition as well, are just as anxious to see Canada carry on a successful business abroad as are hon. gentlemen on this side. To establish these consular agents and government representatives abroad to the extent that is necessary would require six or eight months because those representatives must be good men. We must act right away; I am satisfied of that. If we are going to hold our own in the foreign markets of the world with the competition which prevails to-day it is absolutely necessary for us to have these trade agents and to appoint them without the slightest delay. Are we going to carry the burden of maintaining trade agents in all those foreign ports? Is it not easier for us to adopt the method pursued by such a great commercial nation as the United States? One hon. gentleman from the district of Montreal declared, "Fancy men like Mr. Harris taking a fee of \$2.50 in a foreign country." That is absolute nonsense. The agent of the United States Government in this very city is very glad

to see \$2.50 come in with a consular invoice. He readily performs whatever duties are required in that connection. In order to enlarge our trade in foreign countries we must not only have these agents, but the manufacturers and business men of Canada must also appoint representatives in order to develop trade for us. One concern, of which I am a member, last week put fourteen salesmen into South America where they hope to do business. I would like to see trade agents in every country, because we can compete with other nations in manufactures. But you must not shackle us with high freight rates and you must give us representatives in those foreign countries that will look up business for us. In speaking as I do I speak from personal knowledge. I know that the trade of Canada with China, South America, South Africa, Australia and New Zealand has been doubled, yes, trebled, through the efforts of the trade agents appointed by the Minister of Trade and Commerce. I know that personally. Now we must increase that representation, and the easiest and simplest way for us to do it, is to make these foreign countries pay a share of the expense just as the American trade agents make us pay for the agencies in Canada. The United States used to have far more consular agencies in Canada than they now have. I think they have cut the number down by about one-half; but the United States plan of having consular agents or representatives in foreign countries is one that has been commended everywhere and we cannot go wrong in following their example. For that reason I think the House is amply justified in supporting this proposal. The suggestion that a man has to go several miles to have an invoice signed is absurd. The mails are available, and the business is one through the mails. To any one who does business in this country, no valid argument has been advanced against the passage of this Bill. Therefore I hope those who are interested in our national trade will support it rather than find trifling objections to certain small details.

Mr. PEDLOW: I should like to express my views on the amendments suggested by the hon. member for Lanark (Mr. Stewart) and the Minister of Trade and Commerce. At the outset I want to assure both these gentlemen that neither go far enough to suit my views. Once more I express my firm conviction in the correctness of the position taken by the hon. member for Hali-

fax that this section should be deleted entirely. In my judgment it will not serve any good purpose, but will increase the present restrictions on trade. It is just one other item to supplement the long list of items that have been already added this session to the protection wall that surrounds commerce both coming into and going out of this country. For example, there is the exchange adjustment on invoices—a huge stone in the wall of protection against importations; there is the Branding Act, which will add further cost to importations; now there is this additional item of cost, small in itself, but in the aggregate very considerable. We were told when this item was under discussion before that the minister expected—I do not know by what method of arithmetic he arrived at it, because he cannot tell us the number of invoices on goods coming into this country in the year—to realize annually the sum of \$500,000. He has told us of the great success of this system in the United States, and that the entire cost there is financed out of the fees collected by its consular agents in different parts of the world. I am sorry that his information is not quite correct. Within the past week I have read in a trade journal published in New York that there is to-day before Congress an appropriation of \$500,000 to be added to the amount needed for the extension of trade and commerce along this line,—a sum similar to the amount that is expected to be raised by the Minister of Trade and Commerce through the collection of these fees. Now, if the United States with its 110,000,000 people think that is a sufficient sum to spend in one year for the extension of the country's trade, I contend Mr. Chairman, that an equal amount collected from our 8,000,000 or 9,000,000 people is altogether out of proportion.

During his remarks the hon. member for Brantford (Mr. Cockshutt) asked a question which he declined to have answered immediately. I intend to answer that question now, although I have already answered a similar question put to me by the hon. member for North Simcoe. The hon. member for Brantford has asked the direct question: Who pays the fee on exportations from Canada to the United States or on exportations from the United States to Canada. It is a foolish question to ask. Of course, in either case the consumer pays the cost. I ask the hon. member for Brantford, as I have asked the hon. member for North Simcoe: Who pays the cost of the conduct of his business, in the form of

fuel, light, insurance and so on? That cost, of course, represents the expenses of his business, and naturally this fee will be another item added to that cost and will be taken into account in figuring the sale price of his commodity.

I do not wish the House for one moment to think that I am entirely opposed to trade agents, but we must remember that this is a large country with a small population, and therefore we must proceed carefully. I find that we have already quite an extensive array of trade agents in various parts of the world. If it was not so late I should like to ask the Minister of Trade and Commerce to give us some information on this point. For instance, we have a trade agent at Auckland, and that agency cost the Dominion last year, according to the Auditor General's report, \$9,000 odd. How much business did Canada do with New Zealand last year? I find also that in Yokohama we have an agent, and the expenses of that agency last year were \$10,000. How much business did that agent secure for this country? This would be pertinent information to put before the committee in order to help us intelligently consider this proposition.

I was very pleased to hear the member for Lanark express his views on this proposal, and I am sorry, Mr. Chairman, that we do not hear from him more often. It has already been stated by one hon. gentleman that long ago he came to the conclusion that the hon. member for Lanark should be on this side of the House. I am sorry that environment has apparently overcome his better judgment in the matter of proper location, for I am confident that from his public expression of opinion that he is not at all comfortable in his present surroundings.

The hon. member for North Simcoe (Mr. Currie) as usual was very frank in his expression of opinion to-night. He said that the principal reason for this measure is to enable Canada to establish consular agents all over the world. What is the other reason in his mind? Perhaps I could suggest it by reading an extract from a letter I received a few days ago from one of the largest wholesale concerns in Montreal.

Mr. CURRIE: An importing firm?

Mr. PEDLOW: Yes.

Mr. CURRIE: Agents for foreigners.

Mr. PEDLOW: The writer is referring to this particular item and to the other item of branding merchandise, and so on.  
[Mr. Pedlow.]

The letter is fairly lengthy, and therefore I shall read only the paragraph that bears more particularly on the subject under discussion. The letter is here for the perusal of any hon. member who may wish to read the whole of it; I shall quote only the following extract from it:

All these minor hindrances to importing, such as labelling, increased sales tax on importations, the question of charging duty on adverse exchange, etc., etc., is really giving as much extra protection to Canadian manufacturers as if the tariff had been increased, satisfying the Canadian manufacturer, and not raising the ire of the class of consumers who are outspoken for a tariff even lower than the existing one.

This firm was kind enough to say:

We entirely agree with your attitude in relation to "branding and labelling imports". It looks on the surface as if the Government did not want to go on record as increasing the tariff, at the same time wanted to satisfy the Canadian manufacturers in protecting them from the competition of imports, by making the importation of merchandise as difficult as possible.

Now, there is the key to the whole situation. I have another letter from a Toronto firm, and the reading of a short extract from it will emphasize the claim which I have made and which is supported by the hon. member for Halifax and the hon. member for Red Deer. It says:

A certificate might be necessary where suspicions are aroused about importations, but speaking in a general way, are the customs authorities not going a little too far in the number of certificates that they require of a man importing a small bill of goods?

Now, these letters are, I think, from friends of the Government.

Mr. CURRIE: What has that to do with this question?

Mr. PEDLOW: I think it is more in line with the subject under consideration than a good deal I have listened to from hon. members on the Government side. The member for Simcoe says that trade is falling off. Why is trade falling off? Many large factories are declining business and yet their plants are lying idle. Do these manufacturers require trade agents in the United States to sell their products when they have a market at their own door and yet prefer to let their plants remain idle and their workmen walk the streets? Mr. Chairman, I would urge strongly upon the minister the advisability of delaying this item for further consideration.

An hon. MEMBER: Carried.

Mr. PEDLOW: I shall gladly give the floor to the member for Simcoe if he wishes

to address the committee, but I do not wish to be interrupted in that way while I am discussing this matter. I support most heartily the motion of the hon. member for Halifax, which has been so ably supported by other hon. members. The amendment which the Minister of Trade and Commerce has submitted really makes matters worse. Uncertainty is one of the worst things that can happen to the manufacturers and retailers of this country; we must have something definite to work on. If the clause passes as amended this provision may be brought into force by Order in Council to-morrow or the next day or any day—nobody knows when it may come into force. Let us have something definite. If the minister insists upon making this provision law, let him do so, but I appeal to him once more not to press this measure through.

The CHAIRMAN: The question before the committee is the adoption of clause 6. The amendment moved by the hon. member for Halifax (Mr. Maclean) is, of course, out of order, as being a negative motion. The question is on the amendment moved by Sir George Foster. All those who think that the amendment will improve the clause should of course, vote for the amendment, reserving their right to vote against the clause if they so desire when the question is put on the main motion.

Amendment agreed to, and section as amended agreed to.

On section 7—valuation for duty at not less than wholesale price.

Mr. FIELDING: When this clause was before the committee at an earlier stage I pointed out what I thought were well-grounded objections to it. The clause provides that in valuing the goods there must be taken into consideration the cost of production in the country of origin, plus reasonable profit. I pointed out that the minister has no machinery for establishing the cost of production in a foreign country. The minister claimed that they had some machinery for doing that. Now, I have in my hand an article from the Montreal Gazette which deals with that question. I need not remind the committee that the Montreal Gazette is a strong protectionist paper and is thoroughly consistent in that respect. It does not object to any duty on the ground that it is too high; you could hardly make it so high that the Gazette would object to it. It has always been a protectionist paper,

and I suppose they would not object to my saying that it will likely continue to be so. The Gazette is edited by a gentleman of large commercial experience; it is generally understood that he was the collector of customs in Montreal for many years, and in that capacity—a most excellent and capable collector he was, I do not hesitate to say—he obtained a large knowledge of what is practicable in the administration of customs laws. In article 7 he recognizes a tendency to increased protection and to that extent he commends it. He goes on to say:

The intent of the amendment is commendable. There will, however, be difficulty in giving it effect. "Actual cost of production" of goods in a foreign country at specified dates is not easy to ascertain, because the authority of Canadian Customs officers does not extend beyond this country, and only by detaining suspected importations until the exporter voluntarily establishes production cost at date of shipment can the case be disposed of. There is also the question of what constitutes "a reasonable profit" on goods suspected to have been dumped, the decision being committed solely to the Minister of Customs, a question liable to lead to conflict and controversy.

Now, that is the opinion of a gentleman who, I think it is no impropriety to say, was a most capable and experienced customs official, and everything I said the other day against this clause is confirmed by the views here expressed. The Minister of Customs has no machinery by which he can establish the cost of production in a foreign country. He has machinery by which he may establish the fair market value, but he cannot successfully ascertain the cost of production. Then comes, as the writer points out, the question of what is a reasonable profit. I think I must again urge upon the Minister of Customs that this clause is not workable.

Mr. WIGMORE: It is quite true that we had a lengthy discussion on this matter when the resolution was introduced; but further discussion will, perhaps, throw a little more light on the subject. I realize quite well that the working out of this will probably be quite a difficult matter; but, as I stated before—and I repeat it now—we have at the present time certain machinery whereby this can be worked out. We have our own officers in certain parts of the United States to-day, and if it were not possible for them to put this machinery into operation, we could send some of our expert officers from Canada. There is no question, of course, that some delay would be caused. But during the last year large quantities of goods have been shipped into Canada at a cost to the merchant in this

country very much below the cost of manufacture in the United States and very much below what the goods could be manufactured for in Canada. I think this is a Bill that should be passed. We have been working under this Act for some time.

Mr. FIELDING: There is no such Act.

Mr. WIGMORE: We had the same power under sections 46 and 47 of the Customs Act, I think. It is a protection to our Canadian manufacturers and merchants, and I see no reason why it cannot be worked out satisfactorily.

Mr. FIELDING: There is no doubt, as my hon. friend says, it is protection. It is additional protection and the misfortune is that it is not openly avowed as such. It is an attempt to correct a valuation and to give a new valuation which is not the real valuation at all.

Mr. WIGMORE: It is a great protection to our Canadian labour against those goods being shipped into Canada and competing with Canadian manufactured goods.

Mr. FIELDING: My hon. friend has the Dumping Act to do that. By that Act he has ample machinery to give him all the protection that Parliament has ever intended to give.

Mr. CURRIE: There is on the docks in Boston, New York and other places a vast quantity of goods that are being put up for auction by the banks and sold at whatever they will bring. Under the law as it stands, the price at which the goods sell is the fair market price, although it may be only half the cost of the goods. Does the hon. gentleman think it fair that the law should be so construed as to admit goods of that kind into Canada? That is largely what is causing factories throughout this country to close. Fair market values can be established by the sales of these goods in the auctioneer's hands. The banks have seized consignments of goods that are not taken abroad, and they have been dumped into Canada. I think the Customs Act should be changed so as to say that not only the fair market value but the cost of production should rule; that is to say, if we are going to give any protection to our working men, and surely we do not want to starve our working men.

Mr. FIELDING: The question of fair market value is one which the Customs Department of Canada has been dealing with for fifty years, and I am not aware that there is any trouble. The Dumping

[Mr. Wigmore.]

Act applies when goods are sold at other than the fair market value in the country of production. If events, no matter what they may be, cheapen the fair market value in the country of production, we have a right to share in that cheapness, so long as the price at which we buy them is the same price as that charged at home.

Mr. McMASTER: The remarks of the hon. member for Simcoe North (Mr. Currie) show with what dread the protectionist mind regards cheapness. That goods should be abundant and cheap is abhorrent to the protectionist mind. That is, however, not what I wish to insist upon to-night. This section is of a most vicious character; it practically puts in the hands of the Minister of Customs the right to raise a tariff whenever he likes. We know what protection is. Protection is a matter of principle; it is a matter of appetite, and the Minister of Customs is put in a position, under this Act, whereby if sufficient pressure is brought to bear upon him by people of strong acquisitive appetites, with the desire to shut out entirely goods from abroad, the minister, if he wishes to give way to that pressure, is the sole judge of how the tariff is to be raised. I protest against this legislation. It is protectionism run mad. It is such protectionism as the Minister of Trade and Commerce (Sir George Foster), in the days when he was Minister of Finance in this country, would have been ashamed to be responsible for.

Mr. DAVIS: I have no hope whatever of convincing such a protectionist as the hon. member for Simcoe North (Mr. Currie), but I think it might shed a little light and, perhaps, give a new point of view if I were to quote from "English Bankers on Trade Restrictions". This appears in the Economist of the 14th May, and is signed by such economists as Hon. R. H. Brand, Hon. Reginald McKenna, Lord Inchcape and Lord Avebury, and, therefore, should command some respect:

The policy of trying to exclude the productions of other countries, with the well-meant design of encouraging our own, cannot increase the volume of commerce or the total volume of employment here. But it may well compel the consumers, who form the bulk of our population, to submit to privations in the quality or quantity of the goods they buy. The importation of foreign goods does not diminish the activities of our people, because such goods can only be paid for by the produce of British capital and labour. The advocates of a restrictive system are too apt to lose sight of the elementary fact that nations, or rather individual members of nations, buy foreign goods

because they need them, not to benefit others, but to benefit themselves, and pay for them by producing goods which the foreigner in his turn requires.

The greatest disadvantage that this clause has is that trade does not know what it is going to meet. These regulations are changed from time to time; they are uncertain, and with all the uncertainties that there are at present, with changing markets, changes in the direction of trade, changes in the value of money and then changes in the Government regulations on top of that, it leads me to think of what was said by Sir Alfred Mond the other day in discussing the situation, and, indeed, in supporting what was done in the British House when he referred to business as being a Bedlam at present, and further saying that some of its doctors should certainly be put in padded cells. I would commend that to the attention of some of the members of the Cabinet who are at present advising such legislation as this, to restrict and condemn to further difficulties, trade. Lest it should provoke the hon. member for Brantford (Mr. Cockshutt) to rise again, who seems to have that exalted notion of a business man, which we have heard him express to-night and which we have seen ad nauseum in trade magazines, I may say that I am a lawyer, but that I tried to understand questions of this sort in some measure and that this question of trade restriction is only bothering and increasing the difficulties of keeping our trade on a fair and sound basis. We all know to-day that we are seeking markets with avidity and anxiety for the produce of our farms. We do not know where we are going to get a market for our wheat the coming year, if we have a large crop. We know that with German exchange as it is to-day, it would cost them \$23, \$25 or \$26 a bushel to buy our wheat. How can we expect to sell them wheat at that price? Owing to the exchange situation in Italy also, our wheat would be at a prohibitive price there. The idea seems to be that these countries are at a very great advantage as compared with us through printing notes, but exactly the opposite is the case, and by this measure we are only adding to the very great difficulties that we are facing at the present time. I can see no defence whatever for this. It is impracticable, as I pointed out in a previous debate, for the minister to determine the actual cost of production in a foreign country or what would be a fair profit upon the goods, and if he does not admit that, we shall have to take it for stubbornness and for his recognition of the

impracticable position in which he is. He can produce no information to support his position. I have two journals before me which have been seeking to get hold of the cost of production of goods in Germany. The Mining Journal has been inquiring into the rates of wages, and the way in which their exchange is changing the cost of goods. I have also before me the London Economist, which has been making an investigation of these matters, and it shows that within the course of a year there has been a change of 400 per cent in the wholesale index price of German goods. How in the face of these facts the minister is going to keep track of the price of goods ordered to-day and coming forward to us six or twelve months from now, I leave it for him to say. I know that it is impracticable. Any man in this House with any practical sense at all knows that it is impossible.

Mr. STEWART (Lanark): As I understand the position taken by the hon. member for Shelburne and Queen's to-night, and also when the resolution with reference to this matter was before the House, it was that the dumping clause was never intended to prevent the Canadian people from getting cheap goods so long as the price at which they were sold in this country was the price charged to the people in the country from which those goods came.

Mr. FIELDING: Correct.

Mr. STEWART (Lanark): But the position taken by the hon. member when this question of dumping was before the House in the session of 1906-1907, as reported in Hansard of that session, page 1010, was hardly the same as the position he has taken to-night. I quote from the debate in 1906-1907:

Mr. Lake: There is another question I wish to ask, a question which I have heard argued, and I only ask for information. If I go into the United States on a bargain day and buy a certain article over the counter at a bargain, at very much less than its proper or ordinary valuation in that country, and if I bring that article into Canada, supposing it is an umbrella, for instance, will I have to pay both the duty on the customs valuation of that article, and also the difference between what I paid and the tariff valuation?

Mr. Fielding: I think in a small transaction like that it is not likely the question would be raised. But in the case of large shipments, the test would have to be, not what was the bargain day price, but what was the ordinary selling price.

Mr. FIELDING: Hear, hear.

But I do not imagine any collector of customs would raise trouble over any small pur-

chase of that kind. In large transactions certainly they would have to ascertain, not the bargain day price, but the ordinary selling price.

Mr. FIELDING: Surely.

Mr. STEWART (Lanark): In that particular case there would be no doubt that the price that would be paid on a bargain day in the United States by a purchaser in Canada would be precisely the same price as that being charged the people in the country in which the bargain day was being held. Now, if the basis of valuation for the purposes of import is to be the ordinary selling price, surely that must mean precisely what the section in the Bill means, because the ordinary selling price of any commodity must surely be based upon the cost price at the time of sale plus a fair profit.

Mr. FIELDING: Not necessarily.

Mr. STEWART (Lanark): The ordinary selling price in any business cannot be based on any other principle, or you could not continue in business. Now if the bargain day price is not to be accepted, surely this section as it now stands is in perfect accord with the opinion expressed by the hon. member for Shelburne and Queen's in 1906-1907.

I want to refer for a moment to another matter that I think might very well be taken into consideration by the minister as an additional precaution against dumping. Take the regulations that obtain in the United States governing imports. Take, for instance, imports that go into that country from Canada, and the condition that obtains with reference to us is the same with reference to every other country. When a shipper in this country desires to ship to the United States he is obliged to go to the consular agent and have his invoice certified. In that certification the consular agent designates the port of entry through which the shipment must go to the United States. A shipment going today from the same place in Canada to the same place in the United States as one which went yesterday might not enter the United States through the same port. If my information is correct, and I think it is, the number of ports through which goods from Canada can enter the United States is only about thirty, while goods coming from the United States into Canada can enter through more than five hundred different ports. The point I want to make is this. The United States, by reason of

[Mr. Fielding.]

having only about thirty ports of entry, are able to have at those ports a competent appraisal board composed of men competent to appraise the value of goods of every possible description, while with us, with five hundred ports of entry through which goods can be shipped into Canada, it is impossible to have a proper appraisal. We would be able to enforce the conditions of section 7 as to the cost of the goods very much better if we had a proper appraisal, and I suggest this matter as an additional way of working out the provisions set out in section 7.

Mr. FIELDING: My hon. friend has quoted my remarks in 1906, and I am glad to know that what I said to-day, after all these years, is absolutely consistent with what I said then. My hon. friend speaks of bargain days. Bargain days only occur, as a rule, in the retail trade; it is a term that is not known in the wholesale trade. In 1906 the case was cited of a man who goes to some American city and buys an umbrella at a bargain price. I said, very properly, that a small transaction of that kind would not be taken seriously. But there are no bargain days of that kind in the wholesale trade. My hon. friend says that the ordinary selling value must be the cost of production, plus profit. I do not agree with him at all. There are times when you cannot recover cost of production, plus profit. There are times when for one cause or another goods fall in price, and a man has to sell his goods at the ordinary selling value, which is perhaps much less than what it cost to produce the goods, irrespective of profit. The very essence of the dumping clause was to prevent false prices being fixed for the sake of getting goods into Canada and creating a market to the disadvantage of the home manufacturer. The whole question is: Do you sell at that price to your consumer at home? If, under present conditions of business, whatever the cost may be, you sell to the American consumer any article at current value, that is the fair market value for us when the goods come to Canada. Any other interpretation would be another way of putting on a fictitious value and thereby increasing the price to the Canadian consumer.

Mr. NESBITT: I cannot agree with my hon. friend that there are no bargain days in the wholesale trade in the United States. As a matter of fact, the manufacturers of boots and shoes in the United States very frequently have a certain amount of goods

on hand. They have to keep their factories running and they have a certain amount of goods that are bound to be left on their hands, and when that happens, they scoot over to Canada and dump them here.

Mr. CLARK (Red Deer): We do the same in the United States.

Mr. NESBITT: No, we have not an opportunity, because they are filled up. I do not agree with the member for Shelburne and Queen's (Mr. Fielding) that the American manufacturer does not cut prices for the purpose of supplying the trade of Canada. If he cuts his prices, he cuts them here; he does not cut them at home.

Mr. FIELDING: Then he pays the dumping duty.

Mr. NESBITT: No, he does not; he avoids the dumping duty by swearing his invoices.

Mr. FIELDING: Then that is fraud.

Mr. NESBITT: I do not think that there is anything objectionable in the clause as it is drawn. The Customs Department should have some means of finding out the practical cost of manufacturing any goods, and a reasonable man could easily add what would be a fair profit for overhead. So that I do not think we should be particularly anxious about this clause; I think it is very well drawn. The old dumping clause did not carry out what it was supposed to carry out. This year especially we have had a great deal of trouble with goods cheapened on the other side. They did not want to cheapen them too much because it would affect their own trade, but we have had a great deal of trouble with dumping into Canada of goods overmanufactured and standing on the shelves of the manufacturers in the United States, and it is absolutely necessary to have something to assist the trade of this country in stopping that class of business. The old dumping clause did not prevent it.

Mr. FIELDING: With regard to the question of bargain days, I have seen a great many American advertisements, and the term "bargain day" governs

1 a.m. retail transactions; I have never seen any bargain day advertised in connection with wholesale trade. The manufacturer might have a surplus of goods and want to sell it; he will cut his price at home and we do the same in Canada. Is that dumping? We have manufacturers in the large cities who go into the small cities and sacrifice their goods

at a low price, and you cannot prevent that. So long as the United States offer us goods at the same ordinary selling price as they charge at home, there is no dumping at all. There is no room to debate that. The law of to-day is ample for all legitimate purposes, and this is an attempt to extend the dumping Act and give to it a meaning it was never intended to have.

Mr. CAHILL: Members opposite who were so insistent in promoting trade a few minutes ago, when clause 6 was under consideration, should be opposed to clauses 7 and 8, because, if the Minister of Trade and Commerce succeeds in developing trade in any foreign country, he will find the Minister of Customs standing at the boundary line with an axe in his hand, ready to cut off this trade as quickly as possible. Under this clause, he wants to prohibit trade. My hon. friend from Shelburne and Queen's, a few minutes ago, in speaking of goods at a fair value, insisted that this should not be fixed at production cost. Take shoes for example. styles change, and a manufacturer finds himself loaded with a stock of shoes which are not popular and are not selling, will the Minister of Customs insist on fixing the price of those shoes at the same level as new shoes made on a different last, although made of the same material? If he does, the manufacturer will never be able to sell those shoes and the consumer in Canada will not benefit by the cheapness of the article. We are buying in a falling market; prices of commodities are going down everywhere, and notwithstanding this, we are making restrictions to keep them on a high level for the Canadian people. Evidently the minister is not going to let prices come down in Canada. The price of wheat, the price of oats, and the price of farm produce have come down, but the Government is insisting in keeping up the price of manufactured goods, and yet they are going about the country talking about promoting trade. They are talking about increasing foreign trade, and at the same time are building a fence on the border to stop it. The minister even takes power to himself to say what shall constitute a reasonable profit "in the circumstances". What does the minister consider might be a reasonable profit in the circumstances? Does he expect that a man who ships goods from a foreign country to the Canadian boundary must ascertain from the Minister of Customs what he considers is a fair profit in the circumstances?

Some hon. MEMBERS: Carried.

Mr. CAHILL: That is something that is most unusual and unheard of, and could not emanate from anyone but my hon. friends opposite, who seem to follow the example of one of their leaders, who admitted that he was a parrot, and keep on calling out "Carried" every few minutes. That is all the attention they pay to legislation that is passing through the House. The next clause is even more dangerous.

Sir GEORGE FOSTER: Take them one at a time.

Mr. CAHILL: My hon. friend's insist on clause 6 because it gives to the Minister of Trade and Commerce an outlet for his greatest enterprise, the promotion of patronage. He will have an opportunity of appointing many trade commissioners and my hon. friend will welcome that. He will welcome anything which will enable him to appoint commissioners or commissions.

Mr. JACOBS: And census enumerators.

Mr. CAHILL: You may be sure he will be in favour of doing that.

Sir GEORGE FOSTER: He is a bad man.

Mr. JACOBS: One of the worst.

Mr. CAHILL: There is no doubt he is one of the worst so far as patronage is concerned. Why this restriction should be imposed is something beyond the comprehension of the average Canadian business man. It is beyond all reason and common sense. Perhaps the Minister of Customs will explain to me what he means by "reasonable profit" under the circumstances?

Mr. WIGMORE: I think we would have to know something about the circumstances. I do not think it is a very difficult matter for anybody to establish what would be considered a reasonable profit.

Mr. CAHILL: That is probably the attitude the shipper would take; he would have to know something about the circumstances. Therefore business men would not take a chance of doing trade because they would not like to trust to the minister in the matter. They would not trust to him to say what would be a reasonable profit in the case of goods arriving at their destination hundreds of miles away from the factory. The proposition is a most un-

[Mr. Cahill.]

reasonable one and should not appear in this legislation at all.

The CHAIRMAN: Shall the clause carry? Carried.

Mr. PEDLOW: You are altogether too previous, Mr. Chairman. I was on my feet before you started to read the next clause. I want to address the committee on the subject.

Mr. FIELDING: On section 7?

Mr. PEDLOW: Yes, on section 7. I do not know what the purpose of this section can be, but it is in line with the general attitude of the Government to build up a protective system that will absolutely prohibit importations into Canada from other countries. They might as well enact a clause providing that all importations for the time being be stopped. That would be a more effective way of proceeding than to proceed piecemeal. What business man of sound mind would attempt to import merchandise from abroad with such legislation as this staring him in the face? No man of sound mentality would attempt it—it would be utterly impossible. On what basis is he going to place the value of goods imported, or how is he going to arrive at it? When a merchant goes to Europe to make purchases to be sold in this country he naturally wants to be able, at the time of purchasing the goods, to determine what they are going to cost him when they are landed in his warehouse in Montreal or Toronto. Now I submit that fixing the valuation for duty at not less than the wholesale price plus a reasonable profit is an utterly impossible provision to enforce—you cannot do it. I think whoever framed this clause must be a fit subject for a lunatic asylum—I do not care who is the author of it. It is so absurd that any man who knows business methods will not stop to discuss it at all—he cannot get himself into a fit and proper state of mind. I ask you, Mr. Chairman, not to make the House of Commons an absurdity by placing a clause of this kind on the statute book. I will leave the House rather than be responsible for passing such legislation.

Mr. CURRIE: You had better leave it right now.

Mr. PEDLOW: I suggest that the Government might just as well frame a blanket clause prohibiting all importations into Canada for the time being. The situation is very much like the illustration given us by the hon. member for Red Deer about

the man who started to raise cats and carp and fed one to the other. If we cannot do business with the outside world what are we going to do with our surplus products? We shall have millions of bushels of wheat to sell next year and where are we going to sell them if our importations are to be stopped? If we cease buying goods abroad we simply cannot dispose of our surplus products. You are simply tying up the trade of the country. We shall all starve next winter, or else be compelled to maintain ourselves by subsisting on our surplus wheat supplies.

Mr. JACOBS: In view of the fact that the hon. member for Renfrew threatens to leave the House I think this clause should be dropped.

Mr. PEDLOW: What I meant, even if I did not actually say so, was that I would leave the House while this section was being considered. I certainly would refuse to be responsible or even to be within the precincts of the House, while such a section as that was being passed.

Mr. LALOR: I am sure we shall all be very sorry indeed if the hon. member is driven out of this country. I strongly advise him if he decides to go, and takes the member for Pontiac with him, that he should not go to the United States. If he does cross over into the adjoining republic and studies the customs regulations there he certainly will not remain in that country, because those regulations are entirely different from the Canadian regulations. Does the hon. member for Renfrew know that you cannot take goods into the United States unless they show a profit of 10 per cent—that is not dumping price or even sacrifice price.

Mr. FIELDING: How does it concern us?

Mr. LALOR: It concerns us in this way: if they are going to treat this country in such a manner surely we have enough of pride of our own to take a little of that medicine ourselves.

Mr. CLARK (Red Deer): But my hon. friend does not take the medicine, he takes the profit.

Mr. LALOR: I would advise my hon. friend from Renfrew to get a copy of the American customs tariff and study it a little. He will then see what they do over there as regards our trade.

Mr. JACOBS: Nice Sunday reading.

Mr. LALOR: As I say, according to their regulations, in order to get your goods admitted, you must show a profit of 10 per cent, and the price is raised in any case where they deem the amount to be too low.

Mr. CAHILL: Does my hon. friend like the American system?

Mr. LALOR: I certainly do not like it. Yet hon. gentlemen opposite tell us that we should lower our duties and let them ship their goods in and sacrifice them in this country. They have been doing that for the last year and in consequence our factories are closed up to-day. Our factories cannot sell the goods but the Americans are selling them at these sacrifice prices. We have had experience with some of their customs regulations. I cited cases the other day where they imposed fines on goods entering the United States because the figures were not in accordance with their idea of what the profit should be. In view of such conditions surely we in this country should have a little pride and keep Canadian business for Canadian people in the interest of the men who are working in Canadian factories.

Mr. CAHILL: And the profiteers.

Mr. LALOR: The profiteers if you like but I want the hon. member to understand that the profiteers have not made very much money on goods in Canada for a long time. The prices are closer than they are anywhere else, and are in the interest of the Canadian consumer too. I do not believe we should let American goods come in here at sacrifice prices when they put up the walls against us in shipping to them. I have not much faith in appointing trade commissioners in the United States because I do not believe they can sell any great quantity of goods in that country. They do not want our goods over there and they have put up all the protective barriers they possibly can to keep those goods out. That is their policy. It is not only in the customs duties they charge that the obstacle exists, but in the regulations they enforce concerning goods going into the United States. I think if my hon. friend from Renfrew will study the American customs regulations a little he will not leave this country but will stay here.

Mr. PEDLOW: I will not occupy very much time in replying to my hon. friend. The hon. member for Haldimand endeavoured to insinuate that it was my in-

tention to leave this country. I have not the slightest idea of doing so and I certainly will not do it on his invitation. I do not think there is a member in this House or a manufacturer in the whole Dominion of Canada, who is better qualified to speak with authority on the subject he has been discussing than is the hon. member for Haldimand. He is an extensive manufacturer and I admire his enterprise—he has one foot in the United States and the other in Canada. He gets it both coming and going.

Mr. CURRIE: You will soon have all the factories over there.

Mr. LALOR: Might I tell the hon. member the reason? The wall was so high we could not get over—the regulations were too severe.

Mr. PEDLOW: Does the hon. member for Haldimand mean to tell this committee that he sells his merchandise at the same price in the United States as in Canada?

Mr. LALOR: I think that as a rule our prices in Canada are lower than they are in the United States, although the scale of wages to our working people in Canada is exactly the same as that paid in the American factory.

Mr. PEDLOW: We do not like thinking replies; we prefer specific answers. The hon. member should know his business well enough to give a specific answer to such a question.

Mr. DAVIDSON: Is that in order, Mr. Chairman? Is that not interrogating an hon. member?

Mr. PEDLOW: I would suggest that this clause also be withdrawn. It is really a restriction on the business of this country, an attempt to hamper it piece by piece. Why not, as I have already said, enact legislation absolutely prohibiting for the time being the entry of merchandise? Here is a letter I received a few days ago on the subject under discussion, that is, regarding taxes, impositions and restrictions on trade. It is from the firm of Gillies Bros. Limited, lumber manufacturers, Braeside, Ontario. It says, in part:

I think that comparatively few of the legislators have any idea of the amount paid to the municipalities, provinces and Dominion by **lumber manufacturers in taxes and dues of various kinds**: In addition to the ordinary municipal and county tax we have:

1. Provincial business tax.
2. Stumpage charge for the timber (ranging from \$5 to \$25 per thousand feet in Ontario.)
3. Crown dues (\$5 per thousand in Quebec).

[Mr. Pedlow.]

4. Ground rent (\$8 per square mile in Quebec).

5. Fire tax (\$6.40 per square mile or over).

6. Provincial company or corporation tax, in addition to the annual fee as a Dominion or provincial company.

7. Dominion Company income tax.

8. Dominion War Profit Excess tax, if any.

9. Personal income tax on the dividends paid from the business.

10. Municipal tax on personal dividends.

11. And now the high sales tax.

Compare this taxation with fishing, farming or mining, which are industries in the same class as lumber in that they are indigenous to the country and utilize the product of the soil. We think that none of these other industries can compare in the amount they pay as taxes in proportion to the annual output or turn-over, taking into consideration that the annual turn-over in the lumber business is very small in proportion to the capital invested and that the time required for a turn-over of working capital alone in our case is about two years, not to mention the fixed or invested capital, and we think you will find that no other of the large industries compare in the amount they pay towards the revenue of the country. And note particularly that we are not a protected industry, in fact just the opposite, we are the pack horse to carry all the load of the infant and infirm protected industries.

Taxes apparently are necessary to meet the country's liabilities but there is a limit to taxation and my remedy for the present condition is for strict economy in government expenditure and operations.—

Mr. CURRIE: Mr. Chairman, what has that letter got to do with this clause?

Mr. PEDLOW (reading):

Discontinue works which are unnecessary and which are simply political projects, as the drydocks and wharves at Prince Rupert, Victoria, Vancouver, Halifax and St. John; works like the Welland canal,—

Some hon. MEMBERS: Order, order.

Mr. PEDLOW (reading):

—contracts for which have lately been let at prices from which I am told fortunes are likely to be made at the expense of the taxpayer and the people generally; militia nonsense and many other luxuries.

The CHAIRMAN (Mr. Steele): Order. The hon. gentleman has been out of order long enough now.

Mr. PEDLOW: I am reading an extract from this letter written by one of the largest firms in the country, and I submit that it is quite pertinent to the question we are discussing, because it deals with taxation. It says, further—

The CHAIRMAN (Mr. Steele): The hon. gentleman is out of order in reading the letter.

Mr. PEDLOW: There are only three more lines to complete the quotation.

The CHAIRMAN (Mr. Steele): I hope the hon. member will accept my ruling and

bring his remarks to bear upon the clause under discussion.

Mr. PEDLOW: I am in order, Mr. Chairman, in stating the effect of the remaining lines without reading further. The writer, in effect, states that if steps were taken by the Government to economize in expenditure instead of increasing the present heavy taxation they would accomplish better results.

Mr. THOMSON (Qu'Appelle): I cannot agree with the hon. member for South Renfrew in saying that this clause is evidence of insanity on the part of the draftsman. I think it is evidence, of which we have many other examples, of great shrewdness in increasing the customs tariff indirectly and under cover. That appears to be the main purpose of the financial legislation which has been brought down this year. We have heard boasts from the Prime Minister of reductions in the tariff and of its being lower than it was under their predecessors, and apparently the Government thoroughly realize that the public will not stand any apparent increase in customs taxation. So they have adopted another plan. I do not know whether I would be in order in using the expression, but it seems to me the plan may be aptly described as that of "sneaking in" legislation which will accomplish the purpose under cover and by way of deceiving the people. This is purely an attempt to make a vast increase in the customs tariff without any appearance of so doing. The hon. member I think for Simcoe referred to the plan adopted in the United States where they allowed ten per cent for profit. Well, is my hon. friend going to bind himself to ten per cent? He can make it 100 per cent or anything he likes; his fancy is what settles everything. It seems to me that my hon. friend the Minister of Customs can teach the Americans something about legislation that will accomplish the purpose of increasing protection without apparently doing so. His own little speech showed plainly what he was after; there was nothing but protection in it; in fact, he did not appear to have any idea in his mind except the most extreme protection. I repeat, the man who drafted that clause was not insane at all, he was a keen man on protection and was determined to get all the protection possible for the industries of Canada without any appearance of doing so.

Mr. CURRIE: Does the hon. gentleman think that we should have free trade now? He is denouncing protection?

Mr. THOMSON (Qu'Appelle): I am afraid the Chairman would call me to order if I began to answer that question; but, if not, I will answer it.

Mr. CURRIE: All right, go ahead.

Mr. THOMSON (Qu'Appelle): As far as I am concerned, the sooner we had absolute free trade the better I would be satisfied.

Mr. CURRIE: What about your party?

Mr. THOMSON (Qu'Appelle): I am only expressing my own personal opinion. I am not standing for any policy of absolute free trade at the present time, and have never pretended to. My hon. friend and others have no right to spread abroad in the country, as they are striving to, that we are pretending to be in favour of free trade sometimes and at other times not.

Mr. CURRIE: Where do you stand? I would like to know.

Mr. THOMSON (Qu'Appelle): The hon. member has no right whatever to spread that idea abroad. When that question comes up in proper order I shall be as ready as my hon. friend to state my views. He never needs to explain his policy. He wants to have a protective tariff so high that he can drain the last cent that he can possibly get out of the pocket of every Canadian. That is the policy the minister is following now, to put the manufacturers in a position where they can drain the last cent possible from the pockets of the people. It is not insanity at all, it is business keenness in an attempt to help out the manufacturers.

Mr. LALOR: If the hon. gentleman will allow us the same protective tariff that he supported for sixteen years we will be perfectly satisfied.

Mr. THOMSON (Qu'Appelle): My hon. friend is going into a good many side issues. I have never agreed to any tariff which we have had during the last 16 years or the last 30 years. I protested publicly in the country against the tariff which my own party was putting on. I did so, and yet I had to support them, otherwise I would have had to support my hon. friends opposite who shouted all over the country that the Government should be put out of power because the protection was not adequate.

Mr. CLARK (Red Deer): I do not want to delay the committee Mr. Chairman, especially at this hour—and one wonders if prorogation is going to be further postponed. I intervene at this moment

to enter another word of protest against the most absurd fiscal proposals that have ever occupied the attention of supposedly intelligent men. This clause taken with the one that follows amounts to prohibitive legislation,—and I content myself with that statement on these clauses at the moment, I do not know where my hon. friend got them. I am sure he is too innocent in the business of legislation to have drawn these out of his own brain. I do not know, who put them to him but somebody has put one over him so far as this country is concerned. My object in rising, however, was to express my gratification that we have had an exposition of the effects of this clause from a strong supporter of the Government for many years. My hon. friend from Haldimand let us know exactly how this legislation will act—and he knows how it will act. His trouble is cheap foreign goods and he wants them kept out. That is to say, according to the definition of protection made by Mr. Balfour and quoted in the Budget speech by the hon. member for Prince Albert (Mr. Knox) protection is a device for building up home industries by increasing prices. My hon. friend from Haldimand agrees thoroughly with Mr. Balfour and he has expounded what the effects of this clause will be—if not in those terms, in his own terms. Now, I want to point out to ministers the seriousness of the course upon which they are embarking and the injustice they are committing against certain classes in this country by a clause so expounded by one of their own supporters. It is supposed that 48 per cent of the people of this country are engaged in the pursuit of agriculture, which hon. gentlemen on every side of this House tell us from time to time is the foundation of our prosperity. I want to appeal to ministers; I appeal to my hon. friend the Minister of Agriculture, who has the interests of the farmers at heart: Are agricultural prices increasing at this time? My hon. friend cannot answer that question except in the negative. He knows his subject well and he knows that the farmers in this country are facing prices which are falling almost with the rapidity of the descent of an avalanche. I call the attention of the other Cabinet ministers to the fact and I ask them how they expect the farmers of the country to go on building up their industry, which is the foundation of the nation's prosperity, in the face of a clause, which, according to my hon. friend from Haldimand, is framed for the

[Mr. M. Clark.]

express purpose of raising the prices of all that the farmer buys. The same argument applies to the great masses of the labouring men of this country, to the great mass of the returned men and the whole mass of the consumers of this country. That is how the clause will operate, according to the exposition of a strong supporter of the Government. It is the rankest and the grossest injustice to the consumers of the country, as the minister will know very well before twelve months are over. It is the rankest national folly, because it is reducing the trade of the country. It is in keeping with the whole of this Government's policy. It is in keeping with the policy which you might expect from a Government one member of which says that a special clause in this Act is meant to increase trade while another says he does not want that trade increased. I point these things out once more and enter my emphatic protest against the time of Parliament being wasted in enactments which are diametrically opposed to the country's good and to our people's happiness and prosperity.

Mr. FIELDING: I would remind the Minister of Trade and Commerce, who is leading the House, that we are to meet at eleven o'clock to-day. May I suggest that it would be wise if we should report progress and ask leave to sit again?

Sir GEORGE FOSTER: I think my hon. friend will agree that we must pass this Bill.

Mr. FIELDING: I want to tell my hon. friend that the next clause is even more contentious than the one upon which we have spent nearly the whole evening.

Sir GEORGE FOSTER: Well, we might as well discuss it.

Mr. FIELDING: Does my hon. friend say we might as well proceed, knowing that we have to meet at eleven o'clock?

Sir GEORGE FOSTER: I think we might as well discuss it.

Mr. FIELDING: Well, I am sorry, but if my hon. friend insists we will discuss it.

Section agreed to.

On section 8—valuation of currency.

Mr. FIELDING: If my hon. friend the Minister of Finance at the close of his Budget speech had proposed changes in the tariff schedules increasing the rates of duty, at present 30 to 35 per cent, to 70, 80, 90, 100, 150, 200 per cent, he would, I

suppose have filled us with amazement. We would have been amazed at the audacity of the proposals, and if we had sought some means of comparison we would have been obliged to say that the course of my hon. friend was somewhat like that of a highwayman. We would at all events have been able to pay him the compliment that it was like a dashing highwayman, something of the Dick Turpin type, something like the man who would meet you on Hampstead Heath, take what you had and bow to you politely.

Mr. CURRIE: Mr. Chairman, I appeal to you if the hon. gentleman is using parliamentary language.

Mr. FIELDING: I think so.

Mr. CURRIE: I do not think so. I never heard the hon. gentleman express language of that kind before.

Mr. FIELDING: I was paying my hon. friend the Minister of Finance a compliment.

Mr. CURRIE: A backhanded compliment.

Mr. CLARK (Red Deer): I rise to a point of order. The time has surely come when we must be protected from such interruptions as have just been offered to my hon. friend from Shelburne and Queen's. There is not only no member of this House, but I venture to say there is no citizen of Canada who knows something about the public life of this country who does not admire my hon. friend from Shelburne and Queen's. We admire his many gifts, but we admire him still more for his graces of character and for his uniform courtesy. My point of order is that my hon. friend has risen in his place and without even appealing to the Chair has denounced the hon. member for Shelburne and Queen's as being out of order, in his opinion. I think the time has come when the committee must appeal to you, Sir, for protection from this sort of conduct on the part of the hon. member.

Mr. CURRIE: Mr. Chairman,—

Some hon. MEMBERS: Sit down.

Mr. CURRIE: I appeal to you distinctly as a member of this House, and I ask you if the language used by the hon. gentleman was parliamentary when he designated in a backhanded way the Minister of Customs as a Dick Turpin. That is the language he used, with evasion and the slim manner—

Some hon. MEMBERS: Take it back.

Mr. CURRIE: I want to tell the hon. gentleman—

Some hon. MEMBERS: Order.

Mr. CURRIE: I appeal to the Chair.

Some hon. MEMBERS: Sit down.

The CHAIRMAN: I must ask hon. members to allow the hon. member for North Simcoe (Mr. Currie) to state his point of order. At the same time I must ask the hon. member for North Simcoe to limit his remarks to the point of order.

Mr. CURRIE: I simply ask your ruling if it is in accordance with parliamentary usage for an hon. gentleman in this House to rise in his place and state that a minister of the Crown is like a Dick Turpin.

Mr. FIELDING: I agree that that would be out of order. I think the Minister of Finance, who is most concerned about this, would know that I did not intend any discourtesy to him. I was really paying him a compliment. I was saying that, as regards what he was doing in this matter, he would at all events have admiration for the boldness with which he proposed it. While we might credit my hon. friend with some boldness in the matter, what shall we say when we find him doing precisely the same thing, I will not say in a backhanded way—that was an expression of the member for Simcoe—but in a roundabout way; I will not say, with intention to deceive, because that might be unparliamentary? Let us see what the situation is. By this resolution we are practically increasing the duty on the products of some countries now having a duty of 30 or 35 per cent to 70, 80, and 90 per cent, and really in the case of Germany we are going to impose duties of 200 per cent.

Mr. CURRIE: Hear, hear.

Mr. FIELDING: My hon. friend says "Hear, hear." I am not anxious that anybody shall trade with Germany. I do not want to buy any German goods. If I know it, I will not buy any for a long time. If you and I and the thousands of others who feel as we do are unwilling to buy German goods at any price, that is our individual right; that is the penalty which Germany must pay for her crimes against civilization. But, as a dominion or as a nation, if my hon. friends prefer that term, we have no right to legislate against Germany. We have made our peace with Germany. Rather needlessly, as I think,

we have laid our treaty with Germany on this Table; we have sealed it with our own declaration; we have set forth in that Treaty of Peace the reparation that she must make. We have magnified it, some think, although others think otherwise. It is a contract and if we, as a nation, attempt to legislate against Germany, then we are treating our own treaty as a scrap of paper; we are doing the thing that we have denounced Germany for doing. While individually we have a right to do as we like with Germany, as a nation we have made our bargain, and as long as she complies with the terms of the treaty, we are bound to treat her decently and in order. What are we going to do? By this provision you are giving a false value to goods of a foreign country, you are actually increasing the duty in the case of German goods to 210 per cent. The thing is so amazing that hon. gentlemen opposite will think that I cannot be right, that I must be mistaken. What is the position? The German mark is worth 23 cents ordinarily. I have taken my figures from the Trade and Commerce Bulletin, and a few days ago the German mark was worth 1.88 cents, or a little less than 2 cents. You are going to say, by the terms of this clause, that when any goods come in from Germany bought on the basis of the mark being worth 2 cents or a little less, for customs purposes the mark is worth 11½ cents, because you cannot make the valuation at anything less than 50 per cent. That is to say, when the German mark is really worth 2 cents or a little less to-day, for customs purposes you are going to say that it is worth 11½ cents. You are multiplying the valuation of those goods by five times, and under the duties imposed you are putting a tax of 210 per cent on German goods. My hon. friends opposite on reflection must be startled at that. I was startled at the first thought of it, but these figures are absolutely beyond question. It is an economic law that when the currency of a country becomes depreciated, the price of articles in that country ascends proportionately, so that the purchasing power is not materially changed. After all, the world's gold standard fixes the value of things, and the world's gold standard has fixed the value of the German mark, which is now worth less than 2 cents. If I send \$100 to Germany to buy goods that money is no good in Germany; it has to be converted into German money before I can buy anything. I convert it into

[Mr. Fielding.]

German currency at current rates, but it is quite certain that I get only \$100 worth of goods. But when those goods are brought to Canada, I am to be told that that is not the whole value, but it is to be multiplied five times. It is marvellous that hon. gentlemen opposite should present such a project to this country. I do not see how they can justify it for a single moment. The fact that Germany was an enemy country serves no good purpose in the world in argument. We have made our peace with Germany, and we are bound to treat her decently so long as she keeps her part of the contract.

We need not confine the argument to Germany, which is the worst case. We have lent some money to Roumania, and some people think that we are not going to get it back. It is one of the principles of economy that you do not get payment in gold, but in goods. How are we going to do business with Roumania under those conditions? The Roumania lei, as they call it, is ordinarily worth 19 cents; it is now worth about 1.90 cents. 50 per cent of the ordinary value would be 9½ cents. Therefore, if you buy any goods from Roumania,—I do not imagine that you will have much chance to buy them—you are going to have the real value of those goods multiplied about five times. You are going to say that, where-as the real value is 2 cents, you are going to call it 9½ cents, which is very nearly multiplying the value by five.

Take if you will the case of Italy, which is not an enemy country, which was one of our allies and associates in the war. Italy is surely entitled to decent treatment. What is the situation there? The Italian lira is usually worth 19 cents; it is now worth 6 cents, but you are going to declare, by this legislation, that in every transaction with Italy, whereas the real value is 6 cents, you are going to call it 9½ cents. You might just as well multiply the duties openly and squarely, because there is no question in the world that under this fictitious valuation that you are quoting here, you are making an enormous increase in the customs duty. What my hon friend from Qu'Appelle (Mr. Thomson) said a few moments ago is only too true: You are making enormous increases in the duties, not in a straight and open manner, but under cover, and that is a very modest expression to use. I cannot imagine that hon. gentlemen supporting the Government realise the immense increases made by these proposals. This cannot be justified. It is not decent treatment in the case of Germany; it is worse treatment in the

case of Italy, and it is not fair treatment to the consumers of Canada who will have to pay an enormous and unjustifiable rate of taxation.

Sir HENRY DRAYTON: I admit at once that this is a matter of great difficulty. It is not a matter that can be got rid of by a few general observations. It is one which I think so far nobody has been able properly to solve. It is a matter with which England herself is having a great deal of trouble, as well as France, and one in which Italy is also deeply interested. My hon. friend from Shelburne and Queen's (Mr. Fielding) says that it is not fair to France. I wonder if it is not fair to England, I wonder if it is not fair to Italy, that one chief source of competition to which these countries are subject is placed under a heavier handicap. But, after all, this is not a question to be got rid of by general declaration I have answered my hon. friend in kind, and I will now try to get down to what the proper economic considerations ought to be.

In the first place, let me point out that I think it is pretty generally understood by any hon. gentleman who has taken the trouble to look into it, that Germany's policy has been steadily in one direction, that policy being to get out of the payment of her reparations in any way that she well can. Her policy has been to show that Germany, a country practically untouched by the war, without a single factory destroyed, with her territory just as good as it was before, is nevertheless in such a position that she cannot carry on. She is certainly taxing her people in such a way as to produce very large deficits. In that regard she is doing everything she can to show that her position is the position she would have us think it to be. In that connection I desire to quote from my hon. friend's paper, the *Journal of Commerce*, with reference to a matter that enters very largely into the cost of manufacture, and that is the question of taxation. Germany, as shown by his paper, and as shown perfectly correctly, the figures being taken from the statistics collected by the International Financial Conference, is taxing her people at the rate of \$12.50 per head, France at the rate of \$34.60 per head and the United Kingdom, \$87.90 per head, while our rate of taxation in Canada works out at the rate of practically \$50 per head. In other words, in so far as the cost of carrying on business in Canada is concerned, the added burden and expense on the Canadian producer or

manufacturer from taxation is four times as great as that burden of taxation in Germany. I quote again from my hon. friend's paper:

The profits of the German nation look to be inverse proportion to the burden of taxation and cost to which they are now subject.

The paper goes on to show that the savings bank deposits of Germany increased by 6,500,000,000 marks in 1918, by 4,500,000,000 marks in 1918-1919, and by 6,259,000,000 marks in 1920. The paper goes on to show extravagance and the expenditure of large amounts of money, and generally a pretty good condition in Germany.

The next thing to know is whether there is the same value in Germany for the mark as the value established by that gold standard which my hon. friend says gives the true test of value; in other words, it is to ascertain whether the mark is the mark. I wish to quote in that connection from the *London Statist*, which in its issue of April 30 says:

To take the example of the German mark. Partly on account of the chaotic condition of German finances, rendering the real value of the mark peculiarly unstable, and partly perhaps as a result of a deliberate policy on the part of German financial and business interests, the purchasing power of the mark in the foreign exchange market is considerable less than is warranted by its commodity value in Germany itself.

That view is one that has been adopted in more countries than in England. Leading authorities in the United States have come to the same conclusion, mainly, that so far as Germany's policy at the present time is concerned—and she is right, she is playing her game—it is to sell just as much as she possibly can. She is out to sell far more than she buys, and she is right. She realizes just the same as any man with any knowledge of finance realizes that in order to solve successfully her problems and meet foreign competition a low and debased currency is a very good thing. That is what she is doing, and I wonder how it is working out. I have not said anything yet as to Canadian conditions, but the matter is a good deal wider and broader than Canada considered by itself. The *London Financial Times* of May 12, 1921, contains an interview with Mr. Hichens, chairman of the large firm of Cammell, Laird and Company, whose name is very familiar to many hon. gentlemen in this House, in which he says:

I am a manufacturer of goods and am seeking foreign markets. If I can compete with my trade rivals I get the business. If I cannot, I do not. That is the position in a nutshell.

When I tell you that in certain sections of the iron and steel industry Germany can produce the finished article at the same price it costs us here for the coal and pig iron, what hopes have we of competing with them in the foreign markets? Lately, in order to prevent unemployment, have been quoting to inquirers in foreign countries, prices which have allowed no profits whatever, and even then have been unsuccessful in getting the contract with the result that more workers in this country have been thrown into the ranks of the unemployed.

Lest there be doubt as to the accuracy of that statement, I shall read an article which I saw in the Brockville Recorder and Times dealing with the question of foreign overseas markets. This is the paper of my good friend the Hon. George P. Graham, and I have no doubt that hon. gentlemen will recognize its standard. The article in question, an editorial, appeared on March 14, 1921, and says the menace of German competition to Canadian industry is real and immediate. Despite the statements in regard to the chaotic conditions in Germany, the evidence is accumulating rapidly, says the article, that German manufacturers are regaining the trade which was lost to them during the war. Reports of the United States Department of Commerce from Argentina tell of increasing German competition in that country. For example, a state railroad in Argentina recently asked for quotations on 10,000 car wheels. The lowest bid received from the United States was \$45.50 each, whereas the Krupp firm submitted a bid of \$18.31 each. Official reports from Mexico show that quotations on German hardware are 25 per cent lower than United States products. This would indicate the enormous difference in price existing between American quotations and the quotations from Germany. I would also refer hon. gentlemen to disinterested American opinion on the subject. The usual paper issued by the Guaranty Trust Company of New York contains an article dated January 31, 1921, in regard to the German plans to extend foreign trade. The different forms of German competition are referred to, and it is interesting to see how the writer deals with the increased cost in connection with German sales. He says that representatives of German firms, including many Norwegians, Swedes and Danes canvass the trade thoroughly, offering their wares at an average increase in price over prewar days of 100 per cent. I know it is said by some importers here that the decrease in the German mark is so great that the full amount of the drop in exchange value is taken up. There is no doubt that we have invoices, quotations and price lists showing an increase of 100

[Sir Henry Drayton.]

per cent in marks, and if that is correct, the price of marks would be increased just exactly to the 50 per cent allowance which is now made. The reason given for the high prices in certain cases is simply that the German instructions are to disregard their own prices, and to sell at a figure which will command the market. You will therefore have a very great difference in quotation in the different countries of the world having regard to the question of competition. Hon. gentlemen refer often

to English manufacture which  
2 a.m. is supposed to be pretty efficient, but it is pointed out in this article that hooks and eyes can be sold at 4½d per pound in Germany, while the cost of the wire itself to British firms is 6½d. Again, the Bosch magneto is selling in England at £5, while these magnetos cannot be produced in England at less than £12 each. And these instances could be multiplied tenfold. German tools offered at 4/- each cost 15/- each in London. There is a reason why the German can completely undersell the Englishman, and that is the present state of international exchange having regard to his currency. I am going to read to the House an item which appears in the English Evening News of Friday, December 17 last quoting the Chairman of Swift of Coventry, Ltd. He says:

I think every reasonable man will agree that the cost of living in this country has gone up on an average—you must not take extreme cases, but a fair average—not more than three times pre-war, that is to say 3s. a day will purchase what 1s. did before the war. Now, careful inquiries on my part have shown that in Germany the cost of living, on an average has not gone up more than six times pre-war,

I think he is a little low on that but it is not so very much more.

Therefore, in Germany six marks, six German shillings, will purchase what one German mark, one German shilling did before the war. The German here, when he sells something to us for 1s. receives for that shilling—or could get with that shilling—12½ German marks or 12½ of his own shillings. Now, if it is true that the cost of living on an average in Germany has gone up not more than six to one, the purchasing power of those 12½ marks is more than two to one; therefore, he can undersell us in every direction.

"I will give you two instances. One came to my notice this morning, where certain German manufacturers were quoting prices for an article at 5s. wholesale. The price in this country is 6s., but the article cannot be made in this country for 5s. or anything like it. The German manufacturer is not actually, so far as he is concerned, selling at 5s., he is selling at 12½ times 5s. thus getting 66 German shillings although nominally he is selling to us at 5s. Another instance. It is well known that German

magnetos for motor cars, of good make and good repute, are being offered, and I am sorry to say sold, in this country at £5 each wholesale, whereas the British price is in or around about £15, manufacturers' cost. That seems incredible; but wait—realize that the German manufacturer is getting £66 for the magneto in his own country! It is only the ignorant and the foolish person who airily dismisses the tremendous disadvantages against us in the German foreign exchange by flippantly saying that the mark is only worth less than a penny. I sincerely wish that I were a German manufacturer instead of being a British manufacturer.

The cost of labour is a matter which enters into the question of manufacturing costs at the present time, and a question which has a good deal to do with whether or not German currency is being made use of for the purposes indicated by the statist. Wool workers in Germany were paid 5 marks a day before the war. That is they got \$1.20 a day. To-day they are being paid 50 marks a day. Those 50 marks represent 80 cents or a decrease in labour costs in Germany of 33½ per cent measured by our money. In other words, labour in Germany got before the war \$1.20 in our money, and to-day gets 80 cents, while our labour costs have very greatly increased. Take miners' wages. The average Ruhr miner's wage immediately before the war was 5.22 marks. At par that resulted in a day's wage of \$1.25. He now gets 46.30 marks. Let us put it at two cents so as to make the comparison not so bad. At 2 cents it will amount to 92.6 cents, a decrease of over 30 per cent in his wages. Let us now take the brewery workers in receipt of a weekly wage and see how that works out. If you measure the mark by its so-called true value as shown by exchange you get this wonderful result. Before the war they received 120 marks per week, or at par \$28.80. They now get 300 marks per week which at 2 cents would mean a wage of \$6, representing a decreased cost in our money of approximately 60 per cent. The matter, I do not think, really requires much elaboration. There is not actually that decrease in Germany. There are two values—there is the value of the mark in Germany for German purposes, and there is the value of the mark on the international exchanges for the purpose of making easy the under-selling of competitors of other countries.

Now, as I said, some German costs are not up, or up but little. On the other hand, some German costs are very greatly increased. There is a firm that is making pencils in Ontario, and it shows, by invoices and by quotations, that these German

costs, at any rate on that line, are not very greatly increased. There is a German pencil, the Staedtler, and it is a good lead pencil—the lead is excellent but the wood is very poor. That has been offered now on the basis of 60 marks to the gross, which would be something like 96 cents a gross in Canada, and the actual cost of production in New market by the Core Manufacturing Company is \$1.60. There is another firm engaged in the business, and that is the Copp-Clark Company of Toronto. They have sent in all the quotations as to German pencils in which they show that the prices are running practically the same. There are slight additions, but not very great; in some instances there are actual reductions in so far as pencils are concerned. In the matter of games an opportunity is afforded of showing how the costs work out. The Germans were selling a game they call Parchesi in October, 1913, at 8 marks a dozen or \$1.92. To-day that game is sold for 72 marks a dozen, but nevertheless that reduces the price from \$1.92 to \$1.44. Now the real question of increased cost in Germany and the decreased buying power of the German mark which has to do with the value of the mark—

Mr. CANNON: Mr. Chairman, I do not wish to interrupt the minister, but I rise to a point of order. I understand that we are supposed to prorogue on Saturday—

Mr. FIELDING: No.

Mr. CANNON—and if the minister would just lay this paper on the Table of the House so that members would have cognizance of it he would save time.

Sir HENRY DRAYTON: I am nearly finished.

Mr. CLARK (Red Deer): I think I can make a better suggestion than that: That the Minister of Customs should give us an exposition of what the Minister of Finance means.

Sir HENRY DRAYTON: In the meantime I will try to get along. I think the hon. member for Red Deer has got a pretty good idea of where I am drifting to.

Mr. CANNON: "Drifting" is good.

Sir HENRY DRAYTON: One of the difficulties in arriving at what the local value of the mark is pretty well shown by Secretary Hoover of the United States Administration. He says, emphasizing the amount of indirect subsidies being granted by the German Government:

An analysis showed its expenditure would indicate roughly that of a total budget in excess of 80 billion marks somewhere between 50 billion and 60 billion marks are spent through relieving German manufacturers, railroads and public utilities, etc., of costs that would normally apply. The German Government even goes to the extent of importing a large amount of food supplies and re-selling them at a loss to the consumers.

The fact is that we have come to the opinion, rightly or wrongly, that there is a difference in the value of these coinages, and a situation under which Germany is in position of being able, in certain businesses at any rate, to undersell at will.

Now, through the courtesy of a gentleman on the other side of the House, some inside information was given to me very largely corroboratory of the public information which I had been able to get. What the onlooker and the investigator, endorsed by one of the gentlemen on the other side of the House, says is this,—and I may say he was there for a long time looking into conditions, and was good enough to think the matter of sufficient importance to bring it to my notice—

German exporters have a policy under which they are represented in foreign countries by special agents.

This is one of the ways in which the mark is kept up.

These agents are informed of the lowest possible cost price at which they are to send in orders. They are then instructed to sell at the highest possible price, but under prices of competitors, sending in their orders to the German factories at the cost price, plus ten per cent, which is all the German manufacturer shows as profit. The manufacturer then divides with the agent all the excess profit over ten per cent, and the agent is generally instructed to deposit this surplus profit in a foreign bank, in many cases under a fictitious name or account to the German manufacturers' credit. This results in keeping down German manufacturers' taxation and also has an adverse effect on the exchange situation. It is evident that the Germans are not very anxious to see the present exchange situation right itself as the people are at present willing to exist on available materials in order to help their employment situation and to do everything possible in this way to hurt the interests of Allied countries.

Mr. CANNON: While the minister has this statement before him, may I inquire if it was prepared prior to the decision of the reparation commission or afterwards?

Sir HENRY DRAYTON: This statement was prepared shortly before the Budget was brought down.

Deposits are often made in Scotch banks. One particular dye was sold at 300 marks, another grade of the same dye was sold at 700 marks, and the selling price in the United States of the 700 mark grade was \$55 a pound. On this basis the Germans are also selling acetic acid in England and other European countries at fifty per cent of the cost of production in the United States and Canada. Germany are giving entries for export for chemical dyes under names of printers' ink colours so as to avoid the reparation committee. In such industries as the Germans have the necessary equipment and are unable to purchase raw material owing to the exchange situation, the German Government issues—

That goes off on the question of handling raw materials, in which I do not suppose the committee is interested. On the question of cost though, this gentleman got toys which sold there for 40 and 60 marks; they are worth here \$5 and \$10. Binoculars he could get there for 200 marks, as against \$20 and \$25 here. He also stated that the wage scale was 45 to 60 marks a week, and that it now ranges from 190 to 250 marks a week.

Now, we believe the result to be, following the ideas of the same authorities, that there are two standards of value for the mark; that is, in Germany, measured in the value of the mark on the exchange rate, there have been large decreases in wages as against very large increases in this country, and that at the moment at any rate—and I think at much longer than for the moment—while undoubtedly it is in the interest of everybody to help the other fellow we have got a very vital interest in trying to keep things going in this country. There is in Canada, for example, an industry making gloves, the German selling costs of which are about five-eighths the actual cost of the Canadian manufactory. There are 1,065 people employed. I think already I have given the committee information as to the toy businesses which are closed, I think, altogether. Now the Germans in the past have not been exporting very largely into Canada, but they are now commencing, and there are quite a large number of invoices coming into the customs, covering chiefly laces and trimming, dolls, toys, toilet preparations, musical instruments, optical instruments, magic lanterns, clocks, cutlery, enamel ware, aluminum ware, china-ware and other ware. Unless something is done there is no doubt what is going to happen in connection with unemployment. Well, there is the situation: keep up the value of the mark as it is, allow free entry of German goods, and with the present German rate of taxation as compared with the rate in this country it will not be long before hon. gentlemen will be asking who won the war.

Mr. CAHILL: Is it the intention of the Government that the cost in Canada shall

[Sir Henry Drayton.]

be the test of the cost of production of the goods?

Sir HENRY DRAYTON: I do not think there is any such proposal.

Mr. DAVIS: Is there any provision in the Customs Act by which these goods can be prevented from coming in through Holland or England? When we had our trade war with Germany we ear-marked German goods and we levied the surplus duties upon those goods no matter how they came. At present we are not proposing any such measure; we are proposing to deal with the moneys. Now, this is what may occur: suppose you buy \$200 worth of goods in Germany to-day. With the mark reckoned a little under two cents it takes 12½ marks to make the old par value, so that you will have 6½ times as much duty upon the goods as the cost price. That means with duties at 30 per cent you have a duty of 190 per cent against these goods which, on a \$200 purchase would give you \$380, and if the \$200 cost of the goods is added you get \$580. But a merchant who wants to beat the duty can buy those goods from Holland, where the duty is five per cent, and the florin of Holland is on the same level as our money. He pays the duty there, and he pays possibly ten per cent, the maximum of a manufacturing agent's commission. The goods cost him in Holland, therefore, about \$231. Then he pays his thirty per cent on \$231 and brings the goods here at a cost of less than \$310 as against \$590 in the case of bringing them direct from Germany. The result will be that the cost will be increased to the Canadian consumer without the Government getting any more duty out of it—we have the goods and Germany has the trade, just as though you had not passed this measure at all. It is not possible, perhaps, to do that through Great Britain. I have been told recently they have done away with the 50 per cent levy upon goods coming from Germany. Hon. gentlemen know that in the case of goods imported into England from Germany there was a provision that half the price had to be paid to the British Government and only half to the German exporter. This provision was brought into effect because Germany was not making good her reparations. The result was a 100 per cent duty and the trade vanished; in five weeks they got £9,000 out of that business. That levy, however, has been abolished. Of course you have yet to consider the effect of the 33½ per cent duty under the two resolutions which were sub-

mitted in the British House in connection with their Budget, one with respect to key industries and the other with respect to goods which could not properly be produced in Great Britain and the importation of which was shown to increase British employment. I have dealt with the case of Holland and taken it as an illustration of how this trade might come to us without coming direct from Germany. The same thing might occur in the case of the United States, for that matter. If we buy these goods from the United States they do not bear the duty contemplated by this measure; we might have to pay from 60 to 70 per cent, but we certainly would not have to pay 190 per cent. Now, I am not anxious that we should trade with Germany, but there is certain trade that we do with that country in any case. Last year we bought from Germany a total of \$1,547,000 worth of goods of which \$1,014,000 were free and \$533,000 were dutiable. We sold to Germany \$8,200,000 worth of goods, of which \$5,340,000 were vegetable products, the products of Canada, and \$2,238,000 animal products, the products of Canada. Besides that there was \$600,000 worth of asbestos which Germany could not get anywhere else and must buy from us. Now, that disposes of the great bulk of what we sold to her, but we bought, as I have said, under \$533,000 worth of dutiable goods, against which she had to get her asbestos from us. In all probability all other trade is with her a temporary condition, not likely to continue in anything like that volume.

The same condition exists with Italian trade, with the Italian lira at 6.24 cents by latest quotations when, at par, it has a value of 19.3 cents. We penalize or increase our duties against Italian trade by 50 per cent. Another feature that has not been dealt with by the Minister of Finance in connection with German trade—and it is true also in its measure with regard to Italian trade—is the difference between the purchasing power of money at home and the exchange value abroad. The difference ranges from about one-eighth to one-sixth in the case of Italian money. It ranges to the extent of 50 per cent, it is generally accepted, in the case of German goods, but the Germans get advantage only in the case where the goods originated within their own country. If they have to buy any of the raw material, such as cotton or iron or copper or any of the other elements entering into the production of those goods, then they are at just the same great disadvantage that they have advantage when

the raw material is obtained in their own country. Therefore, we have nothing to fear from them in textiles, because, in the main, as regards the textiles from which they make their goods, they have to get their raw materials from abroad. When the Minister of Finance spoke of the way in which Germany had been cutting the cost in iron, these very words happened to be under my eye. I am quoting now from the Mining Journal of April 2:

The Germans appear to be afraid particularly of competition on the part of the Belgian works whose prices for iron and steel goods are lower than the Germans and they say the Belgians can beat them in price owing to the modernization of the Belgian plants which the Germans carried through when in Belgium, and which are now in a greater state of efficiency than the Rhenish-Westphalian works.

That does not "gibe" at all with what the Finance Minister told us as to the condition. At present, as has been said again and again to-night, trade conditions are so disturbed that you do not know where you are going to get hit next. For instance, the other day on the Pacific coast Chinese pig iron was offered at better prices than those at which the great United States Steel Corporation could produce it. How are you going to meet conditions like that by such, I am tempted to say, a "fool" regulation as is here proposed?

As regards wages, the Minister of Finance said that wages were \$100 a week in those trades in Germany. This is a Mining Journal which makes a survey of those lines, and it is worth while looking at the range of wages which are given for some twelve or fifteen different classes of employees in connection with the production of metal. Drillers get from 247 to 980 marks per week, and this, I should say, was in February, 1920. Since then conditions have changed adversely to Germany. No country can long, unless it lives within itself, keep its currency abroad at a different value from what its currency is at home. If I take just the instance which I have now given of the fact that when she has to buy abroad, she has to pay more for her goods, that comes back home, and it at once increases the cost of the goods at home. As that currency works back into her system, her whole costs abroad and at home work to one level. I am using Germany, because Germany is the outstanding example of this. God knows that I have no love for Germany, but we are discussing here questions which affect our relations, not with Germany alone, but with the whole world, and

[Mr. Davis.]

as Germany is the outstanding example, I am taking her case because it best illustrates the problem. Turners are getting from 318 to 993 marks; iron moulders from 308 to 1,117 marks; brass moulders from 403 to 1,050 marks. Let us go to some of the cheaper kinds of labour. Helpers are getting from 205 to 961 marks. Blast furnace and smelter men are getting from 483 to 1,514 marks. The whole list is here if any one wishes to look at it in order to see whether I have made fair quotations from it or not. These are grades of wages which do not bear out at all what the Minister of Finance is saying about wages being very much lower there than they are with us. Indeed, it is quite possible that Germany, during the time when this question of reparations has been outstanding, has taken every advantage she can. That is the way in which she has been working in national affairs. We have suffered from this before, and in all probability she was doing the same at this time. But even Germany, devilish as she may be, is unable to control economic forces once she has set them at work, and they are working here to a parity. Eventually, the currency which she has sold abroad in the shape of a demand loan will come back into her own circulation and will bring her prices to one level, and in that case, we are going to try to deal with a passing phase of the business. The same thing has been done in slighter measure by Italy; but there again the same forces are at work and will bring things at length to the same position. In consequence, if we want to trade, we must deal fairly with their conditions. There is no use whatever in putting such a difference in the value of their money as we are here trying to do because, in the long run, it can be beaten by buying through other countries, either under free trade or with smaller duties, and, in the end, these conditions will correct themselves.

Furthermore, what is our duty to-day? There are broad views to take upon this question. We stand to-day a favoured people, possibly 9,000,000 people in one of the world's great empty spaces. These people have suffered from the war even more than we did. They are looking for outlets, for better conditions, even as we are, and yet with our immigration policy we are restricting them; we are denying them admission; we have almost to deny them for the preservation of our own ideals and the Canadian character of this state which we hope to preserve. Yet we

will go abroad and offend these people in every possible way. We will say: "Although we are better placed than you, go to destruction if you will; it is true that we fought with you as brother to brother, but now there is a dollar in sight, that is all we want." The consequence will be this, that we will gain the ill-will of these people. It is not merely for this day that these things count in connection with the policy of nations. I take it that one of the ways in which we can now assist is out of the abundance of what we have got to endeavour to help them to make their conditions better. In saying that, understand, I am not appealing at all to generosity, I am trying to combat what is narrow-mindedness. It is not that we should part with it because they need it, but because we should take a broad generous view—the view that in the end will work profit to our own pockets in the matter of trade, besides having a valuable effect upon a world that talks a League of Nations but acts like a disunion of nations.

Mr. CLARK (Red Deer): I hope I shall delay the committee only a few minutes while I point out to my mind what is the meaning of this clause and how it will act in a few places which have not been covered by previous speakers. I very much fear that the Government are taking up propositions without the knowledge that similar propositions have been taken up elsewhere and have already been given up. My hon. friend who has just spoken (Mr. Davis) has referred to the Reparations Act in Britain. Now for purposes of comparison with this proposal, it may be said that the Reparations Act amounted to the creation of a customs duty of 100 per cent against German goods. What was the result of that Act, which has led according to my hon. friend's statement to its being given up? The British people have had to run away with it. There are protectionists in the present Government in Great Britain, and they enacted this legislation along the line, not of protection, but of getting reparation. The consequence of that 100 per cent tariff was that the British ports were crammed with German goods, which the importers could not relieve, that Germany retaliated on Britain, and that commercial confusion resulted between the two nations, leading the protectionists to desert the measure which they themselves had enacted at the dictation of the Prime Minister himself. Now this Act before us is a much worse Act in regard to the size of

duties it enacts. Fortunately our trade is much smaller, or we should be at once faced with comparative national disaster as a consequence of this measure that the Government are proposing. I say, fortunately our trade is smaller. All the nations affected by this provision do a comparatively small trade with us, so we shall not be hurt nationally to the extent which we should otherwise. But that is what has happened in Britain from similar legislation.

My hon. friend from Shelburne and Queen's (Mr. Fielding) has pointed out that this means a 210 per cent tariff against Germany, and similarly large tariffs against other countries. Well, that is a prohibitive tariff. Hon. gentlemen in the ministry and their supporters fondly think that even a prohibitive tariff against these places will increase our production at home. It will do nothing of the sort. What is going to happen to the production of our goods which previously have been paid for by goods that we got from Germany and Roumania? Clearly these goods will not be produced, and to the extent that we have done trade with these countries we are prohibiting that trade by an arrangement of this kind. We shall diminish the total industry of our own country, add to unemployment, add to the general conditions of distress—and I want to say in the calmest way that I have the gravest fears regarding our next winter in this country. I want to tell the Government that they are doing what they can by their tariff enactments to aggravate conditions in this country next winter.

Now, I would just like to put one or two questions to the Government, if I might. Suppose every country followed the course of putting on a prohibitive tariff against Germany. I should just like to ask how Germany could pay her reparations? They could not be paid, and there is the unreasonableness of this legislation. If all the countries that trade with Germany put on a prohibitive tariff, then no reparation whatsoever could be paid, because in the end that reparation comes in goods. It seems to me it is the height of unreason to place a prohibitive tariff against the country from which you must take goods, if that country is to carry out another part of your arrangement with her.

I wish to put another question to the Government, which comes a great deal nearer to them and their policies. They are by this proposal putting on a prohibitive tariff against Roumanian goods. How do they propose to get the money returned

which they have advanced to Roumania under their credit system?

Mr. McMASTER: I suppose they do not expect to get it.

Mr. CLARK (Red Deer): They are certainly postponing the getting of it to the Ides of March. Do the Government expect to get these credits back? Was that part of their policy carried out simply as a straight steal from the consumers of Canada to give to their friends the manufacturers? If they do expect those credits back from Roumania, the only way they can get them back is by importing goods from Roumania, and they are preventing those goods from coming in by means of what amounts to a prohibitive tariff.

There is only one other point I want to emphasize, and that is the point that was raised by my hon. friend from Neepawa (Mr. Davis). Do they suppose they will put Germany out of business by this little act in this country. All that we do by these silly retaliatory, hateful, and in the long run, immoral acts is to drive the trade of Germany elsewhere. We cut off our nose to spite our face, and we build up the trade of other countries; that is what we do. Those who have looked carefully into this thing, and who have been engaged in the importing trade in this country, think it likely that quite an amount of these goods will come to us through the United States. If these goods do not come to us, certainly the United States will increase her trade enormously, or at least to the extent of the trade which we absolutely cut off with these countries. Now, we have certain friendships with the United States, but we have also certain rivalries, and I should have thought this Government, of all governments, would have asked before it embarked upon such a policy: Is it worth while undertaking a policy which will have for one of its direct effects the building up of our commercial rival's trade with other countries in Europe? That is an aspect of the case which perhaps has not occurred to them. If it has not, I would like to know what the Government think about it when we take this up, I should be inclined to think, at a future sitting of the House.

I have pointed out these things as the practical results of their policy. I do not think there is any doubt about them. I have already admitted that I do not think their effects spell national disaster, because our trade with all these countries was comparatively small. I think the previous

[Mr. M. Clark.]

clause is more serious for this country, because it affects our trade with the United States, or will, if taken advantage of to any great extent, but to the extent that this clause is operative at all, it will lead to the results I have stated, and the proof of the pudding is in the eating. We are doing the best we can along these lines, I repeat, to diminish our trade, to produce unemployment, to raise the cost of living to those who are unemployed, and to bring about national commercial trouble and disaster.

Mr. McMASTER: By this legislation we are making it difficult for the Central Empires to recover. The Central Empires, or rather Republics, are a market for the goods of this country, agricultural, mining, and other. They can become a purchasing market again only by being able to sell their goods, and unless they can regain their purchasing power, we shall be seriously affected. Recently, legislation has been passed in the United States which will affect the entrance of our natural products into that market, so that we shall have to depend on the European and British markets to a greater extent than before. Any policy, therefore, which retards or prejudicially affects the purchasing power of Europe and Great Britain is bound to reflect adversely in the sales of our natural products, and this section of the Bill hurts farmers, lumbermen, miners and fishermen of this country. It goes still further. By reducing the selling power of the great natural producers, you affect their buying capacity, and therefore affect the market for our manufactures; so that in the long run, you will prejudicially affect precisely those classes of the community which this law is attempting to benefit. This is a mistake founded on a misconception of the fundamental economic laws underlying all trade and commerce. Many members on the other side seem to regard trade as a bad thing; at least, they regard buying as bad, although they think that selling is a good thing. They are making a mistake. This section of the Bill will hurt this country, and all classes in it, in the long run. I wish to register the most emphatic protest against it, and warn the Government against the error it is perpetrating in this regard.

Mr. PEDLOW: I do not think the hon. member for Shelburne and Queen's (Mr. Fielding) overstated the case in regard to the question of the enhanced value of importations for customs purposes. In the

Weekly Bulletin for May 9, last, issued by the Department of Trade and Commerce, the value of the mark, as at May 4, is given at 1.7, and you would require seven times the present value of the mark to equal that 50 per cent, or, in other words, seven times the duty. So that if you import woollen goods, instead of a duty of 35 per cent, you would really pay seven times that or 245 per cent of a duty on merchandise, which is absurd. This law is based on a wrong presumption. I have here a copy of an extract from the *Dry Goods Economist*, one of the best trade publications in the world. It is dated Saturday, April 30, 1921, and I shall read extracts from an article headed "Foreign Currency Inflation and Commodity Prices." This article says:

The presumption on which this provision rests, presumably, is that prices of merchandise in other countries, as measured in American currency, have declined in proportion to the depreciation in the currency of those countries. In other words, it is argued that while an American exporter can buy a German mark for 1.60 cents he can go into Germany and obtain for it 23.8 cents' worth of merchandise—which is the normal exchange value of the mark.

Such a presumption is based on entire ignorance both of economic laws and of the actual facts in the case.

An extreme illustration is the story of the Moscow cabman, who wanted to charge an American traveller the equivalent of \$50 in roubles for driving him less than a mile from the railway station to a hotel, but who finally compromised by accepting a package of cigarettes instead of the money.

In the course of his statement the Appraiser pointed out that linens from Germany, for example, have increased in value in marks, over 1914 prices, approximately 2500 to 3000 per cent, or 58 per cent in United States gold over pre-war prices in United States gold; that German chinaware selling before the war at 4 marks is now sold in the home market at 60 marks, and that the price of German cutlery has increased about 2500 per cent in marks, or 50 per cent in United States gold as compared with pre-war prices in United States gold.

The German mark is now worth approximately one-fifteenth of its pre-war value, the members of the Association are paying for goods which they import from Germany from fifteen to eighteen times the pre-war prices of the same goods. Invoices of cotton hose and ladies' gloves imported from Germany in 1914 and in 1921 by Marshall Field & Co. show even greater price increases—in German marks as well as in American dollars. Cotton hose have increased 2000 to 3000 and more per cent in German marks and 50 to 100 per cent and more in American dollars; increases in women's gloves run as high as 4000 per cent in German marks and 100 to 300 per cent in American dollars.

In the face of these facts it is proposed in the anti-dumping section of the Emergency Tariff Bill to value the German mark for customs purposes at five times its present actual value.

On the basis of such a valuation the duty assessed on imported articles would in many instances amount to much more than their total price.

The practical effect of such a measure would be, of course, to stop altogether the importation of goods from those countries. If this is its purpose, if it is really intended as an embargo, it would be better to say so frankly, so that its nature would be clear to the eyes of the country. It is not likely that the country would stand for a commercial boycott against nations whose economic rehabilitation is essential both to our own prosperity and to the prosperity of the world at large.

It is to be hoped that this clause will be dropped from the Bill, for it is in the highest degree stupid and objectionable.

I might just add that this clause has been dropped entirely from the American Bill, owing to the protest which it aroused from both the consumers and the commercial interests of the United States and I would make an appeal to the Government to give the matter more mature consideration before deciding to enforce such a clause. When the provisions of the Bill become effective they will practically prohibit importations from foreign countries altogether. The member for Brome (Mr. McMaster) raised a point, I think a very opportune one, in this connection, and that was as to how these countries in Central Europe are going to obtain the opportunity of rehabilitating themselves. If outside countries cease to do business with those countries, then the position of affairs in Central Europe will be hopeless—I do not think there will be much chance for them to re-establish themselves unless they receive assistance from the outside.

Some time ago the Minister of Finance quoted many authorities in support of his policy as embodied in this Bill. He endeavoured to show that the policy of Germany was to sell all she could. Let me say to the minister that even that be true such a policy is not a crime. I think the Canadian manufacturers would do well to follow the example of Germany and sell all the goods they can both at home and abroad. In fact it would appear to be the policy of the Minister of Trade and Commerce to encourage that idea in the mind of the Canadian manufacturer, and not only that but to assist him in extending his trade in all parts of the world. The Minister of Finance referred to the fact—and it is true—that the Germans were able in some respects to undersell the British manufacturer and manufacturers elsewhere. The item of hooks and eyes was cited and it was mentioned that whereas the German manufacturer could produce hooks and eyes for

4d. per pound, the wire alone in England cost 6d. a pound. There must be something wrong with the British manufacturer or with British workmen when such a thing is possible. From my knowledge of the subject, and from my reading, I have come to the conclusion that the British workman is not living up to the record which he had in past years—I refer to his pre-war record. I think that in a measure he is lying down on the job, and that accounts to a great extent—much more so than the reason assigned by the Minister of Finance—for the great disparity in the cost of production in the two countries. If it is a fact that Germany is selling merchandise the world over for less than that merchandise costs, it reminds me of the old woman who kept a stall in the market place in the city of Dublin. This old woman made a specialty of selling socks, and she always maintained that she sold those socks for less than they cost her, which accounted for the large business she did in socks and for her success as a business woman. I transmit that as an idea to the Minister of Finance when he says that Germany is making a success the world over by selling goods at less than the cost of production. In this connection I am reminded of one experience that Germany had on the sugar question many years ago. The Germans decided to pay a bounty on the sugar that was exported from Germany to foreign countries. Of course the effect was to drive the manufacturers of sugar in England out of business. But what happened? The sugar manufacturers in England turned round and bought the German made bounty-fed sugar, manufactured it into candy and sold it in Germany at a lower figure than the Germany manufacturers could produce the same article for. That is the way the thing works out. I will not follow the Minister of Finance in the remarks he has made with reference to the cost of living in Germany as compared with the cost of living in Great Britain and other countries. I still insist it would be a wiser method to discard all camouflage and prohibit importations altogether, because that will practically be the ultimate result of this enactment.

Section agreed to.

On section 10—customs house brokers may be licensed at any port by collector, subject to approval by minister:

Mr. PARDEE: Will it be necessary for any custom house broker now carrying on business to obtain a license?

[Mr. Pedlow.]

Mr. WIGMORE: Yes, it will be necessary for him to obtain a license.

Mr. PARDEE: Would a man now carrying on business have a right to obtain such a license?

Mr. WIGMORE: If he has been carrying on a broker's business without any complaint at all, and there is nothing against him, of course a license will be given him.

Mr. FIELDING: What is the object of obtaining a license now?

Mr. WIGMORE: We have had very many complaints from a number of sections of the Dominion with regard to men who have been carrying on a broker's business. This legislation is with the idea of remedying that condition. When such complaints are made the license will be cancelled in the event of the complaints turning out to be well founded.

Mr. PARDEE: What is the nature of the complaints?

Mr. WIGMORE: Irregularities in connection with entries. A case occurred not long ago in Toronto where a customs brokerage house made default, a person in their employ having committed the theft of some \$4,000 intended for the payment of different brokerage fees. We have had complaints from several quarters.

Mr. ROBB: There would be nothing in the regulations to prevent an importing house passing any entry for their own purpose?

Mr. WIGMORE: That is provided for in the Act.

Mr. PARDEE: Has the minister any idea to give the committee as to the number of licenses to be issued in towns and cities according to their size?

Mr. WIGMORE: We are not limiting the number.

Mr. PARDEE: Is it the minister's idea that there should be no limit on the number of brokers in any one place?

Mr. WIGMORE: I do not think there should be any limit. Any respectable citizen able to carry on should not be denied a license.

Mr. FIELDING: The minister is to have power to fix the fee. Has he any idea what the fee should be?

Mr. WIGMORE: I have not considered that yet.

Section agreed to.

Bill reported as amended, and amendment read the second time and concurred in.

Hon. Mr. WIGMORE moved that the Bill be now read the third time.

Mr. FIELDING: No, the Bill has been amended; next sitting.

On motion of Right Hon. Sir George Foster for the adjournment of the House:

Mr. FIELDING: What will be the order of business to-day?

Sir GEORGE FOSTER: Other bills on Government Orders, then Estimates.

Mr. FIELDING: What departments?

Sir GEORGE FOSTER: Post Office, Labour, Finance, Interior—

Mr. FIELDING: Somewhat in that order?

Sir GEORGE FOSTER:—and Agriculture—supplementary.

Motion agreed to and House adjourned at 3.20 a.m. Friday.

Friday, June 3, 1921.

The House met at Eleven o'clock.

ADDRESS TO HIS EXCELLENCY THE GOVERNOR GENERAL ON HIS RETIREMENT FROM OFFICE.

Right Hon. ARTHUR MEIGHEN (Prime Minister): Mr. Speaker, I ask the unanimous consent of the House to move:

That an address be presented to His Excellency the Governor General on the occasion of the approaching termination of His Excellency's official connection with this country.

Mr. SPEAKER: I am quite certain the House will have pleasure in granting the request.

Some hon. MEMBERS: Carried.

Mr. MEIGHEN: I beg to move, seconded by the Hon. Mr. Mackenzie King:

That a humble address be presented to His Excellency the Governor General in the following words:

"To His Excellency Victor Christian William, Duke of Devonshire, Marquess of Hartington, Earl of Devonshire, Earl of Burlington, Baron Cavendish of Hardwicke, Baron Cavendish of Keighley, K.G., P.C., etc., etc., etc., Governor-General and Commander-in-Chief of the Dominion of Canada.

"May it please Your Excellency:

"We, His Majesty's dutiful and loyal subjects, the Commons of Canada in Parliament assembled, as well for ourselves as on behalf of those whom we represent, beg leave respect-

fully to convey to Your Excellency an expression of the deep regret with which the Country has learned of the approaching conclusion of your official connection with Canada.

"We beg to assure Your Excellency of the deep appreciation with which we have witnessed your unflagging zeal and devotion in the discharge of the duties devolving upon you as His Majesty's representative in this Dominion. We recall that it was in the midst of the tremendous struggle from which the Empire has victoriously emerged that Your Excellency assumed office. We thankfully remember the value of your services to the Country during days of storm and stress, as we gratefully acknowledge their worth during the difficult period of consequent readjustment.

"Your Excellency has by travel acquired a wide and deep knowledge of the country and shown a sympathetic understanding of the ideals and aspirations of its people, and we beg leave to assure you of our appreciation of your interest in, and advocacy of, every national cause, and your support of Art, Science, and Education.

"We feel that any acknowledgment of your services would be incomplete without an expression of your sense of the gracious part taken by Her Excellency the Duchess of Devonshire, and by your family, in the varied duties attending your office. Her Excellency's name will ever recall to the people of Canada all that is dignified in an exalted station, and the remembrance of yourself and your family, everything that is lovely in private life.

"We venture to hope that when Your Excellency resigns your trust into the hands of the King, you will assure His Majesty of the unalterable loyalty and devotion of the Canadian people to His Majesty's throne and person, of their abiding affection for the Motherland, and of their firm resolve to maintain and strengthen the ties which bind together His Majesty's dominions.

"In bidding farewell to Your Excellency, to the Duchess of Devonshire, and to your family, we beg leave to express our warm wishes for your future welfare and happiness."

In moving, with the unanimous consent of the House, the adoption of the Address which you, Sir, have just read, and which I venture to think will be unanimously concurred in, I am animated by somewhat mixed feelings, which I think the House will share. The country has been uniformly fortunate in the succession of distinguished men who have represented the authority of His Majesty's Crown in this Dominion; and none has more fully upheld the traditions of this high office, or established a place of warmer regard in the hearts of the people of this country, than has His Excellency the Duke of Devonshire. But, while we shall heartily join in grateful acknowledgment of his services, it is with very deep regret that we contemplate the approaching conclusion of his term of office.

His Excellency, as the Address recalls, assumed office in the midst of war, and his support of every national activity, whether

governmental, patriotic, charitable, or other, was a source of inspiration to the country during the trials through which it has passed. His example and assistance have been no less valuable during the difficulties of the period of readjustment to the ways of peace.

If we reflect on the purpose and scope of the office of the Governor-General, we shall, I think, conclude that it is one which, if its purpose is to be the wisest, its scope the most ample, requires special, and may employ the finest talents. I do not now, in this place I do not need to, refer to the position of the Governor-General as the constitutional representative of the King's Majesty. It is sometimes forgotten, perhaps we, here, are likely to forget, that government is not the sole expression of society's mind and activity. There are regions of life which lie beyond its range; but they do not, I think, lie without the scope of the office of a Governor-General who desires to bring his energy and capacity to the service of those among whom he occupies that exalted position. National life has many facts, many organs and methods for expressing its purpose, and it has been peculiarly the service of His Excellency to this country that he has sought to understand them all, and to support those which are of good augury and report. Remembering that uprightness exalted a nation, he has exerted himself to evoke those qualities which alone can make a nation great.

In the manifold duties of his office, Her Excellency and their family have taken an extensive and gracious part. All have received the respect, and, I will beg leave to say, have earned the regard of the whole people of the Dominion. Their tact, their charm, their simplicity have contributed much to enhance that regard, and while we shall regretfully bid them farewell, we congratulate ourselves that in a critical and eventful time, when error, indiscretion or any failure or imperfection would have been followed by consequences the most unfortunate, we have had at the service of this country what was once described by Burke as "the temperate, permanent, hereditary virtue of the whole house of Cavendish."

Hon. W. L. MACKENZIE KING (leader of the Opposition): Mr. Speaker, I feel it a privilege to have the honour of seconding the motion which has just been made by the Right Hon. the Prime Minister.

There is something peculiarly fitting, and indeed very happily appropriate, in that [Mr. Meighen.]

the birthday of His Majesty the King should be the day on which this Parliament, through the circumstance of chance, should express to His Majesty's representative in Canada those feelings of high regard with which, through the prospect and faithful exercise of his high responsibilities, His Excellency has inspired the Canadian people during the critical years of his official connection with Canada.

As with the Crown, so with the Crown's representatives, it is not, under our British parliamentary institutions, the privileged rank or the exalted position that invites our admiration or wins our affection, but the degree to which and the manner in which place and power are made a directing force in all that pertains to justice, order, and law, and in all that ministers most nobly to human need. Judged by this exacting standard, the sojourn of His Excellency the Duke of Devonshire in Canada will find a recorded place in our country's history second to none of those of his illustrious predecessors in the high office of Governor General of this Dominion.

Perhaps nothing truer, certainly nothing worthier, could be said of him than that he has discharged the manysided responsibilities of his high office, alike in private and in public life, with due regard to the best of British traditions and the strictest adherence to British constitutional practice and procedure.

In the words, therefore, of the Address, it is with no more formal expression of regret, but with feelings of genuine appreciation of the service he has rendered alike to Crown and country, to the ties which bind the one to the other, and this new land to the old, that on behalf of the Canadian people we bid him an official farewell, with all the attendant good-will which that word is capable of conveying.

To Her Excellency the Duchess of Devonshire, and to the members of Their Excellencies' family, we would express in equal measure the appreciation we feel of all they have so generously accorded and left in remembrance, through hospitality, as in many other ways, of what is best in English political, social, and family life.

Hon. T. A. CRERAR (Marquette): Mr. Speaker, it is a privilege to join with the right hon. leader of the Government, and the hon. official leader of the Opposition in support of the motion which is now before the House. It is, as all motions coming before this House are, more or less formal in character, but nevertheless it properly and correctly expresses the obli-

gations under which the Canadian people rest to their Excellencies the Governor General and the Duchess of Devonshire, not only for the fine manner in which their official duties have been discharged, but for the free and sympathetic way in which they have come in contact with the Canadian people in the various offices which they have had to perform. The interest of their Excellencies in Canada is well known to all. There is scarcely a corner of this Dominion which they have not at some time visited, and the Canadian people will long remember the pleasure of those visits. They have endeavoured at all times to familiarize themselves, not only with the official relationship, but with the actual personal relationship with the people. That interest has always been first, and I venture to say that in the years that are to come it is the personal relationship that will linger longest in our memories. The Duke and Duchess of Devonshire are leaving us after a full period of official duties, and they carry back to the homeland not only the abiding regard and affection of the Canadian people, but as well our very best wishes for their future happiness.

Right Hon. Sir ROBERT BORDEN (King's): Mr. Speaker, having served for nearly four years as Prime Minister under His Excellency, I may be permitted to associate myself with what has been so eloquently and appropriately said by the speakers who have preceded me and also to add a few words. It was at no small personal sacrifice that the Duke of Devonshire undertook the duties which he has fulfilled with such distinction and acceptance since the autumn of 1916. Inheriting a tradition of distinguished public service which in his family has extended over many centuries, he has evinced the possession of great qualities for which many of his name have been noted; remarkable ability and aptitude for public affairs, rare good judgment, firmness, steadiness, and last, but not least, a fine sense of proportion.

He came to us endowed with an experience which is most important, if not necessary, for a Governor General of this Dominion. More and more in all the Dominions the constitutional relation of the Governor General to his ministers has approximated to the relation of the King to the British ministry. Especially is this true of Canada. The Duke of Devonshire was educated in public life, and thus he thoroughly understood and appreciated the trend and development of constitutional relations. One could always observe that

his mind was thoroughly receptive of the constitutional developments which have been somewhat marked in recent years.

As Prime Minister my relations with His Excellency was necessarily of a very intimate nature. On all occasions I gave to him my entire confidence in all that concerned public affairs, and I have a very grateful recollection and appreciation of the thoughtful suggestions and wise counsel which he gave to me on many occasions of stress and difficulty.

As Governor General he has thrown himself wholeheartedly into the current of our national life, and there are few Canadians who know our country as thoroughly as he does. The Duchess of Devonshire who ever since her girlhood has been intimately associated with the history of this country, and whose charm has won all hearts, has displayed the same active and earnest interest in all that concerns the welfare of our people.

Doubtless many years of active and honourable public service remain before His Excellency after his return to the United Kingdom. He and the Duchess and all the members of their family will carry with them to the homeland the warm affection and universal respect of the Canadian people. In bidding Their Excellencies and the members of their family Godspeed, we hope that we may say not farewell but au revoir; and we feel that in spirit and at heart in leaving us they are still Canadians.

Motion agreed to.

Right Hon. ARTHUR MEIGHEN (Prime Minister): I beg to move, seconded by the hon. leader of the Opposition, that a message be sent to the Senate, informing their honours that this House has passed an address to His Excellency the Governor General, on the occasion of the approaching termination of His Excellency's final connection with this country, and requesting their honours to unite with this House in the said address.

Motion agreed to.

#### REPORTED APPOINTMENT OF GOVERNOR GENERAL

On the Orders of the Day.

Hon. H. S. BELAND (Beauce): Before the Orders of the Day are proceeded with, I would like to ask the hon. leader of the Government in regard to the reports published yesterday and to-day in the press of Canada to the effect that Lord Byng had

been appointed Governor General of Canada. May I ask the right hon. leader of the Government whether he is in a position to make a public announcement.

Mr. MEIGHEN: I regret, Mr. Speaker, that I am not in a position to make an announcement.

#### JUDGE SNIDER'S REPORT

Hon. RODOLPHE LEMIEUX (Gaspé): As the session is drawing to a close, may I ask the right hon. leader if it is possible for the House to have the report of Mr. Justice Snider before prorogation?

Right Hon. ARTHUR MEIGHEN (Prime Minister): I caused inquiries to be made of Mr. Biggar immediately after the hon. gentleman spoke on a previous occasion, and Mr. Biggar informed my secretary that it was expected that the final report would be ready at the end of this week, or, at the latest, the beginning of next week. I earnestly hope myself that it will be ready to-morrow.

Hon. CHARLES MURPHY (Russell): I would like to point out to my right hon. friend that he is under a misapprehension as to what is asked for. There was a special Order in Council passed directing a special inquiry in regard to the destruction of certain volumes. That is one matter. The statement is that that inquiry is completed and the report made and adopted by council. There was another Order in Council passed directing another inquiry into other things at the Bureau, but that other inquiry which is still proceeding has nothing to do with the first one, which was complete when the report was made.

Mr. MEIGHEN: I do not want to speak too positively, but I think the hon. gentleman is wrong.

Mr. MURPHY: If the right hon. gentleman makes inquiries he will find that I am correct.

Mr. MEIGHEN: That there were two Orders in Council?

Mr. MURPHY: There were two different investigations—one into the destruction of the volumes, and the other was into other things connected with irregularities in the Printing Bureau.

Mr. MEIGHEN: I think the hon. gentleman is wrong. There was an investigation directed by Order in Council under the Inquiries Act. Judge Snider was appointed. He made certain inquiries, and he made an

[Mr. Béland.]

interim report on that investigation, but there was still more to be done. I do not think any other Order in Council was passed. The investigation simply was not completed, and it is the completion of the investigation which will be embodied in the final report. There was an interim report, but I do not think that is followed by any other Order. I think the continuation of the inquiry was merely in pursuance of the Order.

Mr. MURPHY: You will find the investigation into the destruction of the volumes was a separate investigation, and a separate report in regard to it made to the House.

Mr. MEIGHEN: There was an interim report. I do not know whether it completed the investigation into the destruction of the volumes. It was all one investigation.

Hon. T. A. CRERAR (Marquette): Will the report be made public as soon as it is received by the Government?

Mr. MEIGHEN: I do not know of any reason why it should not be. The Government has nothing to conceal about the matter.

Mr. CRERAR: I am not suggesting that.

Mr. MEIGHEN: I presume the course is for the report to be submitted to His Excellency the Governor General first, and then it comes before the Government. I have not the least doubt that the report will be made public.

#### GRAND TRUNK ARBITRATION

On the Orders of the Day.

Mr. D. D. MCKENZIE (Cape Breton and Victoria): I should like to know from the Prime Minister if the Grand Trunk arbitration has been resumed. If not, when it will be resumed, and what is the general condition of the matter about which we legislated a little while ago?

Right Hon. ARTHUR MEIGHEN (Prime Minister): The House, of course, is aware of all that has occurred up to the acceptance by the Grand Trunk of the terms fixed by Parliament on the recommendation of the Government. That acceptance took the form of an agreement, a copy of which is included in the papers. Following that, the Government nominated directors for the Grand Trunk, and in pursuance of the agreement, the Grand Trunk Directors had their own directors resign and the Government nominees were elected by the

Grand Trunk directors. Then the remaining Grand Trunk directors resigned. That places the Government nominees in full position as directors and sole directors of the road. After that, the Government passed an Order in Council, as authorized by the Statute, reviving the arbitration and fixing a period of three months within which that arbitration should be concluded. The revival was to take effect on Wednesday last, and I believe the arbitration tribunal was called together for that date. I saw a report in the press that the Hon. Mr. Taft was not able to be there. I am informed that they actually started work on that date. That is the position of the matter.

#### REPRESENTATION OF MAISON-NEUVE AND GASPE

On the Orders of the Day:

Mr. MICHAEL CLARK (Red Deer): May I ask the Prime Minister, having regard to the fact that the double representation of Gaspé and Maisonneuve was referred to the Elections Committee, if we are to have a report from that committee?

Right Hon. ARTHUR MEIGHEN (Prime Minister): I am not a member of the committee, nor have I spoken to any member on the subject here. I understand that the report has been on the table for five weeks.

#### GRADING OF DAIRY PRODUCE

On the motion of Hon. S. F. Tolmie (Minister of Agriculture), Bill No. 206, to regulate the grading of dairy produce, was read the second time, and the House went into committee thereon, Mr. Boivin in the Chair.

On clause 2—definitions.

Mr. BELAND: Has the minister received pressing demands or requests from the agricultural interests of this country to enact such legislation as is before the committee now? If he has, what procedure does he expect to take in detail to carry out the wishes of the interested parties?

Mr. TOLMIE: There have been requests from time to time from various dairy organizations asking that the proper grading of dairy produce for export be carried out by the federal Department of Agriculture. Perhaps one of the most important requests was made by a meeting of deputy ministers at a convention held in the Chateau Laurier in March, 1920. These men were called together to confer with

representatives of the federal Department of Agriculture with a view to going over the whole of the agricultural situation in Canada, and also with a view to avoiding any duplication of work between the provincial and federal departments. At that meeting, this matter of grading of dairy produce was brought up. It was pointed out that we were building up a very important industry, and particularly an export industry; that we were competing with countries on the other side who were carrying on their work under careful inspection, and that in many cases those countries graded their products before sending them to market. A resolution was passed by that meeting asking the federal Department of Agriculture to take such steps as would bring such a Bill as this into force whenever they thought that was necessary.

Mr. BELAND: Was every province represented?

Mr. TOLMIE: Yes. In addition to that, there was a demand from the National Dairy Council, the largest dairy organization in the Dominion, in which all the provinces are represented.

At a recent meeting held in Toronto they passed a similar resolution asking the Government to bring in a Bill for the grading of dairy products. Other organizations have been heard from, and a number of dairymen of prominence throughout the country have demanded legislation of this kind. I have been very much encouraged in bringing down this legislation by the excellent results obtained by the measures for grading eggs and fruit, which have enabled the farmers of this country to put these two products on the market in first-class condition, and in a manner to meet competition no matter where it comes from. If this Bill passes, it is proposed to put it into force perhaps in a year from now, as it will require about that length of time to get properly ready for its enforcement. We also propose to consult the various organizations interested in the production, sale and export products, in connection with the preparation of any regulations that it may be necessary to frame to carry this Bill into effect. That is a brief outline of the foundation of this Bill.

Mr. BELAND: The minister, I think, should realize that we are not very actively engaged in building up an export trade in dairy products, in butter especially. The export of butter during the last ten years, instead of being on the increase, has been

on the decline. And just to emphasize that point I would quote a figure given to the House the other day by the minister himself. He stated that the consumption of butter in Canada was 600,000,000 pounds. I must say that that figure appeared to me to be somewhat exaggerated. That would mean the consumption per year—

Mr. TOLMIE: That figure was not the consumption in one year, but during the period in which oleomargarine had been permitted to be imported and manufactured and sold in Canada—it would be pretty nearly three years.

Mr. BELAND: Even so, the figure is rather large, but I am not quarrelling with the minister over that. We realize that the consumption of butter in Canada is very large. I would judge that the export would be 20,000,000 pounds per year at the outside, so if the regulations that are under contemplation have for their object the grading of butter and other dairy produce destined for export, only a very small proportion of our total production of butter would be covered. I do not say that with the intention of formulating any opposition to the Bill, but to call attention to the fact that the measure is a very important departure from the conditions that have prevailed up to this date, and I am afraid that unless the different agricultural and dairy societies are made aware of what is proposed, and are thoroughly consulted before any definite step is taken, there will be a good deal of opposition in the country to the legislation. I would impress upon the minister the necessity of again getting into touch with the agricultural department of each province, and I think he should leave it as much as possible for them to decide what measures should be taken in regard to the grading of these products. It might entail a good deal of expense on the part either of the Department of Agriculture or the dairy societies.

Before I resume my seat, may I ask whether there has been any complaint made to the minister from importers of butter and cheese in foreign countries? Have the importers of cheese and butter complained of the quality of the products that Canada has sent across, and is that a reason for the minister bringing down this legislation?

Mr. TOLMIE: That has not been one of the reasons for bringing down this legislation.

Mr. EDWARDS: Perhaps I may be permitted to say a few words in regard to this  
[Mr. Beland.]

Bill, inasmuch as last session I introduced a resolution for the standardization or grading of Canadian butter and cheese for export. That resolution, I am glad to say, was received with favour by hon. gentlemen on both sides of the House, and the Bill which is now before Parliament is the Bill which the Minister of Agriculture intimated last session he would introduce along the lines indicated in my resolution, if the dairy interests of Canada in the meantime gave any indication to the Government that they wished such legislation to be brought down. Since last session the dairy interests have given that indication to the minister. The Eastern Ontario Dairymen's Association and the Western Ontario Dairymen's Association have unanimously passed resolutions asking for this legislation, and I believe that associations in the province of Quebec have also indicated their desire for the proper grading of butter and cheese for export.

I would like to point out to the hon. gentleman (Mr. Beland) that he is wrong in stating that our exports of butter have been on the decline. Our exports of butter in 1914 were 1,228,753 pounds; 1915, 2,724,914 pounds; 1916, 3,441,183 pounds; 1917, 7,990,435 pounds; the figure dropped in 1918 to 4,926,154 pounds, but rose again in 1919 to 13,659,157 pounds, and in 1920 to 17,646,235. The hon. gentleman will see that the figures very clearly indicate that our exports of butter are not on the decline, but that they have been increasing very materially from year to year.

Mr. BELAND: Of course, I accept the figures my hon. friend has just given. Is my hon. friend in a position to tell the committee what proportion that 17,000,000 pounds exported in 1920—taking that year, for instance—bears to the total production of butter in Canada?

Mr. EDWARDS: As far as I can obtain the information, I think that the statement made by the hon. gentleman himself a few moments ago was pretty close to the mark.

Our production of butter in Canada totals between 200,000,000 and 220,000,000 pounds a year. Three or four years ago our production was estimated to be about 203,000,000 pounds. But I fancy there has been an increase and I would put the average at 210,000,000 pounds a year.

Mr. BELAND: About 8 per cent is exported?

Mr. EDWARDS: Yes. It is true that the proportion of export is not large. We must look abroad more and more for markets for our surplus production of butter, and we shall be forced to do so increasingly because of the favour which is being shown to oleomargarine. There can be no question in anyone's mind that olemargarine takes the place of butter, and the introduction of that article of food into this country in ever increasing quantities means the displacement proportionately of the home production of butter, driving us into foreign markets to sell our over-production. Last year we introduced into this country, in round numbers, about 7,000,000 pounds of oleomargarine, and that forced us to look abroad for the sale of that much of our butter. We are disposing of our surplus butter to some thirty-five or forty different countries, and our product has to come in competition with that of certain countries, which have taken very careful means to establish an international reputation for their product, such as New Zealand, Australia—Australia not to the same extent, of course, as New Zealand—Denmark and Holland, all of which have for years developed this matter scientifically and obtained an international name in the foreign markets for their product by a careful system of standardizing for export. We have to compete with that, and it seems to me that so far as our Canadian product is concerned, the time is past due when we should do something to secure for our butter an international reputation if it is to compete successfully with the products of other countries which are carefully graded and systematically handled as is the product of New Zealand, Denmark, and other places. If there is any one province of Canada more than another which is interested in the passing of this Bill and the proper grading of dairy products, it is the province of Quebec. Ontario has won the honours so far as the quality of cheese is concerned; that is to say, Ontario produces a larger percentage of cheese of number one grade than does the province of Quebec. But while Ontario has forged to the front in that respect in regard to butter the province of Quebec leads every other province in the Dominion in the percentage of first-class production. I shall give some figures which go back to the year 1917. I have not taken the time to get figures later than that, but I do not think that I am giving ancient history in the figures I submit now, and I think they may be taken as fairly indicative of conditions as they are at present.

In 1917, of our cheese production of over 1,000,000 boxes exported from Ontario, 93.88 per cent graded as No. 1, for which we were entitled to receive the highest prices: 6.42 per cent graded as No. 2; and .20 per cent graded No. 3. In Quebec, of 755,000 boxes sold, only 70.88 per cent graded No. 1; 27.13 per cent graded No. 2 and 1.99 per cent graded No. 3. Of Prince Edward Island's output, of 17,000 boxes, 90.85 per cent graded No. 1; .9 per cent graded No. 2; and 1.5 per cent graded No. 3. For all Canada 84.22 per cent graded No. 1.

Mr. BELAND: By whom was this grading done?

Mr. EDWARDS: It was done at Montreal.

Mr. SINCLAIR (Queens): The British Purchasing Commission did the grading during the war.

Mr. EDWARDS: Yes. They would be responsible for the figures, which I have no doubt would be absolutely reliable. I think my hon. friend is correct. Such firms as Hodson, Alexander, Ayres, or any of the big exporters of Montreal pay according to the grade of the cheese.

Mr. SINCLAIR (Queens): According to their own standard?

Mr. EDWARDS: Yes. Now, if we assume, in connection with cheese, that there would be only half a cent per pound difference in price between grade No. 2 and grade No. 1, it is easy to calculate the actual loss to Ontario producers on grade No. 2. This would amount to \$40,000, and to Quebec producers, the difference between the prices obtained would total, on the figures I have given, \$98,000.

Mr. BELAND: That is, in regard to cheese?

Mr. EDWARDS: Yes, in the quantities I have mentioned. That is to say, if instead of Quebec shipping 27.13 per cent of its total export as grade No. 2, it had brought that cheese up to the standard of grade No. 1, the farmers would have been in pocket some \$98,000 on a calculation of a half a cent per pound difference in price.

Now, let us consider the figures relating to butter. Our Ontario butter exported in the year I have given graded only 70.33 per cent No. 1, whereas Quebec butter graded 94.48 per cent No. 1, a very great difference. Alberta's product graded 90.28 per cent No. 1; Saskatchewan 71.66 per cent, and Manitoba 81.10 per cent. Taking

the market reports, which are carefully prepared and may be accepted as reliable, I think I am correct in stating that there is a difference of 2 cents per pound as between butter graded No. 1 and butter graded No. 2. Accepting that as correct, then the loss to Ontario producers in exporting No. 2 butter—to say nothing about grade No. 3 and lower grades—instead of grade No. 1, would be \$169,779; to Quebec \$37,831; to Alberta \$17,440; to Saskatchewan \$24,917; to Manitoba \$20,870; or a total of some \$270,000.

Now, while it is true that our export of butter is only, perhaps, 8 per cent of our total production of that article, a quarter of a million of dollars is a loss which we should try to prevent if it is preventable. This is what appeals particularly to me in regard to this matter. The province of Quebec has evidently taken a great deal of pains and given a great deal of attention to the production of first-class butter—to the production of butter which in quality competes very successfully with the best Danish, or with butter from Holland or New Zealand. Here is a shipment of butter, we will say, going out from the port of Montreal. Some of it is from the province of Ontario, and some from the province of Quebec. It goes overseas and is placed on the market in England or in some other country as Canadian butter. Now, is it fair to those people who have carefully studied the matter and are producing an article which reveals the highest percentage—viz., 94.40 of No. 1 quality—this being the showing of Quebec—to have the reputation of that article destroyed by mixing the product of a province which is not giving to the industry the attention it should give and whose export butter shows only 70 per cent of No. 1? The very province which produces butter of the highest quality is the province which is bound to suffer through lack of systematic grading. In the same way the province of Ontario, which produces cheese of a better quality and more uniform grade, and produces a higher percentage of No. 1 than does the province of Quebec, is going to lose because the cheese of the latter province is not graded according to its quality. That is as it appears to me—it cannot be otherwise. Our exports of butter and cheese are competing now in some thirty-five different countries. Those countries are taking very great pains, and have gone to considerable trouble to grade their products for export. In fact, New Zealand follows its cheese and butter across the ocean from the country of origin and sends a man to

[Mr. Edwards.]

Liverpool to inspect that butter and cheese after it has landed. So careful is New Zealand of its reputation that it does not take any chance of its products deteriorating in the voyage across to England, and it has a competent officer in the Old Country to give that butter and cheese a further inspection before they are finally placed on the market there. The result is that when New Zealand butter or cheese appears on any man's table in the United Kingdom, the mere mention of the country of origin is a sufficient guarantee of the quality of the product. I maintain that Canada should be in the same position and that every pound of Canadian butter going into consumption in Great Britain, or any other country, it should be a number one article. If all the butter exported from Canada graded as high as does the butter from the province of Quebec, we would be in a pretty happy position. If all our butter sent from Canada graded over 94 per cent No. 1, there would not be much chance of its reputation being damaged in the foreign market. It does not grade that way, however, and I do say that the dairyman who takes the trouble to put up a factory and keep it in a sanitary condition, who pays high wage and employs a first-class, competent man to produce butter or cheese, is entitled to be protected when he exports those articles. He is entitled to be protected from the man who is merely carrying on his business in a perfunctory manner, indifferent as to whether the factory surroundings are sanitary or not, and as to whether the man in his employ is a thoroughly competent, or a thoroughly incompetent, individual.

I do not want to take up any unnecessary time in connection with this matter. Let me say, however, that I have given it considerable thought, have gone into it very carefully, and have satisfied myself that this is the proper course to take. I am supported in that view by the expressed opinion of the Eastern and Western Ontario Dairymen's Associations, and I am still further supported by action on the part of some of the provinces towards grading. Of course the provinces have the right to deal with that question in so far as the sale of products within their own boundaries are concerned. Let Alberta, Ontario, Quebec, or any other province make all the regulations they like in regard to the grading of dairy products for home consumption. We are only dealing here with the over-production of these commodities which must find a market elsewhere than in Canada and which, in doing so, must compete

with the over-production of countries which have for years studied conditions very thoroughly and have adopted a system of grading and by that means have won a first-class reputation for their products in every market in which they are sold. This is the kind of competition we must face to an ever-increasing degree as our own production grows, and that is the reason, I believe, why the minister is introducing this Bill. I see no reason why this legislation should—and in my opinion it does not—interfere with the rights of the factory men in disposing of their commodities. I cannot see in what way the Bill will cause them any inconvenience. Every possible difficulty has been guarded against in the legislation, in my opinion, and I commend the Minister of Agriculture very warmly for the attention he has given the subject. I commend him in particular for this fact—that throughout the provisions of the Bill there is an evident desire for one thing and one thing only: To induce the producers to go to the trouble to manufacture a first-class article and then to give them the necessary protection in the sale of the commodity in markets where they have to compete with products which have been graded. Sufficient time is given so that nobody will be taken unawares—as I understand it, the Bill will not go into effect within a few hours after its enactment. It will take time to work out its provisions. The minister is inviting the opinions of all the men in the trade; he wants them to give him their assistance and co-operation. I firmly believe that once this legislation goes into effect it will advance the good name of our dairy products overseas, and will enure to the benefit of the producers of those products to a very substantial degree indeed.

Mr. SUTHERLAND: Might I ask the hon. gentleman if the large increase in the quantity of Canadian butter exported was not due to the fact that the British Food Ministry fixed the price of cheese at a much lower figure, with the result that the dairymen turned to the manufacturing of butter rather than the manufacturing of cheese?

Mr. EDWARDS: The price of our cheese, as I have always understood, was fixed by the British Food Board on a basis which gave our producers two cents a pound more than that paid by the board for the total cheese output of New Zealand. At the same time, the definite and substantial price that was paid for our cheese had its effect, I

believe, in encouraging our farmers to put on their farms every cow they could carry. To what extent that influenced the export of cheese, I am not prepared to say. On looking at the figures I find that our exportable surplus of butter was greater last year than it was in any year of the war, but I believe our cheese exports have fallen.

Mr. BELAND: Of course, any system of properly grading dairy products would naturally be conducive to the improvement of their quality, and I for one do not object to the Bill, but I believe that there will be great difficulties in the application of the law. I should like to know from the minister if the grading would apply only to those products which are destined for export, or to all the products enumerated in this Bill, whether destined for export or for domestic consumption?

Mr. TOLMIE: The present intention is that it shall apply only to products destined for export, and arrangements will be made to facilitate the application of this measure as much as possible by a thorough discussion of the whole situation by all the interests dealing in or producing the various dairy products.

Mr. BELAND: Is it intended to make provision for the application of the law during this summer?

Mr. TOLMIE: Our Dairy Commissioner estimates that it will require about a year to carry on a campaign of education and to get the opinions of the men interested on which to formulate the necessary regulations.

Mr. THOMPSON (Hastings): The Ontario Dairymen's Co-operative Company at Montreal have a similar system in vogue to that proposed, and I understand that the inspector appointed by this Government inspects their cheese.

Mr. TOLMIE: Inspection was carried on at Montreal for that association as long as they sold their cheese by auction. Just as soon as they began to sell privately, the inspection was withdrawn. It will not be resumed until they again sell by auction.

Mr. HEPBURN: Will the minister notify the different cheese boards throughout Canada, so they may be represented, rather than rely entirely on the Dairymen's Association?

Mr. TOLMIE: This information will be disseminated as broadly as possible and the co-operation of all invited.

Mr. THOMPSON (Hastings): The district I represent is one of the largest dairy districts in the country, and we have there a system of inspection in the factories which has been practised for thirty or forty years and has given complete satisfaction. Although last year the Ontario Dairymen's Co-operative Company was furnished by the Government with an inspector, and the factories were given the privilege of sending their cheese to this company, I do not believe that five per cent of their output was so sent. New Zealand has had its system for eighteen years, but to-day our cheese is selling from one to two cents more per pound than the New Zealand cheese. When I was in Picton a few weeks ago, the local cheese board passed a resolution asking that they be consulted. Last year, one factory in that district sent its cheese to Montreal to the co-operative company, but discontinued sending its cheese there during the season, and this year is selling its output on the local cheese board, along with all other factories in the county. I believe the Bill permits the minister to make regulations, and before those regulations are finally adopted, I ask that the members of the cheese boards throughout the country, who are the representative men of the dairy interests, be consulted.

Mr. SEXSMITH: I am not very much in favour of this Bill. It does seem to me that we are making deliberate efforts, not to benefit but to destroy some of the very best industries of the country. I know the farmers are not in favour of this legislation. Cheese factories in Ontario have been closing up by the dozen during the last five or six years, and the dairying industry, one of the most important in the Dominion, is not going forward very fast. The other day we passed a Bill allowing the importation and manufacture of oleomargarine. While I have not anything to say against this commodity I believe that in the course of a few years it will be the greatest menace to our dairying industry. If there is any industry in this country that at least requires to be left alone to work out its own salvation, so to speak, so far as restrictions are concerned, it is the dairying industry. The conduct of a dairy business is the most slavish work under heaven, and hundreds and hundreds of farmers are going out of the business. Now, the minister knows that Canadian cheese under the present system stands at the very pinnacle on the British market. If our cheese producers have been so successful in that market,

[Mr. Tolmie.]

which is the greatest cheese market in the world, why should we be asked at this late stage of the session to pass this Bill to provide regulations for grading export cheese? A good deal has been said about hurrying legislation through in the last days of the session. We are now having morning, afternoon and night sittings; we were here this morning until between three and four o'clock; and now when we come back here at 11 o'clock we find a Bill before the House which to my mind may be ruinous to certain branches of the dairy industry. I am speaking for the farmers in my district; the hon. member for Hastings (Mr. Thompson) and myself come from a district in which the largest cheese dairying industry in Canada is carried on—the largest cheese producing districts are in Central Ontario and in the Oxford district. The cheese men are opposed to this measure.

Mr. BELAND: They are opposed?

Mr. SEXSMITH: Yes, they are opposed to the measure, there is no doubt, and I would seriously advise the Minister to let the Bill stand until another year.

Mr. BELAND: On what ground do the dairymen of my hon. friend's district oppose the measure?

Mr. SEXSMITH: Under our present system the cheese is inspected in the factory. No cheese maker in my district will sell to any buyer without the product being inspected right there in the factory.

Mr. SINCLAIR (Queens): Inspected by whom?

Mr. SEXSMITH: By the buyer, of course. A few years ago, the cheese buyers of Ontario brought their industry to the highest pinnacle it had ever reached, but now it is dropping down by millions of pounds every year—and it is not because there is any dissatisfaction with the mode of sale or inspection. The hon. member for Frontenac (Mr. Edwards) has spoken about the increase in butter. In 1908, 1909, and 1910 we were producing hardly any more butter than we consumed, but now the butter industry has gone up and the cheese industry has gone away down.

Mr. PROULX: The last statement that was issued by the Department of Agriculture showed an increase of over 6,000 pounds of cheese produced as compared with the corresponding period during the previous year.

Mr. SEXSMITH: I have seen a lot of figures from some of the departments that I do not place very much reliance in.

Some hon. MEMBERS: Oh, oh.

Mr. SEXSMITH: Well, I put it in this way; I am not casting reflections upon any of the departments, in a sense, but it is their estimates that I refer to. Of course, we have reports with regard to every pound of cheese which is made in our cheese factories, but how can we tell how many pounds have been manufactured on the farms all over the country and consumed on the farms? Any figure as to the amount of butter produced is only an estimate and a mighty rough one at that. But the fact remains that the cheese industry is falling back and will continue to do so. One reason has been the difficulty in finding labour. Another reason was that the price of butter during the war, as the hon. member for Oxford said, not being controlled, went up and that had its effect upon the production of cheese. The price of hogs and of calves increased and that also had its effect. I know that in my district ten or fifteen years ago they undertook to start a butter creamery. It operated for six months and then was obliged to close up, because it was unable to compete with the cheese. Three or four years ago, when veal calves were selling at \$25 to \$40 each, at six weeks old, it was worth while to have the skim milk retained on the farm. Fifteen or twenty years ago, when veal calves were worth from \$2 to \$4, it was quite a different matter. I do not want to delay the committee, but I did not know that this Bill was coming up this session, much less in the last days of the session, and I think the minister would be well advised if he would let it stand over for another year.

Mr. PROULX: May I ask the minister whether the department has an inspector in Montreal? Is there a Mr. Barr making inspections for the department there?

Mr. TOLMIE: Mr. Barr is at present stationed at the head office in Ottawa; he is in Montreal only temporarily, for a few days. We have inspectors at Toronto and Montreal.

Mr. SINCLAIR (Queen's): The part of Canada from which I come manufactures and exports to the British market a considerable quantity of cheese from the standpoint of per capita production. Of course, Prince Edward Island is a small province and the aggregate amount produced is not as large as that of some of

the other provinces. Now, we have had a good deal of difficulty during the past ten years in keeping up the quality of the cheese—I speak of cheese particularly—for export, for the reason that it was hard to get the cheesemakers to bring home to their patrons the necessity of paying particular attention to the quality of the milk supplied to the factories. It is well known by any person who has had experience that unless you get good milk at the factories you cannot make good cheese, and as long as we leave the grading of dairy produce to the buyers we cannot encourage the producer to eliminate the number two article and have a high percentage of No. 1. To the practical producer, Sir, that is one of the most important reasons in favour of having the product graded. As I understand it, this Bill will put the grading of dairy produce in the hands of a qualified independent grader instead of leaving it to the buyer. It is also important for us to have the cheese and butter—cheese particularly—graded for export to the British market. During the past number of years we have been able to sell our dairy produce because the price was high and continually rising and the demand was greater than the supply, on account of conditions to which I need not refer. But now things are different and during the next few years we may find it difficult to get a market for our product. Conditions in the British Isles are not as good as we would wish, and it may be that from force of economic circumstances, our dairy produce exported there will have to take a low price. It is only by paying strict attention to the quality of the export that we can expect to command a position in that market as against other countries that are trying to get in there as we are trying to do. For those reasons I will support the Bill. I would like to see the Bill a little more definite. It is simply a skeleton Bill, leaving the regulations in the hands of the minister and his officials in the department, and we do not know in what way the grading will be administered. In saying that, I do not wish to cast any reflection upon the efficiency of the minister or his officials, but it is not good policy for this House of Commons to leave too much legislation to regulation by Order in Council. I should like the minister to state specifically in the Bill that the grading of dairy produce for export is compulsory; and he should put in the body of the Bill as much as possible in regard to the regulations and control necessary in

putting this legislation into operation. Some hon. members, during this discussion, stated that provincial departments should be allowed to say how far the grading should go in the different provinces. I cannot agree with that at all. We want a united control in the matter, and any grading done for export should be controlled entirely by the federal department.

When the minister is making the regulations, he should have in view the fact that it is necessary, as far as possible, to have the certificate of grade given near to the point of shipment. When I point out to him the conditions in which we are in Prince Edward Island, he will understand better the point which I am making. We can ship our cheese to the Old Country through Halifax or Montreal. If a certificate of grading is given in a warehouse in Montreal, that makes it necessary for us to ship to Montreal to come under the grade. I would like the minister to have in mind, and if possible to have the grade of certificate given as near to the producer as possible. In that way we get a double benefit. As well as getting the benefit of having a good name in the export market, we have the benefit of bringing home to the producer the necessity of raising the quality of his product and converting what is now second-grade stuff into first-grade stuff for export. That, to my mind, is the greatest thing that we are going to gain by having dairy produce graded.

Mr. BOYER: (Translation.) Mr. Chairman, I approve this Bill with great pleasure because I sincerely believe it is a starting point from which legislation often being improved, will bring a great development to the dairying industry. When the Minister of Agriculture tells us that this Bill is wanted by every provincial minister of agriculture, I believe that statement, because I know from good authority that the Minister of Agriculture of Quebec was asked to work along those lines. It is some years ago that we tried to have a bill enacted for the grading of the dairy products, particularly butter and cheese to be exported, and that grading is timely. A short time ago, as director of the "Conseil National Laitier du Canada," I attended a meeting held in Toronto, when we passed a resolution supporting the measure that was then before Parliament. The "Société de l'industrie laitière de la province de Québec" has also for a long time been asking for such a grading. As far as Quebec is concerned, we have already appreciated, when the Imperial

[Mr. Sinclair.]

Commission was in existence, the benefits of such a classification. I may say that at the present time the standard of our dairy products is not fixed by experts but merely by exporters; that grading being left to the most interested parties, this has been for a long time a great handicap to the farmers, and the Government is right in doing away with it.

Hon. Mr. BELAND: Hear, hear.

Mr. BOYER: (Translation.) I see that under this Bill, the Government will make the regulations which may be deemed necessary to avert this danger, and I think the measure is most timely and to the point. We have organized in Montreal, some seven or eight years ago, an association which bears the name of "La coopérative centrale." They have classified the products shipped to them and sold by them, and, Mr. Chairman, you could hardly imagine the good effects which this classification has had from an educational standpoint. "La Société coopérative centrale" have established three different grades for the products shipped to them. At the outset, the small manufacturers, the factories badly equipped and those lacking in scruple wondered why their cheese was graded as second or third class. Whenever a complaint was made, inspectors were sent by "la coopérative" to the locality where that complaint originated and they would spend one, two or three weeks there if necessary in order to find out what was wrong and to show how the defects could be remedied. What was the result? Instead of 60 per cent of the manufacturers shipping inferior cheese, as was the case seven years ago, there are only this year 2 or 3 per cent of factories on the third grade list, in the province of Quebec. As you see, Mr. Chairman, this classification has been most useful; but it is only local in character and, therefore, insufficient to answer the general requirements.

The classification which was made by the Imperial Government during the war gave us a perfect idea of what could be expected from such a system. The Imperial Commission, which was independent of all groups, had classified the products shipped overseas in a perfect manner, and generally speaking, the results have been the very best to date. After the war, the Imperial Government decided to abolish that commission and we have reverted to the old methods of the past, from which we are now suffering, to a great extent,

by the fact that there is no classification process. So, when I happened to read on the Order Paper that the minister intended to introduce this Bill, I was glad of it and so were also the farming and dairy associations of the province of Quebec. Were it not for fear of treading upon dangerous ground, I would have this to add: Long before the province of Quebec, Ontario began to produce cheese, and improved it from year to year to such an extent that it was sold in England in much larger quantities than the Quebec cheese and became known as Ontario cheese. Later on, when we, from the province of Quebec, improved our own cheese and shipped it to the English market, we had to sell it under the guise of "Ontario cheese," which was unfair to Quebec while unprofitable to Ontario, for this province has no need of our cheese. If we wish to sell our cheese on the English market to-day as "Quebec cheese," the buyers in England will not give as high a price for it as they would for the "Ontario" or "Brockville" cheese. Nobody claims that our cheese is not as good as the other, but the buyers are accustomed to those brands and believe that others would not prove as satisfactory. The worst of it all is that inferior cheese, from whatever part of the country it comes, is shipped as "Quebec cheese." I protest most strongly against these methods. Now, if the Government decides to adopt a measure by which there will be three uniform grades of cheese, it will be equally just to all, everybody will be encouraged, and it will be to nobody's detriment.

Here is another point to be considered: The exporters, nowadays, are not all equally scrupulous. I have here several letters from exporters who are in favour of this measure. Now, a good many exporters rule the roost, and when I find that the Government is trying to put a check to such conditions, I am glad of it and I am satisfied that all who are interested in the dairy industry will feel thankful to the Government. Therefore, I shall vote for the Bill with pleasure, and I would ask the members from Quebec, especially those who represent rural counties, to realize the real usefulness of this Bill and to give it their full support.

Mr. SEXSMITH: So far as butter is concerned this may be a good thing, and it might be a good thing for cheese in the end, but I do not think this is the proper time to bring this law into effect, and the main reason is that the farmers in the cheese districts will have to ship their

cheese to Montreal before it is inspected. Now, for the last forty years the great majority of the cheese that has been produced has been inspected on the shelves of the factory. Anybody who knows anything about cheese knows—I have seen it happen more than one—that you can take No. 1 cheese from a factory and put it in a car—not a cold storage car—and before it reaches Montreal the grade will have gone down to at least No. 2.

Mr. TOLMIE: I have never stated, so far as I am aware, that we had decided on having all the grading done at Montreal. We would be quite willing to make arrangements to meet any such circumstances as my hon. friend has brought to the attention of the committee.

Mr. SEXSMITH: I quite realize that you may want an inspection at some western point. I am informed that all the cheese made west of Hastings last year found its market in the Prairie Provinces, but all the cheese made east of Hastings must go to Montreal or some other point where it can be inspected, for you cannot have a Government inspector going around and inspecting the cheese in the different factories. Under the old system Canadian cheese has made a wonderful reputation for itself in the world; no cheese has a better standing in the British market; our product has reached the pinnacle, and our farmers are proud of its reputation. But the minister is not satisfied, he wants to change the system, and brings in this measure for the grading of dairy products, perhaps to the detriment of the industry rather than its benefit. However, as the minister is anxious to have this Bill pass, I shall not take up any further time.

Mr. EDWARDS: I want to say this to the hon. member (Mr. Sexsmith). He says that grading may be a good thing for butter, but not for cheese. Now, if any argument can be produced in favour of the grading of butter, I do not see why that same argument should not apply to the grading of cheese. As a matter of fact, grading has been going on for years, but in a haphazard way. The men who are engaged in the business at Montreal, the exporters of butter and cheese, are grading, but they have an interest in the grading. It is to their interest, if there is a falling market for butter and cheese, to try and depreciate the grade of a first-class article. Manifestly it is up to them to try and get it at as low a price as they can, and they have degraded the product

to the loss of hundreds of thousands of dollars to the producers of cheese in eastern Ontario, and that I could prove if time would permit.

May I point out that grading has been done systematically in New Zealand for twenty-five years, and that is not the only place where it has been done. In the province of Alberta they have a sample system of grading. It is not compulsory, it is true, but because the provincial authorities of Alberta have established that grading system those producing butter in that province have been practically compelled to get the government certificate on the grade of their butter, for they have found out from experience that otherwise they cannot put their product on the home market or the British Columbia market and successfully compete with the butter that has the government certificate to back it up. The same is true in regard to Saskatchewan and Manitoba. In Quebec, the Quebec Agricultural Co-operative Society has been grading cheese for years. In their own interests they have found it advisable to protect the makers of good cheese, those who pay attention to producing a good article, from those who are indifferent, and they have formed this society for the purpose. Has the result been detrimental to the producers of cheese? Not at all, it has had the effect of bringing up the standard. Take, for example, the Montreal merchants who are in the export business. They do grading. What for? For their own protection, they make a difference between No. 1 and No. 2 grade. Who is hurt by that? The only man who is hurt by systematic grading is the man who is producing a No. 2 or No. 3 article and wants to sell it as No. 1. What damage can you do to a person who is producing a first-class article by having a system of grading? Why should he not be protected from the man who is producing an inferior article and getting the benefit of the reputation that has been made for the product of the other man? The only person who is injured by the present haphazard method of grading is the man who has taken the trouble to make a first-class article. I say that the producer of the inferior article is not entitled to the sympathy of my hon. friend from East Peterborough (Mr. Sexsmith) or anybody else.

Mr. BALDWIN: I have owned cheese factories and milk factories, and at present I own more farms and more cows than any [Mr. Edwards.]

man in the county I have the honour to represent. I have lost tens of thousands of dollars in the condensed milk business. I, therefore, have some knowledge of this matter. The hon. member for Frontenac (Mr. Edwards) has been trying to make the committee believe that the quality of butter depends wholly upon the manufacturer. Take the cow-tail butter, for instance, which is caused by filth in the stable, and the tubercular animals. I know the Minister of Agriculture is very ambitious and is anxious to travel on new lines and try out new ideas, this new thing and that new thing; but I say that instead of bringing in this legislation he would do more good if he went to the root of the matter and in every dairying centre had a man going around the country with a team, and a barrel of lime and a sprayer, to spray the farmers' barns and make them clean and wholesome. The member for East Hastings (Mr. Thompson) is a practical cheese man and I think he and other members realize the importance of absolute cleanliness in connection with barns. You cannot help having various grades of butter and cheese, but you can help having microbes, and lice and other vermin in your barns, and we should do all we can to have conditions such that these delicious articles of food, namely, dairy products, shall be free from impurities.

Mr. SEXSMITH: The member for Frontenac wonders why I am in favour of the grading of butter and not of cheese. Well, there is a reason. All cheese made in Canada is made in factories, under control but butter is made in thousands of different homes throughout the country and no two samples are absolutely alike. There should, therefore, be some grading in that respect.

Mr. DECHENE: About the last of April or the beginning of May a few carloads of butter were shipped from this country to New York, and it was discovered there that the butter was of very bad quality, containing more than 16 per cent of water. If there were no classification or grading, how would you deal with such exports, which hurt the trade of this country?

Some hon. MEMBERS: Carried.

The CHAIRMAN: Section 4—

Mr. THOMPSON (Hastings): Mr. Chairman—

Some hon. MEMBERS: Carried.

Mr. SUTHERLAND: I must protest, Mr. Chairman, against this method of rushing things. An hon. member has the floor, and I have endeavoured to address the committee on three or four occasions since the debate began, but I have not been able to get a word in.

The CHAIRMAN: Both hon. gentlemen will have an opportunity to speak. The majority of members said "carried," and the Chairman alone is to blame if he did not see the hon. member.

Mr. THOMPSON: The member for Frontenac spoke of the haphazard way in which cheese is inspected. If that is the case in Frontenac it is not so in other sections of the country like Hastings, Prince Edward, and Peterborough, for the cheese board have regulations governing this matter. In the case of a dispute between buyer and seller, the inspector who is employed by the Provincial Government, is the sole arbitrator and settles the question. The hon. member speaks of hundreds of thousands of dollars which dealers have lost. That must apply to Frontenac, for at their annual meetings at the different factories the producers have passed resolutions commenting favourably on the fair dealing between buyers and sellers. They had the privilege of sending cheese to Montreal to be inspected last year, and there were not five per cent of the farmers that did not take advantage of this arrangement. I am not opposed to the Bill provided the farmers are consulted. In an interview in the minister's office the other day I asked that the members of the cheese board, who are the representative farmers, be consulted. The member for Frontenac spoke of the Dairymen's Association. At this meeting I speak of, there were 13 farmers present and 7 of them voted for this measure. That is not representative of the dairymen by any means, and if the Minister will come to the city of Belleville, the town of Picton, or the city of Peterborough he will meet hundreds of representative farmers who are producing milk and are interested in this business. They will be willing to discuss the matter fairly with him. I only ask that before these regulations are adopted the men who produce the milk shall be consulted.

Mr. SUTHERLAND: This Bill is too important to be rushed through the House in the last days of the session without consideration. As the member for Queen's (Mr. Sinclair) has said, the dairy industry is facing a difficult situation. When you

realize that butter fat which a year ago was selling at 75 cents a pound, to-day sells at 35 cents, you can see how conditions are changing. The dairy industry of this country depends upon the men who produce the milk. I have been listening carefully to this discussion, and, so far as I can see, this legislation is not being introduced at the request of the producers. As the member for East Hastings has just pointed out, the Dairymen's Association is not representative of the dairymen. I have attended meetings of Dairymen's Associations where scarcely a dairyman was heard; but you could find any number of Government officials and dealers in dairy products represented on the boards, and they always endeavour to manipulate the appointment of officers in the associations so that they may have control of whatever regulations they try to carry on the board. The Minister would be well advised, after having had this discussion, to let this matter remain in abeyance for another year, and let the producers, upon whom the dairy industry depends, be heard, before taking steps that will jeopardize the industry. It is a very easy matter. The voice of the producer may not be heard. He may be in the business to-day very strongly, but in a very short time he may change his whole plan and system and go out of the business and you will never hear from him. That is very unfortunate for the industry and very unfortunate for the country. That is the very thing that is happening in many localities to-day. We ought to do everything we possibly can to stabilize industry in this country, and I think we should be much more careful than we are not to introduce legislation that may cause an injury to the stability of any industry in the country without giving it very careful consideration. I sometimes wonder, particularly during these trying times through which we are passing, whether we have got both feet down on the ground again and realize the difficulties with which we are confronted. We passed, without much consideration, legislation, some of which, I am satisfied, does not help the object that the promoters had in view. I think that a great purpose will be served by the introduction of this Bill, and having it brought forcibly to the attention of the dairymen of this country, that there is a demand. That demand may be from the Provincial Departments of Agriculture, and I believe that is where the demand has come from. I again say that the Departments of Agri-

culture do not always represent the dairy-men of this country—not by any means. As far as the constituency that I represent is concerned, the manufacture of butter and cheese had for many years practically ceased. Owing to conditions that prevailed during the war the price of butter, condensed milk and other dairy products, went up to such a degree that the cheese industry suffered very materially, and the producers went out of business. But I find that during the present year many cheese factories are reopening again, and the prospects are bright for the cheese industry, unless something is done that may hamper it. If the producer was asking for this legislation, I would be inclined to give it much more consideration than I give it at present, because of the sources from which I believe the requests have come.

Section agreed to.

On Section 3—regulations:

Mr. SINCLAIR (Queen's): I think we should ask the minister to specify that such notice should be given at a certain time before the Act comes into force, so that those interested would have an opportunity to prepare to conform to the regulations.

Mr. TOLMIE: I think I can promise that with perfect safety. Section 7 says:—

This Act shall come into operation on a day to be fixed by Proclamation of the Governor in Council.

And I can assure my hon. friend that ample opportunity will be afforded to these people.

Mr. SINCLAIR (Queen's): Would it not be wise to state the time in the Bill?

Mr. LEMIEUX: Might I call the attention of my hon. friend the Minister of Agriculture to the various officers, graders and so on, to be created under this Act. Are they salaried officers of the department? Is there any provision made for the salaries of these officers, and what will be the financial commitments of the department for the enforcement of this Act? Then, again, I observe that the warehouse or grading store means "any warehouse designated by the Governor in Council as a place in which the grading of dairy produce may be carried on." Does it mean that the warehouse will be the property of the department, or that it will not be the property of the people engaged in the industry?

[Mr. Sutherland.]

Mr. TOLMIE: As far as the warehouse is concerned, that will be fixed according to the best arrangement that we can possibly make. It may be an establishment used for the storing of dairy products. For instance, take the building at Montreal now under construction, a very large up-to-date cold storage establishment—

Mr. LEMIEUX: Is it Government property?

Mr. TOLMIE: It is controlled by the Harbour Commissioners. That will probably be the point where the dairy grading will be carried on. With regard to the extra graders, I do not think we would require more than one or two to begin with.

Mr. LEMIEUX: What salary do you intend to pay?

Mr. TOLMIE: I think roughly about \$2,400 for a grader—around that neighbourhood.

Section agreed to.

Sections 5, 6 and 7 agreed to.

Bill reported, read the third time, and passed.

At One o'clock the House took recess.

### After Recess

The House resumed at 2.30 o'clock.

PRIVILEGE—Mr. WILSON (WENTWORTH).

Mr. G. C. WILSON (Wentworth): Mr. Speaker, I rise to a question of privilege. My attention has been called to an interview given by the Minister of Public Works of Ontario, in which he characterized my recent remarks in this House as deliberate lies, etc., and he further stated that he intended to challenge me to meet him on a public platform. I rise to say that I stand by every statement that I have made, and I have sent to Mr. Biggs the following telegram:

OTTAWA, ONTARIO, June 3, 1921.

Hon. F. C. BIGGS,  
Parliament Buildings,  
Toronto, Ontario.

Anticipating your threatened challenge to meet me on a public platform as stated in today's Ottawa Journal, would suggest an evening meeting in the Dundas Park at a date to be agreed upon but within the next thirty days. That an admission fee of twenty-five cents be charged and that the proceeds be given the Citizens Committee of Dundas for Park Improvements. I will personally pay for all expenses incurred re this meeting.

G. C. WILSON.

Mr. CLARK (Red Deer): Could not that be staged on the same day as the Dempsey-Carpentier bout?

### REPORT

Sir HENRY DRAYTON: I desire to return to the order of motions for the purpose of tabling a report of the Civil Service Commission.

Mr. SPEAKER: I am sure at this stage the House will consent to the hon. Minister of Finance (Sir Henry Drayton) presenting this report without the formality of going back to the order of motions.

Report tabled.

### CUSTOMS AND EXCISE BUSINESS OF THE HOUSE

On the motion of Hon. R. W. Wigmore (Minister of Customs and Inland Revenue) for the third reading of Bill No. 211 respecting the Department of Customs and Excise:

Hon. W. S. FIELDING (Shelburne and Queen's): Mr. Speaker, this Bill passed through the committee stage at three o'clock this morning, and the moving of the Bill to its final stage at this moment simply illustrates the condition into which the public business has fallen. I am obliged to object to this motion and to register a protest (I know it will be ineffective) against the scandalous manner—the adjective is not too strong—in which parliamentary business is being conducted to-day under the direction of the Government. We are told that the Prime Minister desires to go overseas to attend the Prime Ministers' Conference. We all realize that that is the right hon. gentleman's duty, and I do not think there is any desire on the part of anybody in this House to delay him. But, while I admit that it is the duty of the right hon. gentleman to go, I cannot admit that that is a reason why we should conduct the public business with the indecent haste that has been exhibited during the past week. The right hon. gentleman will not be the first Prime Minister to go overseas to attend to Imperial business; there have been others, and they have left under somewhat similar circumstances. They have gone to perform their public duty with the good-will and blessing of the Parliaments they left behind them, but they have delegated the conduct of the business to their colleagues, and the business of the House has been closed decently and in order.

The business of this Parliament is not being done in a decent and orderly manner to-day, and we are having evidence of it in many ways. My right hon. friend (Mr. Meighen) is really acting like a slave driver in conducting the business of the House. Yesterday, this House sat eleven hours, including seven hours consecutively at night, finishing our work at 3 o'clock this morning. The right hon. gentleman is making Parliament meet morning, afternoon, and night, and at every stage we find business pressed forward with undue and unreasonable haste. In this Bill now before us we have a matter of a very important character. It introduces legislation entirely new, it imposes enormous taxation, much more than many people imagine, and is well worthy of grave consideration, but it is pressed forward in the way I have described. If you want further evidence, look at what occurred to-day in regard to the Bill relating to the dairy industry of this country. I have no particular knowledge of that industry, and I speak with deference to the views of hon. gentlemen who are familiar with it. We have had for the first time a discussion to-day on that Bill, and hon. gentlemen on the Government side have declared that the matter is not only one of grave importance, but one hon. member, representing an extensive farming district, declared that it might mean the ruin of the dairy industry of this country. Yet the measure was brought forward to-day practically for its first discussion and rushed through its several stages to be sent to the Senate, and the two Houses are expected to deal with the Bill in twenty-four or thirty-six hours. Will the people of Canada think that proper treatment of a question dealing with the dairy industry of the country? Will the farmers believe that their interests are receiving due consideration? I express no opinion on the merits of the Bill, but I do say that the forcing through of legislation of this kind at the last moment is entirely to the discredit of the Government and of the House. I do not think it is necessary that there should be this indecent haste in order that the right hon. gentleman may get away. I must offer no opinion as to the ability of his colleagues to conduct the public business, but I would say that it would be far better that the right hon. gentleman should proceed to the conference and leave the business of the House to be wound up in a decent and orderly way.

This is the King's Birthday. By a statute of Canada the birthday of the reigning sovereign is declared to be a public holiday. The people of Canada are expected to pay, in one form or another, due respect to the occasion. We require by law our banks to close. But while we do that and while we expect the people of Canada to honour the day, we have Parliament sitting here on the morning of the King's Birthday up to three o'clock, meeting again at eleven o'clock, and again at half-past two, and sitting again to-night until God only knows what time. I say without the slightest hesitation that that manner of conducting the public business is not likely to lead to Parliament having the respect which it ought to have from the people at large.

As a further reminder, I want to say that last session we voted ourselves a very generous indemnity, and the ground upon which the vote was placed was that the duties of Parliament were so exacting and the sessions were becoming longer. Now, this is not a long session. We have been here only a little more than three and a half months. I believe it will be found, with the growing importance of this country, that you will not be able as a rule to do the business of this Parliament in less than four months. I do not think that four months at any time hereafter will be deemed a long session. And yet the business has been rushed through in this way. I think the least we can do for the generous indemnity we are receiving is to stay here and attend to the business of the country. For myself at all events—and I speak for myself only—I respectfully offer this protest, and I say that the manner in which the public business is being carried on is not a credit to the Government, nor is it a credit to Parliament. We have large sums of money yet to be voted, including the Estimates of the Post Office Department, one of the most wide-reaching departments of the Government, involving large sums of money and involving interests which come close home to every hon. member. I believe we have not yet touched those Estimates. Some time to-day or to-morrow we will be asked to pass them.

These things have only to be mentioned to make the impression which I hope they will make on the public mind, and I do say without the slightest hesitation that this rushing through of the business of the country in the last few days of the session is a discredit to the Government and to Parliament.

[Mr. Fielding.]

Right Hon. ARTHUR MEIGHEN (Prime Minister): Mr. Speaker, my first remark is that I consider that the speech of the hon. member for Shelburne and Queen's (Mr. Fielding) delivered under these circumstances, is most unfair to the Administration—I had almost said unfair to myself. There has been no attempt of the Government whatever to rush the business of Parliament. There is the natural attempt of both sides towards the end of the session to have as little delay, as little irrelevant discussion and as little obstruction as possible, because at all stages of a session—mostly from the Opposition, naturally; sometimes even from the Government side—there is discussion of the nature of irrelevant matter or of obstruction.

What has the Government done that is "indecent" and "out of order"? I have made the statement that I felt it my duty to attend the session of this Parliament until the work is over. I feel it my duty still. If either on one side or the other there is a substantial feeling that it is too early to prorogue to-morrow, we are ready to wait and be here next week. I do not think the Empire is going to fall apart, or that we are in any danger or dire peril if I do not leave on Monday. I have made no attempt to stampede the course of business in this House or to rush things through with "indecent haste" in order merely that I may get away on Monday morning. In all efforts we have made to advance the business of the House, not with indecent haste, but with due expedition having regard to the importance of the business, we have acted in harmony with the Opposition.

What has been the subject matter that has been dealt with so rapidly and with such utter disregard of the interests of the country? Has any one observed, in the disposition of any Bill so far before this House, scant consideration of its provisions? If so, I do not know when it was. There has been consideration for hours at a time, very frequently late, it is true, because hon. gentlemen towards the end of the session, particularly when committee work is over, are prepared to sit late, and it is then that we exert ourselves to the uttermost and consideration is given to public business at the expense of great physical and mental effort on our part. That has been the history always as regards important legislation towards the end of a session. All measures that we have to do with are important; some not

as much so as others, and much of that character is being considered just now. There is some that we have not been able to reach, not because we did not want to, but we have not been able to get to it sooner owing to prolonged discussion on other matters.

Now, as to rushing business because we commenced business this morning at eleven o'clock and sat until three o'clock last night, let me remind the hon. member of this fact, that this is the first session, I think, in the history of our Parliament, that the holding of forenoon sittings has been left to as late a date as this. The Government has not suggested that Parliament sit in the forenoon except for the last two days of the session, and only for approximately a week have afternoon sittings commenced at two o'clock. It is true that we have had two or three late sittings, but I would like to know when Parliament did not sit late at night towards the end of a session when committee work was over. I say again that we have deferred morning sittings longer than ever before. Certainly never since I have been in the House—and this is my fifteenth session—have we waited until the last two days before asking the House to sit in the forenoon. I do not think there is any precedent for waiting so long before sitting on Saturdays as we have waited this session.

Now, my only statement is this. We have sought to act in harmony with the Opposition in this matter, and therefore I consider the remarks of the hon. member for Shelburne and Queen's directed against the Government as entirely unfair and uncalled for, and I am surprised at his making them. Let me repeat, while I might be justified in leaving the conduct of the House and go overseas when there is nothing left for discussion of an important character, nothing over which there may be serious contention, I do not think I would be justified, merely to get away on Monday, in leaving this House before its prorogation, with important or contentious matters left over. But there is nothing of a dire character going to happen if there should be delay, and although we have had a general understanding that we will endeavour, if we can with justice to public business, close on Saturday, let me say again there is no more desire on the Government side than on the other side, to prorogue then, and we are quite willing to co-operate with the Opposition in a friendly way and meet

with them next week if it is necessary for the due and proper discharge of business.

Mr. MICHAEL CLARK (Red Deer): I rise with some reluctance to present a view which is presented on my own account only and which differs from that of my hon. friend from Shelburne and Queen's (Mr. Fielding). I do this with the more reluctance because on many subjects I have admired the position taken and the ability displayed by my hon. friend and have been more than pleased to support him. Indeed, some of us in this part of the House have suffered, I think, misunderstanding along that line because we have been put under his wing by a very august personage in this Chamber for good and all. However, that personage, I am sure, will forgive me for breaking out from under the wing on this particular occasion.

It is true, Mr. Speaker, that we have been only three months and two-thirds in session and that there has been a good deal of business done in the last two weeks. But I imagine, as the Prime Minister has said, that that has been quite usual in all the sessions of Parliament, at least that I have participated in. I personally have not been able to impress my views upon the majority of the Chamber, but it has not been because I have not had the opportunity of presenting those views on almost every topic, and especially upon the trade question, in which I take a vital interest. I think the whole House will admit that I have at least been able to keep up my end and to keep my views before the public and before the House of Commons. That my views have not impressed more members is a matter of very deep regret to me, but it is because of the perversity of the human understanding and of the human heart. As I look back over this session, having missed but two days of its sittings, on each of which two days I was delivering a speech outside the House, I am bound to say, Mr. Speaker, that it is my deliberate opinion—speaking, as I say, purely for myself—that no public interest of any moment has suffered during this session from want of reasonable discussion. That being my impression, I feel bound to state it. I am exceptionally placed in regard to leisure—my little business interests do not call me away; I am in very good health, and I could stand another month in Ottawa. But I very much question if the public interest would gain anything compared with what it might conceivably lose by the Prime Minister of this Dominion having to fail to keep arrange-

ments which he has entered into with the consensus of the majority of hon. members of this Chamber. I hold this view strongly, and I am almost certain that it will impress the majority of the members of the House. We hear a great deal about members of Parliament not earning their indemnity, and about "generous indemnities," and that sort of thing. Well, I can only say that when my hon. friend from East Peterborough (Mr. Sexsmith) was talking this morning of milking being work of very great drudgery, I had the honest feeling in my breast that to milk six or eight cows before breakfast and again in the evening and to do a good deal of farm work between times was, on the whole, play for the body and the mind compared to the drudgery of public service in this House, and more especially in the administration of the country at this time. I have not been, I think, in the course of my career in Canada too prone to pay attention to passing waves of opinion anywhere in the country, and I want to say on behalf of hon. members of this House of all varieties of opinion that they are just as good as the rest of the people of Canada; they are fair representatives of Canadian manhood and Canadian opinion; they do their work honestly and well, and I resent any opinions that are presented to the contrary, whether in this Chamber or out of it. I repeat, Mr. Speaker, that in my judgment my hon. friend from Shelburne and Queen's has not been well advised to make this protest and that in my opinion no public interest has suffered from want of discussion during this session.

Right Hon. Sir ROBERT BORDEN (King's, N.S.): Mr. Speaker, I think it has been the experience of all members of the House that Parliament is apt to be somewhat prodigal of its time in the early weeks, and necessarily requires to be somewhat economical of its time in the closing days of the session. My hon. friend from Shelburne and Queen's (Mr. Fielding) has spoken of the approaching departure of the Prime Minister, and I think it would be most regrettable if that right hon. gentleman were obliged to postpone his departure for the reasons indicated. Indeed, I am glad that a very happy and reasonable spirit has been manifested by members of the House on both sides with reference to giving him an opportunity of departing on the day arranged. My hon. friend from Shelburne and Queen's has spoken of business being transacted in undue haste. In

[Mr. M. Clark.]

my experience during a good many sessions that condition has always prevailed more or less during the past and I think I could give some illustrations to my hon. friend from Shelburne and Queen's of very important business having been transacted under his own administration very shortly before prorogation. For example, I observe that in 1901, in which year Parliament prorogued on May 23, no less than 104 items of Estimates were put through on May 21, two days before the House prorogued, and those items involved very large sums of money. In 1903, resolutions regarding subsidies to railways, covering about \$50,000,000—1,200 miles of old subsidies and over 2,000 miles of new subsidies at \$15,000 a mile—were brought down for consideration for the first time on October 20, and Parliament prorogued on October 23. That was certainly a most important question for the consideration of the House, involving an amount practically as large as the whole expenditure of the country at that time for other purposes. If we applied to that instance the views which have been expressed to-day by the hon. member for Shelburne and Queen's, there would be much to criticise in the course then taken. I might give another illustration. In 1906 Parliament prorogued on July 13, the business of the House being practically finished on July 12. I find that on July 10 no less than 104 items covering many millions of dollars were brought up for consideration for the first time and passed. I am not saying that this was a desirable course; I should be glad if the time of the House were more evenly distributed in respect of Estimates—if less time were taken on unimportant items in the early stages of the session and more time left for the discussion of large amounts at the end of the session. I point out to the hon. member for Shelburne and Queen's (Mr. Fielding) that if we survey the record under his own administration, present-day procedure does not suffer in comparison. The efforts of the Government to expedite business during the present session have been no more than reasonable, and as has been pointed out by the Prime Minister (Mr. Meighen), we have really abstained from forenoon sittings—which sometimes begin weeks before prorogation—until the closing days of the session. I understand that the arrangement for two o'clock sessions was in lieu of morning sessions, and I am inclined to think that the change was a desirable one, although in that respect I believe I am not in accordance with the view entertained

by the hon. member for Red Deer (Mr. Clark). However that may be, what the Government has done in the way of expediting business does not seem to merit criticism, and I hope the hon. member for Shelburne and Queen's will, upon reflection, reach the conclusion that his criticism was not merited by the conduct of public affairs.

Mr. SPEAKER: In the meantime, I desire to remind the House that the motion before the Chair is for the third reading of Bill No. 211.

Motion agreed to, and Bill read the third time and passed.

#### JUDGE SNIDER'S REPORT

Right Hon. ARTHUR MEIGHEN (Prime Minister): Mr. Speaker, is it necessary for me to have the unanimous consent of the House that we may return to motions in order that a report may be laid on the Table?

Mr. SPEAKER: The Prime Minister does not require unanimous consent to move that the House return to motions. It is quite within his competence to make the motion, but I am sure the House would consent without a formal motion.

Mr. MEIGHEN: After the inquiry of the hon. member for Russell (Mr. Murphy) this morning regarding the Snider report, I made investigation. The hon. member was under the impression that an Order in Council had been passed authorizing an inquiry and that, upon that being made, another Order in Council was passed authorizing a further inquiry into some distinct matter connected with the same affair. I thought there was only one Order in Council. I find that we were both, in a measure, right and both, in a measure, wrong—or rather I was right in substance and my hon. friend was right in form. There were two Orders, but they were both passed before any investigation. An interim report was made; but as explained in the House, the interim report was not laid on the Table, the intention being to await the final report, as there might be danger that the interim report would do injustice to men referred to therein, in respect of whom the effect of the interim report might possibly be modified by the final one. At noon to-day I spoke to Col. Biggar who was of counsel prosecuting the investigation, and he delivered this letter to me this afternoon:

Answering your question of to-day, no evidence has been given before His Honour Judge

Snider since the date of his interim report (10th March) which would affect the conclusions therein or render it unfair to anyone to publish the interim report without the final report. The evidence necessary for the preparation of the latter is now complete and I think His Honour intends to send in the report as soon as the notes of the evidence (of which the last was taken on Saturday last) have been extended.

Faithfully yours,

(Sgd) O. M. BIGGAR.

I am also advised by Col. Biggar—and I rely on the correctness of his advice—that the interim report has been submitted to His Excellency, and, therefore, I lay the interim report on the Table.

#### FURTHER SUPPLEMENTARY ESTIMATES

A message from His Excellency the Governor General transmitting further Supplementary Estimates for the year ending March 31, 1922, was presented by Sir Henry Drayton (Minister of Finance), read by Mr. Speaker to the House, and referred to the Committee of Supply.

#### INSURANCE ACT AMENDMENT, 1917

On the order that the House resolve itself into Committee of the Whole to consider a resolution to amend the Insurance Act, 1917—Sir Henry Drayton.

Right Hon. ARTHUR MEIGHEN (Prime Minister): In view of the fact that we have not been able to reach this order as soon as we had expected, and of its importance, I beg leave of the House to withdraw it.

Order discharged.

#### PATENT ACT AMENDMENT

Right Hon. Sir GEORGE FOSTER (Minister of Trade and Commerce) moved the second reading of Bill No. 140, to amend the Patent Act.

Mr. S. F. GLASS (East Middlesex): I will endeavour, as quickly as possible, to state my objections to this Bill and to offer suggestions by which I think it can be improved and made more acceptable to some hon. members. The basis or need for this legislation is primarily, as I understand the matter, to carry out the international obligation of this Government pursuant to the adoption of the Versailles Treaty.

In that treaty an arrangement was made by the parties who were signatories to the treaty, that certain rights and privi-

leges under the Patent Acts of various countries which patentees had forfeited by reason of not having paid fees or carried out the requirements of the Patent Acts, should, in view of the long duration of the war, be reinstated for a period after the war. After the matter had been given most generous consideration this Article 307 was inserted in the Treaty of Peace of Versailles:

A minimum of one year after the coming into force of the present treaty shall be accorded to the nationals of the High Contracting Parties, without extension fees or other penalty, in order to enable such persons to accomplish any act, fulfil any formality, pay any fees, and generally satisfy any obligation prescribed by the laws or regulations of the respective states relating to the obtaining, preserving, or opposing rights to, or in respect of, industrial property either acquired before August 1, 1914, or which, except for the war, might have been acquired since that date as a result of an application made before the war or during its continuance, but nothing in this article shall give any right to reopen interference proceedings in the United States of America where a final hearing has taken place.

All rights in, or in respect of, such property which may have lapsed by reason of any failure to accomplish any act, fulfil any formality, or make any payment, shall revive, but subject in the case of patents and designs to the imposition, of such conditions as each allied or associated power may deem reasonably necessary for the protection of persons who have manufactured or made use of the subject matter of such property while the rights had lapsed. Further, where rights to patents or designs belonging to German nationals are revived under this article, they shall be subject in respect of the grant of licenses to the same provisions as would have been applicable to them during the war, as well as to all the provisions of the present treaty.

I understand that this gives the right to patentees to revive a patent in their own country within one year of the passing of this Act by the payment of any fees which might be required. The date on which this Act went into force was January 10, 1920. Therefore, the right to pay fees with a view to reviving a patent which had lapsed expired on January 10, 1921, but where one had paid his fees in order to revive a patent which had elapsed provision was made that he might not be required to manufacture it within the country till a period of two years from that date, which would carry it to January 10, 1922. In January last a Bill was introduced into the United States Congress, known as the Nolan Bill, the purpose of which was in part, to allow patentees in the United States to revive patents which had elapsed within a period prescribed under the Act. I shall read only a few sec-

[Mr. Glass.]

tions of the Bill which bear on this discussion. The Nolan Bill enacts:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the rights of priority provided by section 4887 of the Revised Statutes, for the filing of applications for patent for inventions and designs, which rights had not expired on the 1st day of August, 1914, or which rights have arisen since the 1st day of August, 1914, shall be, and the same are hereby extended until the expiration of a period of six months from the passage of this Act in favour of the citizens of the United States—

Mark this:

—or citizens or subjects of all countries which have extended, or which now extend, or which within said period of six months shall extend substantially reciprocal privileges to citizens of the United States, and such extension shall apply to applications upon which patents have been granted, as well as to applications now pending or filed within the period herein:

By section 3 of that Act it is provided:

That no patent granted or validated by reason of the extensions provided for in sections 1 and 2 of this Act shall abridge or otherwise affect the right of any citizen of the United States, or his agent or agents, or his successor in business, to continue any manufacture, use, or sale commenced before the passage of this Act by such citizen, nor shall the continued manufacture, use, or sale by such citizen, or the use or sale of the devices resulting from such manufacture or use constitute an infringement.

That is, protection given to any person who during the period of the war had commenced to manufacture or to make actual use of the patents which had elapsed. In the Bill now before the House similar legislation is enacted. There is one other section of the Nolan Bill which I think it is very necessary I should quote in this discussion. Section 6 of that Act provides:

That where an invention was made by a person while serving abroad, during the war, with the force of the United States, civil or military, the inventor thereof shall be entitled, in interference and other proceedings arising in connection with such invention, to the same rights of priority with respect of such invention as if the same had been made in the United States, and where an application became abandoned or forfeited, during the time the applicant was serving with the forces of the United States, by reason of his failure to take action or pay a fee within the time now required by law.

Apparently the purpose was primarily to protect the interests of men who had been serving overseas and who by reason of such service had been unable to pay the fees and revive the patents.

In order to fulfil our obligations under the Versailles Treaty, it was provided and understood that any foreign patentee in

this country who desired to revive his patent, by the payment of the fees required, which had been allowed to lapse since the first of August, 1914, should have the right to exercise that privilege up until January 10, 1921. If he had exercised that right and revived his patent by the payment of the fees, he would not be required under the provisions of the Act to manufacture the article within this country, until a period of two years after the passing of the Act. That would carry him up until January 10, 1922.

Naturally the question will arise, what is my objection to this Bill. It is this. First of all, the fundamental object of this legislation is to carry out and ratify international obligations. I have not one word of objection against that, because we all agree that to the full limit of our ability it is our duty to discharge every obligation under that treaty to which we are a party. But the United States Nolan Bill, requiring reciprocal legislation, only requires on our part that we should give a quid pro quo for their Bill so as to enable their patentees in Canada the right to revive patents which may have lapsed since August, 1, 1914. We are going beyond that in this Bill. The Bill before the House proposes not only to reciprocate the privileges extended to citizens of Canada by the United States, but to go them one better and extend the time within which a patent may be revived until one year from the date of the passing of this Act.

My fundamental objection to this legislation is on the ground of a patent which was recorded by a French chemist in the Patent Office of Canada in the year 1913, a patent which, to my mind, is of very great national importance. It is not so much that I want to deprive that man of any right he may have, for under our treaty obligations he has had over eight years within which to revive that patent. I have the figures here as to the proportion of patents that are revived, and they are the latest I can get from the Commissioner. I find that last year 11,000 patents were extended for the first period of six years. Only 2,500 of these patents were revived or extended for a further period of six years, and out of the whole 11,000 only some eight per cent were extended for the whole period of eighteen years. In London, Ontario, we have a firm of manufacturing chemists, who for five years have been energetically trying to solve a problem which is of great national importance to this country—and my hon. friends will not be surprised when I say

that that problem is an improvement in the retting of flax straw. This firm has made such progress that last summer, in company with the Director of the Experimental Farm, I visited their laboratory, and we were shown some samples of flax straw retted under this new process, which were pronounced in tensile strength, colour, and in every other respect, superior to anything done under the process of dew retting. The chief of the fibre department was so impressed with this important discovery that arrangements were made for this man to come to the experimental flax station here at Ottawa, to demonstrate, by the use of a 4- or 5-ton lot the commercial possibilities of this new process. This patent that has been registered by this French chemist directly conflicts with the experiments that have been carried on by these men, entirely apart from any knowledge they may have had of the patent registered. This man is trying to sell the patent and wants to control its use here, which he would practically have a right to do for eighteen years longer. I do not care about that so much, but when men, in an honest endeavour, have been working for five years and have made important discoveries, if we have to go outside of international obligations and by some super-magnanimity extend to United States patentees advantages that are uncalled for, I submit that the passing of this Act in its present form will not be in the national interest of this country. I do not object to the principle of the Bill, because I think it is good, and it is quite possible to make an amendment to it in committee that will fulfil every obligation we owe to internationals by extending the right to persons to revive patents to January 10, 1922. That is one plan. Another plan I had in view, but which is not so desirable, although it would be better than passing the Bill just as it is, is an amendment to the Bill to provide that all patents revived under it should be held to operate in the future under section 44 of the Patent Act. Either of these would be acceptable, but I strongly urge upon the minister that if we fulfil our international obligations to the limit by passing reciprocal legislation, we have complied with every necessity of the law, and have not reached the point of injuring any individuals in the matter. An opportunity will come for discussion of this matter in committee, but in this general debate I desired to lay these matters before the House so that we may have an intelli-

gent grasp of their purport as affecting the interests to which I have called attention.

Motion agreed to, and Bill read the second time, and the House went into committee thereon, Mr. Boivin in the Chair.

On section 1—sections 23 and 47 of Patent Act repealed.

Sir GEORGE FOSTER: I have two amendments which I propose to move to that clause.

Mr. BUREAU: We had a Bill under consideration before to consolidate the Patent Act. I understand that that Bill was necessary to revise the fees and give to certain persons who during the war could not comply with the law the privilege of doing so now. Are those the only changes?

Sir GEORGE FOSTER: The Consolidation Bill was withdrawn, and I have four amendments which I intend to move in this Bill which touch four different points covered in the Consolidation Bill. The first amendment is with reference to the fee to be charged for the patent. I move to amend section 1 by striking out the word "and" after the word "twenty-three" in the first line and substituting the following:

With the exception of the first two lines of sub-section 1 thereof, and section 47 of the Patent Act, chapter 69 of the Revised Statutes of Canada, 1906, are repealed.

Mr. BUREAU: It is rather confusing to follow the amendment because we have not the Patent Act before us and do not know what the first two lines are.

Sir GEORGE FOSTER: I will explain them. In subsection 2 I move that there be inserted the following:

For each and every patent mentioned in any notice given to the Commissioner by the inventor, after the issue of a foreign patent, of his intention to apply for a patent, in Canada for such patent, \$2.

The object of all this, in getting rid of sections 23 and 47, with the exception of the amendment I have moved in regard to section 23, is to make a change in the fee. At present the fee is \$60, paid in three several payments of \$20 each at intervals of twelve years. It is proposed to make it \$35, payment to be made on application for the patent. That is to prevent litigation and trouble that have ensued, owing to lapses in the making of the second and third payments, in the last ten years before the war. We had to cure these troubles by special legislation in this

[Mr. Glass.]

House, some 50 or 60 patents having lapsed, through negligence to pay the fee. The Private Bills Committee, to whom they had to go for adjudication and examination, have several times protested against that kind of legislation, and it has been protested against in the House. It is proposed to get rid of all that by putting on a fee of \$35. I may say the fee in the United States is \$40, and it is made in one payment. It is supposed that the payment of \$35 in cash on the first application will really bring in a larger revenue than is now realized on the system of deferred payments, making them any size, because the payment will be made surely, and in the other case it is only made after twelve years, or six years, and in a great many cases it is not gone on with, and we miss these subsequent payments. The other fees are practically the same.

Mr. JACOBS: "A bird in the hand is worth two in the bush."

Sir GEORGE FOSTER: It is worth in this case pretty nearly two in the bush.

Mr. BUREAU: As the law stands, the applicant has to deposit \$20 on his application.

Sir GEORGE FOSTER: On application he deposits \$15, and \$20 on the granting of the patent.

Mr. JACOBS: Is it proposed to make any changes with regard to patents held by alien enemies during the war?

Mr. DOHERTY: The action taken during the war consisted simply of making provision to allow the parties to apply to make use of the patents. There was no action in the direction of confiscation—no appropriation of the property in the patent under the provisions of the Act. Permits were granted to persons in Canada to use the article, the patent for which belongs to an alien enemy—to use the article notwithstanding the existence of the patent.

Mr. JACOBS: What became of the fees received by the department from these patents while they were working under these licenses?

Mr. DOHERTY: Licenses were granted subject to payment of royalties which were collected from the license fees and handed over to the custodian of alien enemy property.

Amendment agreed to.

Section as amended agreed to.

On Section 3—return of fees:

Mr. BUREAU: Section 3 says:

Paragraphs (a) and (b) and subsection 2 of section 51 of the Patent Act shall apply only to application for patents filed before the coming into force of this Act.

The same difficulty arises there. We have these paragraphs suggested by the Senate, and we do not know what paragraphs (a) and (b) are.

Sir GEORGE FOSTER: The section under the present Act is 51—

No person shall be exempt from the payment of any fee or charge payable in respect of any services performed for such person under this Act, and no fee, when paid, shall be returned to the person who paid it except, (a) when the invention is not susceptible of being patented; (b) when the petition for patent is withdrawn.

And the amendment provides that that shall only apply to applications for patents filed before the coming into force of the Act.

Section agreed to.

On Section 4—no patent void by failure to make or import between August 1, 1914, and January 10, 1922.

Mr. BUREAU: What is the purpose of this clause?

Sir GEORGE FOSTER: This is for the purpose of removing the uncertainty as to the meaning of section 82 of the Treaty of Peace with Germany. The Department of Justice has given the opinion that the protection applies only to patents in force on August 1, 1914. This provides that it shall apply to patents granted thereafter during the period of the war. There is greater reason, it is felt, that it should apply to these, or equally as good reasons, as that it should apply to those that were in force on first day of August, 1914, when war broke out. That is to carry out and make it clear, and to remove the uncertainty which arose from the opinion of the Department of Justice that protection applied only to patents which were granted after that time.

Mr. BUREAU: That is not my question. That is during the period of the war. It says here, "between the said date"—that is the first day of August, 1914—"and the 10th day of January, 1922." That covers a great deal more time than the period of the war—to January of next year. I am asking the reason why this particular date is set,—if it is designed to protect the interests in danger during the period of the war on account of people being un-

able to perform all the conditions required by law.

Mr. DOHERTY: The treaty provision was that no patent could lapse by reason of failure to comply with the requirements of manufacture for the period of two years after the war, or for a period of two years after the coming into force of the treaty. The treaty, although signed in June, 1919, became effective January 10, 1920, and therefore it should be two years after that date.

Mr. MEWBURN: It seems to me section 4 takes away the right of the public in Canada, and I think there should be a saving clause inserted, if the minister would consent, to cover the equities of those who have prepared to manufacture. I think there should be some provision to protect not only those who have commenced manufacture, but those who have spent large sums of money in preparing to manufacture. I know one firm who spent \$6,000 in engineering and preparatory work in equipment to manufacture under lapsed patents, and I think those people should be protected.

Sir GEORGE FOSTER: I have an amendment to cover that.

Section agreed to.

On Section 5—time extended for paying fees.

Sir GEORGE FOSTER: I have an amendment to propose to this section which reads:

Fees which have become payable under the Patent Act since the first day of August, 1914, may, at any time until the expiration of a period of one year from the coming into force of this Act, be paid with the same effect as if paid within the times prescribed by the Patent Act.

Section agreed to.

On Section 6—time extended for exercise of rights for filing applications.

Sir GEORGE FOSTER: I have an amendment to propose to this section which reads:

Provided that such extension shall in no way affect the right of any person, who, before the passage of this Act, was bona fide in possession of any rights in patents or applications for patent conflicting with rights in patents granted or validated by reason of such extension, to exercise such rights himself personally or by such agents, or licensees, as derived their rights from him, before the passage of this Act, and such persons shall not be amenable to any action for infringement of any patent granted or validated by reason of such extension.

Mr. BUREAU: Do I understand the amendment to state that one can continue manufacturing?

Sir GEORGE FOSTER: "Provided that such extension shall in no way affect the right of any person who before the passage of this Act was bona fide in possession of any rights in patents—"

Mr. GLASS: Is that going to protect the people, for instance, to whom I referred? They have been working for five years along similar lines, and had so far developed their process that arrangements had been made for them to come to Ottawa and demonstrate it in a commercial way. There is no doubt about its practicability, but the question is, can it be made a commercial success. They have not made application for a patent. They are simply research chemists and have reached certain results as a consequence of their work.

Mr. DOHERTY: If I grasp rightly the suggestion of the hon. member, he thinks that provision should be made to protect people who never have made application for a patent? I do not want to misunderstand him.

Mr. GLASS: No, they have confined themselves to purely research work so far.

Mr. DOHERTY: Just what is it that we can protect? They have not done anything towards getting a patent. I have a little difficulty in seeing how we would be justified in making a provision that would extend so far as to say that everybody who has been working in the expectation that he will eventually come to the position where he might apply for a patent is to be protected against the fact that we extend this period of time to those who already have made application. I do not see just what prejudice that man is suffering by the passing of this Bill.

Mr. GLASS: He would not be allowed to carry on his research work.

Mr. DOHERTY: He can of course continue his research work. The result may be that he will discover something for which somebody has obtained a patent, but I do not quite see that that man engaged in such research work is prejudiced by this legislation or that he has any existing right which we could protect.

Mr. GLASS: Article 307 of the treaty provides:

A minimum of one year after the coming into force of the present treaty shall be accorded to the nationals of the High Contracting Parties, without extension fees or other penalty, in order to enable such persons to accomplish any act, fulfil any formality, pay any fees, and generally satisfy any obligation prescribed by the laws or regulations of the respective States—

[Mr. Bureau.]

My understanding of that article is that any person whose patent had lapsed by reason of non-payment of fees for extension or otherwise might revive the patent at any period within one year after the coming into force of the treaty. In the same article provision is made whereby a period of two years is given after the passing of the treaty to allow any person to carry on the manufacture of a patent which he may have had at that time. If that fulfils our obligations, even if one industry is going to be adversely affected, what is the object of this magnanimous extension to Germans, Austrians and others of the time to enable them to revive patents which they are not entitled to under every obligation we have entered into by that treaty?

Mr. DOHERTY: As I understand, the present provision has to do with the extension of delay for the filing of application for a patent. I take it that we were not bound to give the period of six months so far as the treaty was concerned. But the hon. gentleman has just called attention to the Nolan Act which does grant such a delay, and which extends the benefit of that Act to the nationals of other countries only on condition that they reciprocate; and that makes it necessary, if we want to get the protection for our patentees in the United States, that we should give them this six months after the coming into force of this Act. There will perhaps be a month or two between their position and ours because their Act came into force in March and ours in June.

Mr. GLASS: Here is a case of a patentee who registered and obtained his patent in Canada in 1913. That patent was good for six years and expired in 1919. Now, by the treaty of Versailles he had the right, providing he paid the fees, to revive that patent at any time after the passing of that Act, that is January, 1921, and he had a further period within one year from that date in which to commence manufacture. I want to understand why, because the United States has passed certain legislation requiring reciprocal legislation on our part, we want to reach out beyond their requirements and extend facilities of revival to a man like that.

Mr. DOHERTY: By section 5 we are providing a delay of one year for the payment of fees which have become payable under the Patent Act since the first day of August, 1914. That provision is, I understand, taken bodily from the Nolan

Act, and it is to put ourselves in the position of granting reciprocally to the United States what is granted to us by the Nolan Act.

Mr. GLASS: If this legislation is necessary in order to make reciprocal provisions in favour of the United States, let it end there; why extend it to all quarters of the earth, Germany especially?

Mr. DOHERTY: We will come back to this section later.

Section stands.

On section 8—saving rights of persons who have commenced lawfully to make, use or sell invention while patent was void:

Sir GEORGE FOSTER: I move that subclause 1 of clause 8 be amended by striking out all the words between the word "to" on line 26 and the word "shall" on line 28 and substituting therefor the following: "manufacture, use or sell the patented invention to which any patent revived or restored as aforesaid," and by adding at the end of the clause the following words: "or have in good faith incurred substantial expense in preparing so to do." This is to cover the case of those who have taken out patents during the time of the lapse of payments or who are contemplating taking out a patent and using it, and have gone to more or less expense in that connection. They may have their case brought before the commissioner in order that the equities may be taken into account and a decision given accordingly.

Mr. BUREAU: Is there the right of appeal from the commissioner's decision?

Mr. DOHERTY: Yes, to the Exchequer Court.

Section agreed to.

On section 9—validity of patents protected under orders or regulations during war:

Mr. BUREAU: Is it not going rather too far to say that the war shall be deemed to end on the date of the coming into force of this Act?

Sir GEORGE FOSTER: This clause is for the purpose of removing doubt as to the effect of the orders for the repeal of the several war measures regulations. It is fair to suppose that they are legal and binding now, but some people have a doubt in that regard, and this enactment is to clear away that doubt.

Mr. BUREAU: I do not think that we should provide in the statute that the war

has ended, for any purpose. We do not need the subsection at all, it seems to me; the law will come into force when it receives the assent of the Governor General.

Mr. DOHERTY: This subsection does not undertake to settle for any other purpose than the effect of these Orders in Council when the war ended. I understand that the reason why this is worded as it is, is that those orders, by their terms, were to continue in force during the war and for a year after the termination of the war. The purpose of this clause is to make it clear that the period begins to run when this Act comes into force, and to ensure that those orders will not continue in force for more than one year after the passing of this Act.

Mr. BUREAU: Why for one year from the passing of this Act?

Mr. DOHERTY: Because the orders were to continue in effect during the war and for one year thereafter. It must be remembered that the war has not, as a matter of absolute fact, ended. For legal purposes, the expression "the end of the war" has been interpreted as meaning that the end of the war comes when peace has been made with all of the powers with whom we have been at war. I understand that no peace has as yet been finally concluded with Turkey. I would suggest, to avoid this reference to the end of the war and to obtain the purpose that was sought to be obtained, that the following words be substituted for subclause 2:

The said orders shall continue in force for one year from the passing of this act and no longer.

Mr. BUREAU: Why from the passing of the Act? That would make the orders continue in force until 1922 instead of 1921 according to the clause as it stands at present.

Mr. DOHERTY: If we purely and simply ratify them as we do by this clause, they continue in force until that indefinite time when we make a Treaty of Peace with Turkey and for a year after that indefinite date. What we are seeking to do is to limit the period of their being in operation to one year from now.

Sir GEORGE FOSTER: I move to amend clause 9 by striking out subclause (2) thereof and replacing same by the following:

(2) The orders referred to in this section shall continue in force and effect for one year

from the date of the passing of this Act and no longer.

Amendment agreed to, and section as amended agreed to.

On motion of Sir George Foster, the committee reverted to consideration of section 5—time extended for paying fees.

Mr. DOHERTY: I do not think we had an opportunity of giving a satisfactory answer to my hon. friend (Mr. Glass) as regards his objection. The objection of the hon. gentleman, as I understand it, is that, by this clause, on the payment of fees, we give a longer delay than was required under the treaty. I understand he recognizes that we ought to do that as regards the United States, because of their legislation. In fact, with regard to them, we are not trying to comply with the treaty, to which they are not parties; we are trying merely to meet their legislation so as to have the benefit of

4 p.m. their legislation. That I believe to be clearly understood.

The other difficulty that is put forward is that this clause, being general in its terms, we are giving to all the parties to the treaty an extension of one year from the passing of this Act whereas we were only bound to give them an extension of one year from the coming into force of the treaty. The explanation that is given to me by the Commissioner of Patents in that regard, is that though it was true that we were only bound to give them a period of one year during which they could pay those fees, that meant a period of one year during which they could pay and during which, therefore, necessarily we were in a position to accept and receive. No provision having been made under which those fees could be received, though we were bound under the treaty to give them that year, we have not put ourselves in a position where we could accept the fees and enable them to get the benefit of the provision. I might make this suggestion that might be acceptable to the hon. gentleman. If he allows the section to pass as it stands, I will go into it with him and with the deputy minister, and if we do not arrive at a perfect understanding and if it should appear that modification is necessary, I think I could safely say that I would see that such modification was submitted to the Senate.

Section agreed to.

Bill reported, as amended, and read the third time and passed.

[Sir George Foster.]

## CIVIL SERVICE ACT, 1918, AMENDMENT

House again in committee on Bill No. 122, to amend the Civil Service Act, 1918, Mr. Boivin in the Chair.

The CHAIRMAN: When this Bill was last before the committee, clause 1 had been read and was being considered. Mr. Euler had moved to strike out the words "nor in the public interest," in the fourteenth line of page 1 of the Bill. The question is on the amendment.

Mr. ETHIER: As a member of the special committee appointed to consider this Bill, I think it is my duty to express my opinion as to the amendments that have been proposed and as to the evidence that is supposed to be sufficient to justify the report of the committee and the Bill as amended and now before the House. I fully agree with the statement made the other day by the hon. member for North Waterloo (Mr. Euler), but I cannot agree with the remarks of the hon. Minister of Immigration (Mr. Calder) the other day, when speaking in support of the Bill. In order to settle the question at issue we must first, ask, what was the purpose of the original Bill; what is the meaning of the words "nor in the public interest" now included in the Bill as amended, and what would be the effect in regard to the Civil Service Act of 1918 if the Bill now before the committee is passed.

In order to present my remarks in logical order, I shall refer first to the original Bill, which excepts from the provisions of the Civil Service Act, 1918, and amending Acts, the civil employees or persons in the following services or branches of the public service:

(a) Manual labourers whatever may be the character of the work upon which they are employed and whether they are paid by the hour, the day, the week, the month, the job, or the piece;

(b) Postmasters whose remuneration consists in whole or in part of a percentage on the receipts of the office;

(c) Professional, scientific and technical officers employed for the performance of duties as such.

The reason given by the hon. member who is in charge of the Bill (Mr. Spinney), and by his colleague the Minister of Immigration, and the alleged reasons upon which the report is founded as to why these particular classes should be exempted from the control of the Civil Service Commission were that the commission was overloaded with work. The second paragraph of sec-

tion 38, of the Civil Service Act of 1918, provides as follows:

Provided, also, that in any case where the Commission decides that it is not practicable to apply this Act to any position or positions, the Commission, with the approval of the Governor in Council, may make such regulations as are deemed advisable, prescribing how such position or positions are to be dealt with.

If the amendment is adopted, the clause I have just read disappears from the Civil Service Act, and those three classes of civil servants are taken out of the control of the Civil Service Commission. The reasons given were that the commission was overloaded with work, and that in consequence, delays occurred in the appointment of civil servants, with the result that the public service suffered and became inefficient in some cases. That is the basis of the report, and those are the reasons why this Bill has been brought before the House.

The Minister of Immigration (Mr. Calder) the other day, in a speech of one hour, endeavoured to leave the impression on the House and the people at large that this Bill was in the public interest, and that it had been asked for even by the Civil Service Commission itself. To support his argument the minister quoted the evidence given before the committee by the chairman, Dr. Roche, and the secretary, Mr. Foran, of the Civil Service Commission. Well, I heard the evidence of these gentlemen, and I have read the extracts of the evidence which the hon. minister cited, but I cannot come to the conclusion at which he arrives. With the permission of the committee I shall quote that part of the evidence of the chairman of the Civil Service Commission in regard to the word "practicable" which, by this amendment will disappear from the Civil Service Act of 1918, and I do this to show clearly to this committee that the Civil Service Commission declared, through its chairman, that there was no need of this Bill for the proper exercise of their duty as commissioners, and that the Bill, in fact, was altogether useless. The chairman, Dr. Roche, was questioned as follows:

By Mr. Euler:

Q. After the criticism resulting from the classification subsides, if it ever does, do you think in that case your commission is still overloaded with work?—A. I think we improved our conditions last year from the year before, and we are improving them now from last year. If we are given time to work out the Civil Service Act we can cope with the situation satisfactorily.

I agree with this last declaration of the witness, and in this connection I think that

the remarks made by the Minister of Immigration (Mr. Calder), the other day, were perfectly right, when he said that perhaps it would be better to suspend the whole matter and wait until it could be ascertained in the recess whether anything could be done to improve matters.

Mr. CALDER: On what day was that evidence given?

Mr. ETHIER: On Wednesday, May 11. This evidence is to be found in the Minutes of Proceedings and Evidence, No. 5. To proceed:

Q. If you were asked—in case you were to be relieved of some of the work—if you were asked what portion of it did you think you could best be relieved of in the interests of the Service, what would you recommend?

We must not forget that these questions were based on the effect of section 38 of the Civil Service Act. The witness answered:

A. I would recommend that portion of the service that is less workable under our procedure. If it is found impracticable to get good results from any class of our work, that is the class I would recommend to exclude. It would not be necessary to exclude by a new Act of Parliament.

Q. Would you include the major portion of the outside service, for example?—A. That is not necessary.

Q. Postmasters, for example?—A. Well now I take it that the grounds on which postmasters are asked to be removed from the jurisdiction of the service are not valid grounds. If it is for any reason Parliament desires to remove the appointment of postmasters from the jurisdiction of the commission except that our machinery has fallen down, that we cannot cope with it, or on account of too long delays that impair the efficiency, if it is on any other grounds than these, take it away and we wont object, but what the commission objects to is this, to have assigned as the reasons for the removal that we cannot cope with the situation.

Q. You dont admit that?—A. No, I don't admit it.

Q. What I was trying to get at is, if it was decided the commission was overloaded, which portion of your work would you give up with the least disadvantage to the public service in your opinion?—A. Well, it would have to be demonstrated to the commission what particular classes it is found impossible to work under our procedure, and if we can be shown evidence to that effect we will voluntarily go and ask the Government to exempt that class from the provisions of the Act under section 38.

A direct question was asked the witness on page 121:

Q. Having regard to the preservation of the principles upon which the present Civil Service Act is based, namely, the elimination of political patronage, do you think, Dr. Roche, that the exclusion of postmasters, labourers, professional, scientific and technical officers from the jurisdiction of the commission would largely nullify the object of the Civil Service Bill?—

A. I would say if that clause passes in its present form it would mean driving a coach and four through the Civil Service Act.

Q. It would bring back the old conditions?

—A. To a large portion of the service.

In other words, it would re-introduce the principle of political patronage which the Civil Service Act was intended to abolish. The chairman of the commission goes on to say:

It would be very materially abused and enlarged, and I am afraid it would be a constant source of irritation between the deputy heads and the commission by reason of this man and that man claiming to be a technical man.

Q. So this Bill will act as a repeal of the Civil Service Act to all intents and purposes?

—A. I would say its abuse would result in that.

A question was asked of the witness as to how many classes of the Civil Service had already been exempted from the operation of section 38, and he made the following answer:

I cannot recollect all the classes, but the whole of the Department of the Soldiers' Civil Re-establishment were exempted in so far as their temporary appointments were concerned because it was a temporary department, and we recommended owing to some of the difficulties we were having in temporary appointments away from Ottawa to the Governor in Council to exempt this department for the space of two years. Now the Governor in Council cut that date down for one year, made it one year. That expired this spring, and we recommended an extension for another year, and I believe they extended it for another year. Another department was the Soldiers' Settlement Board; for a similar reason it was cut down to one year, and extended another year this spring. There have been isolated positions where open competition was impracticable. Any class of positions that we saw it was demonstrated to us by the department or departments were impractical of being filled under the competitive system we have recommended exemption of those positions, and they have been exempted under the section of the Act.

So that there was no necessity at all for withdrawing section 38 of the Civil Service Act from the powers of the Civil Service Commission.

Mr. CALDER: Would the hon. gentleman maintain, in the case of the Department of Soldier Settlement and the Department of Soldiers' Civil Re-establishment, that it was "impracticable" for the Civil Service Commission to appoint stenographers, clerks, accountants, and other members of their staff at Ottawa?

Mr. ETHIER: According to the evidence of the chairman, and the Order in Council, which authorized the exemption in regard to these two departments, it seems that the commission found it impracticable.

Mr. CALDER: It was not.

[Mr. Ethier.]

Mr. ETHIER: Then why did the Government accept their report and grant the exemption?

Mr. CALDER: The only authority under the law which the commission could recommend an exemption was on the ground of impracticability. We all realize that in the case of these two departments, the commission could not deal with them, where staffs were being built up rapidly, but it was not on the ground of impracticability. As a matter of fact, both the commission and the Governor in Council broke the law in that respect to meet a practical situation.

Mr. ETHIER: We are not responsible if the Government broke the law.

Mr. CALDER: We are trying to put them in a position where the law would not be broken.

Mr. ETHIER: The facts are there; they were expected, and the chairman of the commission clearly states that where it was demonstrated that any positions could not be filled practically under the competitive system, they could recommend the exemption of them under the Act. And when they deem fit, under that section of the Act, to exempt or except from their jurisdiction such and such classes of civil service positions, they used that provision and were ready to use it, and they say it was not incompatible and not outside their capacity to deal with the labourers, the postmasters or the professional men in regard to appointment, or increases of salary or other things. I may as well answer the questions I put, and it will be the beginning of my remarks. What was the purpose of the original Bill? We understand very well that, with reference to manual labourers, postmasters in small towns or offices, and perhaps technical officers, it is quite difficult for the commission, especially in the case of manual labourers, to appoint men who have been on the farm, working in the bush, with the engineers on the surveys and so on, but this has been cleared up by the evidence which I will read in a few minutes. I will give my personal opinion. When I first saw that Bill exempting from the Civil Service authority those three classes of civil servants, I believed that the object in view was in relation to the coming election. In taking such action we are putting aside the principle of the original Civil Service Act of 1908, and we are going back to political patronage and those manual labourers, postmasters, or professional officers, being taken out of the jurisdiction of the Civil

Service Commission, would have fallen again under the political patronage of the party in power. This is being done this session. The next election, coming next year or next fall, there will be political patronage in the hands of the Government which has prepared that Bill, according to my view only for the purpose of taking that political patronage in relation to these classes away from control of the Civil Service Act. Everybody knows that in the past on the eve of elections moneys are voted for public works all over the country. The government votes money for buildings here and wharves there, and so forth, and, having the power to appoint those manual labourers, to appoint postmasters, then on the eve of an election they would not have to go to the Civil Service Commission to appoint their men, and probably the candidate of the Government would have the political patronage. That was the intention of the Bill at first, but it was not passed, and the whole section was dropped by the Civil Service Commission after the evidence of Dr. Roche and others. I will quote the evidence of the director of the Experimental Farm, Mr. Archibald, the evidence of Dr. Coulter, deputy minister of the Post Office Department, the evidence of Mr. Johnston, deputy minister of Naval and Fisheries Department in a few minutes. Mr. Archibald, of the Department of Agriculture, stated very clearly in his evidence, in regard to the manual labourers of the farm: We need not go to the commission, we have the power to appoint temporarily for a month or so, a temporary employee, and after that month we refer that employee to the Civil Service Commission, and they issue a certificate authorizing us to employ that man permanently. He declares positively he had no trouble in the administration of the Agricultural Department concerning the experimental farms. He had no trouble since the law has been passed, and the service is as good as it was before. So that there was no harm in the exercising of discretion of the Civil Service Commission under section 38 in that special department. And it was the same in the others. Dr. Roche was asked:

Q. To what extent can you carry that matter of exemption?—A. Wherever under any provision of the Act it is shown to be impracticable to have appointments made in open competition, we have the power to recommend to the Governor in Council the exemption from that particular clause of the Civil Service Act.

Q. Could you, for example, carry it into effect with regard to the entire staff of the department, if you desired?—A. Yes. Well, of course, the Act provides now for the exemption of rail-

way employees, and also for appointments on ships.

Q. But you have additional powers beyond that?—A. Yes, we have under that same section 38.

Q. Is there anything at all in the service, excluded from your control, with regard to exemptions?—A. We have just two of those departments, and a number of different positions which it was found impracticable to fill.

This word "impracticable" or "practicable" seems to have been mixed up with the word "possible" by the hon. minister in his remarks. I do not know if he did it intentionally but he was playing on words. I think he knows the difference between "practicable" and "possible." The hon. minister quoted from the evidence: Mr. Foran in giving evidence mentioned, for example, the appointment of a stenographer in Vancouver. Mr. Foran was asked:

In connection with the foreign appointment I presume after this all came into force the commission felt it had to carry out the law?

And Mr. Foran answered, "Absolutely." Then the minister went on to say:

What did this mean? It meant simply that when we passed the law two years ago, if a trade commissioner in Melbourne wanted a stenographer in his office, he had to apply to the Civil Service Commission in Canada, and the Civil Service Commission in Canada had to go through all the rigmarole in order to appoint a stenographer away off in Melbourne.

And he speaks about clerical appointments in South America, Australia, South Africa. He says it is impossible. He says, "Well, yes, it may not be possible to put in force. It might be impracticable to put in force that section 38 in regard to those appointments out of Ottawa, but it is not impossible. It is possible, but it being declared impracticable they fall under section 38, which gives jurisdiction to the Civil Service Commission to declare it impracticable, and also gives the permission to the department to appoint that agent in South Africa or England, or that clerical man in Vancouver, without having the authority of the commission. That is clearly put before the House by the evidence which has been given.

Mr. CALDER: Taking the case of our chief astronomer in Canada, there is only one man in the entire service that holds that position; would the hon. gentleman say that it is either "impracticable" or "impossible" for the Civil Service Commission to make that appointment? I claim that it may not be in the public interest that the Civil Service Commission

should undertake that appointment, but it is both practicable and possible that they might make the appointment. There is the distinction I tried to draw. Take the illustration we had before the committee, where the Department of Public Health now is looking for a research man to carry on medical research work. There will be only one man appointed. I claim that it is in the public interest that the department itself should make that appointment, and that it is neither impracticable or impossible for them to make that appointment.

Mr. MACLEAN (Halifax): That would be true of every appointment.

Mr. CALDER: I think there are several positions in the Civil Service which they should not fill, which I do not think it in the public interest that they should fill.

Mr. ETHIER: In regard to that class of exemption, one of the chief reasons given by the minister was the delays which on account of section 38 occurred in the appointment of civil servants. Here is a question put by Mr. Mackie:

Take, for instance, a mining rush up into a portion of the country under the jurisdiction of the Dominion fire rangers; it is found that a fire warden is immediately necessary in that district for safe-guarding from fires. If the department had to make application through the Civil Service Commission for a fire warden, and two or three months elapsed before the appointment was made, what is liable to happen in that country as the result of the delay?

That is a very reasonable question. This is the answer made by Dr. Roche:

—A. Evidently you are not acquainted with the provisions of the present Act. The department can put on a man to-day and keep him there for thirty days without our permission at all.

That is the law.

It is only after the employment has lasted for thirty days that we are asked to furnish a certificate. As a matter of fact, we can extend that time. In emergency appointments away from Ottawa—

And here is the point that concerns appointments in Australia, and other distant parts. What does Dr. Roche say:

In emergency appointments away from Ottawa the Civil Service Act provides that the department shall have the right to put on a man immediately, so that they do not have to wait.

So the reason given that delay in appointment caused inefficiency in the public service falls by this declaration and by the Act. I wish to quote another answer by Dr. Roche, in regard to the supposed facts alluded to by Mr. Mackie:

[Mr. Calder.]

By Hon. Mr. Calder:

Q. What provision is there in the present law regarding that?—A. Section 38 provides—and I am speaking in effect now—that where it is impracticable to apply the provisions of the Civil Service Act, the Civil Service Commission shall recommend to the Governor in Council the exemption of a particular class. I use that as an illustration to show the Commission is not grasping unnecessary work. Goodness knows, if they took away the whole outside service it would be a relief to us, but it is the principle of the thing we think would be unfortunate, but under that section of the Act the Commission found it would be better from the standpoint of the public service, rather than have constant irritation and friction going on between the department and the Commission, that the temporary appointments in connection with the Soldiers' Settlement Board should be removed from the operation of the Civil Service Act for two years. We recommended that until they could get down to their permanent establishment. The reason we did that was because the offices out West were taking on men and making promises of salaries that were beyond the salaries provided in the Civil Service Act, and we did not wish to be responsible for this.

The trouble did not come on account of the Act, but it came on account of the lack of co-operation between the Civil Service Commission and the deputy heads of those two departments.

They would take on men without knowledge of their qualifications at all, so that we recommended to the Governor in Council the exemption of these employees, and we did the same with the Soldiers' Civil Re-establishment.

Those are two illustrations where the Civil Service Commission came to the conclusion that on account of such appointments being made under those circumstances it was impracticable to apply the law, and they recommended the exemption of those two departments also. I continue:

If it is found that there is any other class where it would be better for the service to be dealt with in this way, where it is impracticable or practically impossible to apply the Act, we would only be too pleased to recommend the exemption of that class under that section of the Act, and it does not require an amendment to the Act at all.

Am I not right in stating that this Bill is altogether useless and unnecessary when the chairman of the Civil Service Commission has given such evidence? The report should have been based on his evidence, but it is not. Dr. Roche continues:

You may say, why have you not done that in connection with the postmaster?

That is a just reflection on the Bill.

Well, because we have not discovered that any fault was found by the department, or that our system is not practical and working out to advantage. If it had been otherwise we would have asked for the exemption of the postmaster. It is only necessary to state that out of some thirty-eight hundred postmasters

appointed by the Civil Service Commission since February, 1913, there have not been complaints, directly or indirectly, made to the Civil Service Commission in more than one per cent of the cases. Can you find a system that can be devised by the mind of man where there is so little complaint? There are no doubt some complaints made that do not reach the Civil Service Commission, but they are of a political nature—that is the people here have not been educated up to the viewpoint that it is right and proper for any opponent of the Government to get any position, and therefore there has been in a locality some complaint, about a man being appointed because he was a supporter of the Government, but you cannot help that in connection with appointments under the merit system so that I say that is one of the best illustrations to show the Act has not been operating to the detriment of the service. The Deputy Postmaster General has never complained that he is getting an inferior class of men, because we are utilizing his own officers, so that we can recommend the exemption of any class under the existing Act without amending it.

After this evidence alone it seems to me—and I believe it will be the view of other members—there was no reason for the original Bill, and it was not necessary to bring back the Bill in its amended form, for it still contains the idea which was behind the first Bill—a return to patronage. I think I have proved that this Bill was unnecessary, and that the purpose of it was to go back to political patronage, and that it was useless on account of not adequately covering the whole ground.

Now, as to delays—it covers that also—the delays were explained by some of the deputy heads of departments who came before the committee.

Take for example, the evidence of Mr. A. Johnston, Deputy Minister of Marine and Fisheries. I quote the following from the report of the evidence:

By Hon. Mr. Calder:

Q. I have heard it stated time and again that as a result of the action of Parliament in handing over to the Civil Service Commission the classification of the service and the fixing of schedules that there has been a struggle spread throughout the entire service grasping for higher positions and higher salaries because the whole mass of them do not get just what they want. There is a great deal of dissatisfaction?—A. That is my opinion. I had hoped to avoid saying it, but that at all events is my judgment.

By Mr. Griesbach:

Q. What about the discipline in the department?—A. So far as I am concerned, I have not a single complaint to make in the matter of discipline. I don't think the discipline in our department at all events has suffered in the slightest. I don't think so.

By Mr. Euler:

Q. Don't you think the unrest you speak of throughout the department among all classes is the result of the re-classification and that that will not be permanent?—A. It may not be permanent, but I have no expectation it is going to be permanently settled.

By Hon. Mr. Calder:

Q. Is the struggle still going on for higher classification on the part of the civil servants?—A. Yes, it is in our department.

Q. For higher salaries? Are they still appealing for higher salaries?—A. Yes, there are quite a number at the present time, I think.

Q. I suppose the time will come when that will all end?—A. Yes, but we will all be dead then.

It appears, therefore, from the evidence adduced before the committee in respect to one department—and it reflects the condition which prevails in all departments of the service—that any inefficiency which may exist is the result not of the Civil Service Act of 1918 but of the classification which was imposed on the commission—the classification made by Griffenhagen and Associates and Arthur Young and Company. In fact, the reorganization of the Post Office and Customs Departments is now actually proceeding; it is being done by Wolff, one of the associates of Griffenhagen. We were told at the beginning of the session that the services of these people were to be dispensed with on March 31, of this year; that the public service was to get rid of them, but it appears that they are still working. I hope they will not do in the Post Office Department what they did in the Printing Bureau in destroying most important documents. The trouble, I say, is due not to the overloading of the commission with work but to the classification. It was stated before the committee that these so-called experts were asked by the commission to make this classification. I hold in my hand a copy of the Order in Council with regard to the appointment of these so-called experts. It is dated May 31, 1920, and reads as follows:

"The Committee of the Privy Council have had before them a report, dated 28th May, 1920, from the Minister of Trade and Commerce, submitting as follows:

The contract made with Arthur Young and Company by the Civil Service Commission is about to expire and the work therein contracted for has been very nearly complete. This work included the production of a system of classification of the Civil Service and the reorganization of the Department of Public Printing and Stationery.

I hope that the report of Judge Snider will show how that reorganization was carried on in the Printing Bureau.

Arthur Young and Company have transferred to Griffenhagen and Associates, Limited, that branch of their work which specially has to do with the reorganization of municipal and governmental civil service and the organization of business corporations in respect to staff organization and plan of work of the Arthur Young Company upon the same plans and with the same efficiency as the original company and is

prepared to continue the reorganization of the public Departments of the Government along the lines pursued in the Department of Public Printing and Stationery. The Committee referred to has no hesitation in commending in the strongest possible way the work of Arthur Young and Company in connection with the reorganization of the Department of Public Printing.

Further on it says:

They are of opinion—

Referring to the committee of five.

—that the services of Griffenhagen and Associates, Limited, should be retained.

Mr. CURRIE: The hon. member knows very well that the committee to which this Bill was referred did not take into consideration anything at all in connection with Griffenhagen or the firm of Young and Company. I hope, Mr. Chairman, that the hon. gentleman will confine himself to the evidence which he has been reading—evidence, by the way, with which we are all familiar, but to which the hon. gentleman has been giving his attention most of the afternoon.

Mr. ETHIER: The hon. gentleman himself took up most of last night, and in reading his statement the minister occupied an hour.

Mr. CURRIE: I ask your ruling, Mr. Chairman, on the question whether the hon. member has the right to discuss Griffenhagen and Associates and their work under this clause.

The CHAIRMAN: I must remind hon. members that we are now in committee on a Bill the principle of which was adopted by the House, the whole matter having been subsequently referred to a special committee for consideration. The discussion, therefore, should be relevant to the clause which is before the committee. Clause 1, which is now under consideration, is in effect the report of the committee and therefore what took place before the committee, may, I think, be quite properly reviewed here. But I am of the opinion that the employment of the firm of Griffenhagen and Company to reorganize one or more departments is not a matter which can properly be discussed at this stage.

Mr. LEMIEUX: May I remark, Mr. Chairman, that when the Bill was in the committee stage the other day the Minister of Immigration delivered a long address which could not be replied to because he spoke until six o'clock. In that address he referred to the general features of this new Bill, so I think we should have the right to refer to those matters.

[Mr. Ethier.]

Mr. CALDER: My address occupied about twenty minutes, and I did not cover anything that was not included in the report of the committee.

Mr. ETHIER: I bow to your ruling, Mr. Chairman. My point is that any delays in the matter of appointments or any inefficiency in the public service is due not to the Civil Service Act as it stands but to the extraordinary manner in which the reclassification of the service was made, and under which the Civil Service Commission is bound to act. Now, the director of the Experimental Farm stated that twenty-four members of his staff, technical officers of the most efficient type, resigned their positions on account of the classification which was made, and that that branch of the service could not secure men to take their places within a reasonable time, owing to the fact that the salaries under the classification were not sufficiently high. If the public was deprived of the services of those efficient officials, that was due, not to section 38 of the Civil Service Act, but to the classification which the Civil Service Commission is bound to follow and exercise. So much for the delay. There is in the West an experimental farm—I do not remember the name of the place—for which the Department of Agriculture could not get a qualified director, after having given notice three or four times as required by the regulations of the Civil Service Commission, on account of this ridiculous classification which has been put into force by this Government. All the clauses in the original Bill have been dropped, and the Government now comes with the same section 38, which exists in the Civil Service Act, except that after the word "practicable" in that section, they insert the words "nor in the public interest." If the commission decide that it is impracticable and not in the public interest to apply the Act, then a particular class will be excluded. Why insert the words "nor in the public interest" when it is already proven, as I think I have shown, that the commission do not want the Act to be amended; that they could go on efficiently administering the public service with the Act as it stands. Why insert the words "nor in the public interest"? I contend that this is a question of principle. Has this Parliament the right to delegate to a third party, to an independent court, its power to decide what matter or course in the Dominion is of public interest? It is the right of Parliament to decide whether it is in the public interest or not to

pass a clause or Bill which is before it. This committee has not the right to delegate that power, and it is unfair, unjust and illegal to delegate our power to a third party like the Civil Service Commission and to say to them: "You will decide if it is in the public interest to exempt such a class." At first they deprived the Civil Service Commission of the word "practicable", but they leave that word and they give more power to them; they say: "You can decide if it is in the public interest." My hon. friend says that this must be submitted for approval to the Governor in Council. That is very good, but it is proven that the commission, on nearly every occasion, acted according to the recommendation of the head of the department or the minister. The head of the department will go to the commission and say: "We have decided that it is in the public interest to exempt such a class."

Mr. CURRIE: I do not think the hon. gentleman is fair to the minister. He knows very well that there was no evidence to show that a minister recommended any appointment to the commission.

Mr. ETHIER: I think mention was made of a gentleman who was appointed at Dorchester penitentiary, who is a brother of the Prime Minister, and the Prime Minister had something to do with that.

Mr. DOHERTY: Let me tell the hon. member that the Prime Minister had absolutely nothing to do with it and that the Minister of Justice had absolutely nothing to do with it; that it was done on the principle of promotion by the Civil Service Commission.

Mr. CURRIE: The hon. member knows that very well.

Mr. ETHIER: At all events his name was mentioned in the evidence and the name of the Prime Minister was also mentioned. It is mentioned that this appointment was made, and it happens that the gentleman appointed was the brother of the Prime Minister.

Mr. DOHERTY: The appointment was made in the most ordinary course.

Mr. CURRIE: Will the hon. gentleman give the evidence on that point?

Mr. ETHIER: The hon. member can read the evidence when he is on his feet. I am not surprised at the objection of the hon. member for North Simcoe (Mr. Currie).

Mr. ARGUE: The hon. member is making a statement which he says he is taking from the evidence. I want him to put the evidence on Hansard.

Mr. ETHIER: The evidence is annexed to the report. The hon. member can read it.

Mr. CURRIE: The hon. member is in a very invidious position if he cannot produce the evidence.

Mr. ETHIER: This is the evidence:

By Hon. Mr. Calder:

Q. In the first place recommended by the previous warden, recommended by you and by the deputy?—A. Yes, I don't remember whether the deputy minister recommended him or not. I am not positive about that, but I know the minister did.

Mr. DOHERTY: Who is giving that evidence?

Mr. ETHIER: General Hughes, superintendent of penitentiaries in Canada.

Mr. DOHERTY: General Hughes must have misunderstood.

Mr. ETHIER: At all events, that man was sworn and he said this:

I am not positive about that, but I know the minister did—

Recommend it.

By Hon. Mr. Calder:

Q. But at any rate it was not made on the straight recommendation—

"Straight"—playing on words.

—of the Minister of Justice, I think, his recommendation alone?—A. I think the commission acted on his recommendation.

That settles the question.

Mr. CURRIE: The hon. gentleman knows very well—

Some hon. MEMBERS: Order.

Mr. CURRIE: Let us go easy on this thing. The witness says that he thinks the Minister of Justice made the recommendation. Let us ask the Minister of Justice who made the recommendation.

Mr. ETHIER: You can ask—

Mr. CURRIE: The hon. gentleman knows very well—

Some hon. MEMBERS: Order.

Mr. ETHIER: I may suggest to the hon. member for Simcoe—

Mr. CURRIE: When the noise subsides—

The CHAIRMAN: There is a well-known rule of procedure that two hon.

gentlemen cannot occupy the floor at the same time.

Mr. ETHIER: I will suggest to the hon. member for East Simcoe (Mr. Currie) that, if he wants further information, he should ask for the laying on the table of the House of all correspondence with regard to that appointment, and he will get the information. As I was saying before, the only change made in the Act is the insertion of the words "nor in the public interest." I contend that these words

should not be inserted, because they mean the delegation of the powers of Parliament to a third party which is not responsible to Parliament. The hon. member for East Simcoe says: "But this is subject to the approval of the Governor in Council." I answer him by saying that the Governor in Council will, as heads of departments have always done, suggest this to the Civil Service Commission: "You will do such and such a thing, because the present condition is not in the public interest." They leave out the word "practicable". If this section is not amended every branch of the service could be taken out of the hands of the Civil Service Commission and be brought under political patronage, simply by the Government declaring that such a step was "in the public interest". I think that this Parliament should not be deprived of the right of declaring whether or not it is in the public interest.

I do not agree altogether with my hon. friend the Minister of Immigration in his remarks the other day, but I do agree with what he said at the end of his speech, which seems to directly contradict the principle of the Bill which he has presented to the House. What did he say?

Personally, I am inclined to the view, although I doubt if the commission themselves are, from discussions I have had with them,—not before the committee, but more or less offhand after our meetings—that we should put the exemptions that are made in the statute; but probably it would be better for a year or two to elapse before that is done. Let us first work the thing out a little further. I quite agree that it would be advisable, for the protection of the commission, and of Parliament, and of the public, that these exemptions should be reported upon to Parliament, setting forth the reasons why the exemptions were made in particular cases.

I agree with that, and I think my hon. friend from North Waterloo (Mr. Euler) would be satisfied if that were done, or if these words "nor in the public interest" were struck out. Let the commission prepare a list of the classes which it seems impracticable for them to administer and

[The Chairman.]

let those classes be approved by this Parliament and put in the statute.

Mr. Chairman, I regret to have occupied so much of the time of the committee, but I considered that it was my duty to make these remarks. I have done so solely from the point of view of the public interest, and from no other motive. I trust that the amendment of my hon. friend from North Waterloo will be accepted. I have no objection at all to seconding it.

Mr. BEST: I want to say a very few words on this question. It seems strange to me that the hon. member who has just taken his seat (Mr. Ethier), who was a member of the special committee that considered this Bill, should find fault with the Bill that is now before the House in the way he has. I also have some fault to find with it, but the fault I find is that it does not go far enough. When I heard the hon. gentleman not more than five minutes ago speak of this Parliament delegating powers to two or three men who are not responsible to the people, and not responsible to Parliament, I thought he was telling pretty near the truth. What has this Parliament done? It has delegated to two or three men in Ottawa all the powers of a federation that is the strongest in the Dominion of Canada to-day. We have a federation here for which the people of this Dominion pay \$67,000,000, and the amount is increasing every year. These are people who tell us what we are going to do, and where we get off at. I went to an office in the West Block a few days ago with two other hon. members, and we were discussing the expenditure of money on highways. I said that it had reached such a stage that the people were beginning to find fault with the extravagance, and no wonder. What was the answer I got from that civil servant? The answer was "To hell with the public." That is what he told me. They tell you to-day, and they tell the people of this country, where we get off at. The Parliament of Canada has no say over them at all.

Mr. CALDWELL: Which cabinet minister was it that made that remark?

Mr. BEST: I did not say it was a Cabinet Minister. I said it was a civil servant that made that statement. The hon. member for Laval-Two Mountains (Mr. Ethier) was a member of the special committee that considered this Bill, and he has told us of the witnesses that appeared before that committee. It is strange that the only witnesses called before that committee were

deputy ministers and civil servants. There in the committee room was the Chairman and the Secretary of the Civil Service Commission sitting listening to all the evidence that was given by men who were under that commission. There were men who told me "We dare not give evidence. If we told the truth, our heads might go off." Is it not strange that the only ones who gave evidence were the parties interested, and that the Chairman and the Secretary of the Civil Service Commission should be right there watching them and listening to every word they said? I do not think there ever was a committee appointed by this House where such a ridiculous thing occurred, and where witnesses gave evidence before those who controlled them. If they did not tell what was expected of them, off would go their heads, if the commission wished.

Mr. EULER: Does not the hon. gentleman realize that the witnesses gave their evidence under oath?

Mr. BEST: I certainly realize that, but I know that many would try to save their bread and butter even if they had to stretch the truth. I do not think there should be a law compelling men to give evidence under the eyes of the men who have control over them. It is not right. There is not a court in Canada where that would be done.

Probably patronage was abused in the past, but I do not think that the people of Canada ever expected that this delegating of power to the Civil Service Commission would go as far as it has. I am informed that there is no other country in the world where such great power is given to the Civil Service Commission. I do not see how we in Canada can boast of our democracy, if we are going to hand over the business of Parliament to two or three men, and have no say in it whatever ourselves. I heard an hon. member a few weeks ago say that the civil servants in one province, I think it was in New Brunswick, were all collected in one county, and that they should be scattered around, but of course he had no say, and the Government had no say, as to how those civil servants should be distributed—the Civil Service Commission appoints them just where it sees fit. And strange to say their salaries are increasing all the time. We are paying out \$67,000,000 on the Civil Service now and the people's representatives have no say as to what shall be paid. The commission regu-

lates that matter for us, and if things go much further, they will very soon be regulating everything else. Hon. gentlemen opposite have often told me that they believe the present system of running the Civil Service had worked great injury in many cases. I believe it is not in the interest of the public that two or three men should have power to run this country for us. I am opposed to commissions. I have stated on several occasions in this House that the Government has appointed too many commissions. Nor do I believe in Orders in Council; I am opposed to them, although sometimes, of course, they are necessary. I believe in the people's representatives ruling, but when the Civil Service Act was passed, there was more taken out of their hands than all the other measures that have been introduced since Confederation have withdrawn from the control of members of Parliament.

Mr. EULER: The hon. member criticises very severely the fact that the witnesses gave their evidence in the presence of the Civil Service Commissioners who, he states, are their superiors or masters. Does the hon. gentleman know that the witnesses consisted almost entirely of deputy ministers, who are not appointed by the Civil Service Commission at all? I do not think that after any civil servant is appointed he can be dismissed by the commission.

Mr. BEST: Were not many of the witnesses the heads of different branches?

Mr. EULER: Not many; most of them were deputy ministers; but even if they were, the commission has no power to discharge them.

Mr. BEST: The commission decides who are to be the heads of different departments.

Mr. EULER: It has no power to dismiss civil servants.

Mr. ETHIER: The deputies are appointed by the Governor in Council.

Mr. JOHNSTON: As a member of the special committee, I want to say a few words on the Bill. I am opposed to the Bill, in the first place, because of the addition to section 38 of the Act of the words "in the public interest," I believe that a very broad interpretation can be placed on those words, and I fear that if they were put into the law that interpretation would be placed on them. Now, in my opinion there was really no justifi-

cation for the Government's introducing this legislation at all, and I believe it was introduced at the direct request of certain members supporting the Government who want the patronage. The evidence given before the committee proved, to my mind at any rate, that at this time there is no need whatever for the change asked for in this Bill. The member for Dufferin (Mr. Best) stated that there had been a huge increase in the cost of the Civil Service. I want to tell him that, shortly after the election of 1911, some 1,000 or 1,100 persons left the Civil Service of Canada, and their places were taken by as large a number as 2,000 or more. That was done before the Civil Service Act of 1918 came into force, and under a Government of which the hon. member was a supporter. I do not think, therefore, that his criticism should be directed at the Civil Service Commission. I think that every one recognizes that patronage, as we had it in Canada prior to the enactment of the Civil Service Act of 1918, was a real evil, and the Union Government, in its manifesto to the electors in the fall of 1917, declared that they would abolish it. In the session of 1918, the Civil Service Act was introduced and enacted. That Act placed upon the commission a very heavy duty, and in addition to the regular work which the Act involved, the reclassification of the whole service threw upon them many extra duties. I think that this reclassification was well done, and the appeals under it have been fairly disposed of. In view of the onerous duties which were cast upon them, it is not surprising that there should be room for some criticism of the commission, but in my opinion, if given time, the commission will prove to Parliament and to the people of the country that they can evolve a really efficient service which will mean a great saving to the country. I would bring to the attention of the House some of the things that transpired under the old patronage system. At page 332, of the evidence given before the committee, Hon. Dr. Roche was asked this question:

Do you know of many cases where postmasters, or other Government officials, without sufficient cause, have been removed on account of the Government going out of power?

His answer was:

Scores and scores.

Hon. Dr. Roche had experience both as a member of Parliament and as a minister of the Crown, and therefore his evidence comes with all the more weight. Now, if we wanted a specific illustration of how

[Mr. Johnston.]

patronage prevailed in this country, I could read to the committee an article which appeared in the Toronto Daily Star of January 4, 1912, shortly after the election of September, 1911. The article in question is an editorial under the caption "Major Currie's Firing Squad." The article states:

Yesterday we made some references to Major Currie, M.P., and the bountiful favours which he said the Borden Government would proceed to confer on Collingwood.

Collingwood, I may say, is in the riding of North Simcoe, which the hon. member represents.

We quoted an interview in which he deplored the evils of the patronage system, saying it has been the curse of the country. "Surely," he exclaimed, "something should be done to mitigate this evil!"

At that very time the major appears to have been mitigating the evil in his own way. We are informed by correspondents that Mr. D. G. Bell, postmaster of Stayner, in Mr. Currie's constituency, received notice on Friday last of his dismissal from that position and the appointment of a successor to take office on Monday morning.

No previous notice had been given, no charges made, no investigation held. The Liberal postmaster was dismissed from office on three days' notice, and a Conservative successor appointed. Mr. Bell's standing in the community is shown in the fact that on the day his dismissal went into effect he was elected mayor of Stayner by a large majority over his opponent, a leading lawyer in the town.

But the case, as it has been given to us by indignant correspondents, is more flagrant than this bare statement makes it appear. When the Liberals came into office in 1896 the postmastership of Stayner was held by an appointee of the Conservative Government and for fourteen years of the Laurier Administration the widow of the postmaster was left in undisturbed possession until in September, a year ago, she wished to retire. The postmastership was offered to Mr. D. G. Bell, on condition that he purchase the building from her and continue the office in the same premises. He bought the building and became postmaster on October 1, 1910. Now he is dismissed on three days' notice, the office is taken to other quarters, and the building is left on his hands.

Mr. Bell is a Liberal, but claims that he took no part in the recent elections beyond casting his own ballot. It is reported from Stayner that two other postmasters in the district, who had received their appointment while the Liberal Government was in office, have received the same peremptory dismissal. "And this," says one of the correspondents "in a constituency where three, if not four, of the principal post offices are filled now and were filled through the whole term of the Laurier Government by appointees of the Conservatives when last in office." The spoils system, he says, was unknown. Now it has been introduced in its most ruthless form.

"Party patronage," says Major Currie, M.P., "has been the curse of the country. Just think, this system has given over eighty-five per cent

of the Government jobs to the Grits, eighty per cent of them heelers. Surely something should be done to mitigate this evil." Then he smiles and gets busy. He calls for a list of the spoils of war and proceeds to apportion them among his captains. He seems to have a military man's idea as to how to treat a conquered country. Where there is not a vacancy a firing squad can soon make one.

I submit to you that if the hon. member for North Simcoe could do such work as an ordinary major, what will he do now that he is a full-fledged colonel?

Mr. CURRIE: I will give the hon. gentleman his answer if he will kindly take his seat.

Mr. JOHNSTON: You will have a chance.

Mr. CURRIE: I do not think you are entitled to ask me a question without allowing me to answer?

Mr. JOHNSTON: I have not asked a question.

Some hon. MEMBERS: Order, order.

Mr. CURRIE: The hon. gentleman has asked a question.

The CHAIRMAN: With regard to the practice in the House of putting questions to members on the other side, without giving them an opportunity to reply, strictly speaking, under the rules the member has the right to do so. The hon. gentleman who is not in possession of the floor must wait his opportunity.

Mr. JOHNSTON: I did not ask the hon. member a direct question, or I would have been only too pleased to have given him the floor. In connection with this matter, it was pointed out by other officials before that committee that patronage was practised to a great extent in this country prior to 1918, and I believe that with the inclusion or insertion of these words in section 38 (b) of Bill 122, there is the chance that we will revert to that condition; and for that reason I am absolutely opposed to it, and hope the committee and the House will not accept this Bill. This matter is well sized up in an article appearing in the Ottawa Journal, Monday, May 23, entitled "The Commission and the Evidence." The article reads:

Opponents of Civil Service reform and critics of its administration by the Civil Service Commission were pleased when it was decided to bring on an inquiry into the operations of the commission by a committee of the House of Commons. Members of the Commons desiring a return to patronage believed they would condemn the commission and the merit system in

this inquiry. They would, they felt, have little difficulty in showing up the evils of the present system under cross-examination of witnesses before a committee of themselves.

What, as a matter of fact, did the inquiry in this committee of the House of Commons bring out? Why, just the opposite of those expectations.

The test of the present system was the experience under it and the opinions regarding it of those who are affected by it in the operation of the public service. There could be no better test. Nothing could have been a better guide to the committee than what might be termed the expert evidence of those especially qualified to testify as to the functioning of the Civil Service Act and the Civil Service Commission—deputy ministers, heads of branches, representatives of Civil Service organizations. And this expert evidence, contrary to previously mentioned expectations, was almost unanimously favorable to the present system and to the commission. The burden of the testimony was that, except in some minor respects, the merit system as administered by the Civil Service Commission had improved the service and been to the advantage of the public interest.

In view of the very heavy task it has had and the amount of criticism to which it has been subjected, it is gratifying that the Civil Service Commission should receive such a splendid testimonial, such a fine "character", from the inquiry. And it is well that this result of the inquiry should be impressed on the public, because of the importance of the successful administration of the Civil Service.

That editorial sizes up my view as to the evidence adduced before that committee, and I cannot see any reason why we should interfere with this matter at this time. There are certain things in connection with the service that if given time I believe the Commission will work out and give a real service to this country.

Mr. CURRIE: It is not my intention to discuss this Bill at any great length, but I rise to answer the statement the hon. gentleman has read from the Toronto Star. He might have looked in Hansard at that period and he would have found an answer to that very statement. The facts are that Mr. Bell, of Stayner, took the public platform against me. He was warned absolutely that if he did he would lose his position, and he lost his position. And what are the facts? Under the law he had a perfect right to call for an investigation as to whether he should be thrown out of this position or not. He had not the courage to make application for this investigation, because he knew very well he was absolutely guilty. I never took anybody out of a public office. Under the old law if a civil servant took the public platform, or engaged in canvassing against a member of Parliament, he knew he forfeited his head. To-day the same thing is in effect.

Mr. JOHNSTON: He did not take the platform.

Mr. CURRIE: I saw him on my opponent's platform. My word is as good as his. He never even challenged the statement, and never asked the department to investigate the facts, as to whether he should be dismissed or not. If he thought he was not guilty he could easily have asked for an investigation. He knew very well there were hundreds of witnesses who would have told the truth about it, and he was guilty of this thing. He took his chances and he had to take his medicine, he and two others, and there was not one of them ever applied to the postal department for investigation. If a civil servant to-day under the Act has the audacity to go out on the platform against an hon. gentleman in this House, I would be the first to say that man should lose his position. That absolutely justifies what I did. The Star is playing politics, as we all very well know. It was the most partisan journal all through the fight, and sent out a wagon load of its literature into my riding. Every farmer got two or three copies, but they voted for me just the same because they did not believe what the Star said. With reference to the Bill, I to some extent agree with the hon. gentleman who seconded that motion. I thought and I believed that the Bill should have been brought down, but I was confronted, and we were confronted before that committee all the way through, with the statement that the Civil Service Commission were unable to meet the situation through press of business. The question was summarized towards the close of the evidence by Mr. Calder who asked Dr. Roche at the close what he thought should be done. It will be found on page 365, and Dr. Roche stated there that he thought the proper thing to do, instead of adopting the Bill that we had there, was to make an amendment to clause 38, just as we have done. We have taken the advice of the commission, and it is up to the commission. This is what they wanted. They did not want to have a Bill with a long list in it. They wanted this amendment, and we granted them this amendment, doing exactly what they wished. For that reason, I do not see that there is any justification for anybody to rush out with a speech of an hour and a half defending the commission. I am quite willing to give them a fair chance, and that they should have another year, to see if they can get a classified list and to see what shall be done. I am quite willing

[Mr. Currie.]

to say that there shall be an amendment, if it should come to that, added to the Bill, requiring the Civil Service Commission to report every year. I would go much further than the committee has done, because I believe we are building up a great big bureaucracy, which is the antithesis of autocracy. We have taken away from the people in the constituencies any right to say who shall be appointed, who shall govern, and who shall act. We are taking everything in the way of administration away from them altogether. And we shall find the same condition will obtain in this country in a year or so as obtains in Great Britain, that nobody can become a member of this House unless he is able to spend \$4,000 or \$5,000 in his riding to maintain an organization. That is not democracy to my mind, and if anybody in this House searches his heart he will realize it is not. Under the old law the members of the committee in the various polling subdivisions were not clamorous for the various offices, but they thought they had something to do with governing the country, and they liked to feel that they would be consulted occasionally as to appointments. You have taken away all interest in parliamentary work from them with these bureaucratic methods, which are the absolute antithesis of democracy.

Mr. EULER: Does the hon. member think that if this amendment passes it is a step towards the old conditions which he would like?

Mr. CURRIE: I do not for one minute, but I am fair enough. I charged that commission with various things, and in the evidence everything was proven. I charged that people were not appointed by examination, that they were chosen, and that others came to write on examinations when the jobs were already filled. That was proven. And it was also proven that the commission could not cover the appointments of postmasters and other small appointments. Mr. Foran, who is a very clear-headed man, on the matter of these appointments said that it would require an expensive organization all over the country if the work was going to be done thoroughly. The hon. gentleman himself said that he would rather have the original than this Bill. But I do not want to be considered as desirous of going out and saying that this commission was acting wrongly; they were not.

Mr. EULER: I did not say I approved of that Bill, though.

Mr. CURRIE: They thrust upon this commission work which the commission was incapable of doing, and the evidence of Dr. Roche and Mr. Foran is to that effect. They were asked why they could not take this list and classify various positions, and they replied that they were busy with other classifications, and, besides, that if they did it they would be violating the law, and they required that the gate be widened, as was stated several times throughout the evidence. I am trying to deal fairly with this commission; I want them to get a chance. I do not think they can succeed. I am frank to say that another year will show this House and the country that it is impossible for the commission to carry on the work the way they are doing it now, but I am quite willing to give them the chance. I will guarantee that so far as hon. gentlemen opposite are concerned, if the fates of war should decide in their favour at the next election, the commission will not last twenty-four hours, from what I am told by members on the other side. They are practical politicians. I understand them very well, and they should be frank with the House. When Dr. Roche came down he gave rebuttal evidence before the committee against every witness we had heard, but when he finally came to a conclusion—the hon. gentleman has read his evidence at the beginning—and was asked to give his views as to what he thought should be done, he was frank enough to acknowledge that after hearing all the evidence he would suggest that these words be added to the Bill. This is the suggestion of the chairman of the commission. The evidence is before all the members and they can find out. We are doing exactly what the commission require, and for that reason I think the House should be united in its action.

A good suggestion was made by an hon. member on the other side, that the commission should report annually to this House. I think they should report annually in a full and comprehensive manner, not only on this but on everything they have done, so that every year we can discuss their report and find out whether they are properly discharging their duties or not. But we have placed this commission above this House—that is the idea of the commissioners themselves—and I say no commission and no individual in this or any other British country is above the House of

Commons. That was demonstrated two hundred years ago. Now, let the commission have their way this year. If the result is not satisfactory to me, I am going to bring the matter up again next year, and I am going to try to take the Outside Service out of the hands of the commission entirely.

Mr. LEMIEUX: I have listened with a great deal of attention to the remarks made this afternoon, and I wish to say briefly that I am opposed to this Bill in toto and shall vote against it. My hon. friend from North Simcoe (Mr. Currie) says there is no power in the country above the House of Commons. That is true. In England also, there is no power above Parliament, yet there he would not find one single member who would belittle himself by looking after patronage. It is admitted that they have in Great Britain, after seventy-five years' experience, the most efficient Civil Service in the world. In the United States they have copied the British system. And Canada ought to strive to imitate what the Mother Country has done in this regard. Therefore I say in reply to my hon. friend's remark as to the paramount power of the House of Commons, there are things which this Parliament must do and will do, but there are other things that it can well refrain from doing, and that above all should be the distribution of political patronage.

Mr. CURRIE: The evidence of the commissioners themselves is to the effect that we have gone further in one year than Great Britain or the United States did in fifty years, and that the bulk of appointments in those countries are not under their Civil Service commissions at all. Those are facts which were given under oath. Has the hon. gentleman read that evidence?

Mr. LEMIEUX: I have read the evidence from day to day and have followed very closely what took place in the committee.

Mr. CURRIE: Surely the hon. gentleman saw that?

Mr. LEMIEUX: But I know under what circumstances the commissioners appeared before that committee. We know there is an attempt to discredit that commission in order to reach once more the goal which some people have in mind, namely, a return to patronage. Well, I am opposed to political patronage. If ever chance wills it that members on this side of the House shall pass over to the other side, I want the Liberal party, just as I want the Con-

servative party, to look after the real business of the country and leave to an independent body the management of the Civil Service. My hon. friend says that we have undertaken to do in one year what it took several years to do in the Old Country. There is some truth in that. A wave of reform—and, I should say, of folly—has been sweeping over the country during the last few years. We have adopted woman suffrage, and we may regret it some day. Prohibition has been adopted in many of the provinces, and many already regret it. We have done many other things on the crest of that wave of folly, excitement and passion which has been passing over the country. Indeed, there is much force in the old saying that “too much of a good thing is good for nothing.” There is also an evil which since the war discredits the name of the nation—the divorce evil. We have the record during the present session of one divorce a minute dealt with by the committee of the Senate. Sir, it has made of Ottawa the Reno of the northern part of the American continent—that is not a very enviable fame. Yes, my hon. friend is right: we have undertaken too much. But if any drastic reform could be regarded as proper it was the establishment of the Civil Service Commission. I speak very frankly on this matter: at first I was personally opposed to the stand taken by my hon. friend from Halifax (Mr. Maclean) when two years ago he introduced that measure, but since the functioning of the commission and the placing of the whole Service under its control I have found it a great relief to members of Parliament. I am willing to accept the challenge of my hon. friend from North Simcoe; I suggest that the Act be allowed to remain as it is for another year, and when that year shall have elapsed my hon. friend will be one of the first to say that the machinery of the Civil Service Commission has come to run smoothly.

Mr. CURRIE: The hon. gentleman at one time had charge of a department, and I never heard a word against the administration of patronage during his regime. Does he remember the case of the Toronto post office? There was an attempt to have the minister set aside an old civil servant there because he happened to be opposed to the minister in politics, and he refused to do it. He proceeded in a manner which resulted in benefit to the service; he appointed a Tory there against the views of the Liberals of West Ontario. I would far

[Mr. Lemieux.]

rather leave the administration of patronage to an hon. gentleman such as the hon. member for Maisonneuve than to such an organization as the Civil Service Commission. There never was as much trouble in connection with the Toronto post office during his regime, when it was a matter of dealing largely with Tories, as there is at the present time.

Mr. LEMIEUX: My hon. friend knows that my hair turned grey during that regime—I was between the devil and the deep sea all the time. If my hon. friend has any regard for a reasonably long tenure of life on my part he will let the Civil Service Commission continue to operate—because I am quite confident that within a few months we Liberals will be called upon to manage the affairs of the country. First, then, I say: Do not tamper with this Act. The operations of the Civil Service Commission involve the payment of a very large sum of money—some \$67,000,000 a year. In the case of the banking institutions of the country we do not revise the laws and regulations except every ten years. In the case of the tariff we make no revision until after a certain time has elapsed; it is too important a matter to be tampered with every year. I would do the same with the Civil Service Commission. I am opposed to this Bill because that commission is composed of men as independent as the judges who administer our laws. The merit system which has been introduced into this country, and which found no stronger and more eloquent advocate than the right hon. gentleman (Sir George Foster) who is now leading the House, should be given a chance. It is a new departure in Canada. Let us live up to the promises, aye the sacred pledges made by gentlemen on both sides of the House when through the legislation in this respect adopted two years ago we declared this country virtuous. I believe in the merit system. This Bill is opposed, by the commission, by the independent press of Canada, and generally by public opinion. The Minister of Immigration (Mr. Calder) stated, when he introduced the Bill the other day, that the commission had had an enormous task to perform. That is true, and it is because of the very extent of the task that there may have been some disappointments in the administration of the Act. The reclassification in itself was a tremendous task, and although some mistakes were made we must give the commission credit for having accomplished it. It is evident that if

they had not had the task of reclassifying the whole service we would not hear to-day the complaints that are made against them. It is natural that in connection with the reclassifying of thousands of civil servants all over Canada there should be some complaints. We have great problems to deal with, and having regard to the present financial commitments of our country why should we subject members of the House to the temptations which go with the exercise of political patronage? The saner portion of public opinion is not in favour of any such revision of the Act as is contemplated. We should give it a chance to be administered during a certain number of years. Sir, I know what a part politics plays in the matter of patronage. We are fresh from an election in the county of Yamaska. I took part in that election, and I will tell the House what is the honest truth. I myself saw, and the hon. member for Quebec East (Mr. Lapointe) saw, electors in the possession of telegrams signed by party heelers inviting them to go to the nearest town and get a job in the dredging works of the Department of Marine and Fisheries. I do not say that the Minister of Marine was responsible for it; I am quite sure that he will not foot the bill when it is presented to him. But I know that in one instance Mr. Lacouture, who is agent of the department at Sorel, received instructions—not officially from the department, but from another gentleman, my hon. friend's colleague the Postmaster General, who was in the county—to give jobs on the dredging plant to fifteen men from Pierreville, one of the chief localities in that county. I do not say that it is a crime. Both parties in days gone by probably did the same thing at election time.

Mr. BALLANTYNE: I know nothing whatever about the matter.

Mr. LEMIEUX: I do not charge the hon. gentleman.

Mr. BALLANTYNE: The dredging is being carried on in the usual way.

Mr. LEMIEUX: Yes, and I dare say, when bills are presented to my hon. friend, he will not accept them, because I do not believe he ever gave such instructions. But my hon. friend can take my word that they were given. I have seen people who received the telegrams, who also have copies of the telephonic messages ordering Mr. Lacouture to take electors for a week preceding polling day on the dredging plant. Is there any hon. member on this

side or on that side who wishes to revert to that devilish system of political patronage, especially during election time? Let us get free from that system and give the commission an opportunity to exercise its full authority under the protection of Parliament. Let that commission administer the Act free from all influences. I was not a political friend of Dr. Roche nor of Mr. Jameson when they sat in this House. They were, however, both personal friends, but as a Liberal, dyed-in-the-wool, I have the utmost confidence in the honour of Dr. Roche and Mr. Jameson; I fully trust their integrity, and Parliament should support them and Mr. LaRoche as well.

Mr. CALDER: Might I have the attention of the House for only a minute or two? We shall not be able to finish with the Bill until after eight o'clock. There is just one point that I desire to make at the present time, and that is that my hon. friend (Mr. Lemieux) has not dealt with the main question contained in this Bill, that is, whether or not there should be any exemptions under the law. The question is whether or not the Civil Service Commission should have entire jurisdiction over all persons appointed in any branch of the service in any part of Canada. There is no use in our spending hours discussing the question of political patronage; that is not the question. I thoroughly agree, and I dare say that every member of the House agrees, as regards the question of promotions being made on merit and so on. But the main question is whether or not we should require the Civil Service Commission to deal with all questions of appointment in every branch of the Civil Service throughout the whole of Canada. Let us see what the commission itself said as regards that point at the very end of the evidence and not at the beginning.

This will take only a minute or two, because I propose at this time to make only two quotations. Mr. Foran and Dr. Roche came as two of the chief witnesses of the commission. This is what was said by Mr. Foran on May 16 when the inquiry was practically completed. As reported on page 360 of the evidence, he was asked this question:

Would you say, in the light of all the evidence that we have had—you have heard most of it and I dare say you have read what you have not heard—that it would be advisable for the Civil Service Commission itself to take into consideration the whole situation in that regard—

We were talking of the question of exemptions.

—and come to a conclusion as to the classes of employees that might very well in the public interest be taken from the operation of the Civil Service Act?

His reply is this:

I am in a position to say this: That the commission have from time to time considered the advisability of preparing their exemption list, because in every Civil Service jurisdiction in the world there are exemption lists. We have never had time to devote to that work, which is important, and the necessity of it is impressed upon us from time to time by appointments which have come before us to which we did not consider it was practical to apply the Civil Service Act, and if it had not been as I pointed out this morning, that we had this reclassification problem on our hands, I have no doubt the exemptions lists would have been in existence some time ago.

Mr. EULER: Does that not show that he felt that he had power to grant exemption under the Act as it stood?

Mr. CALDER: We threshed out with the commission the importance of effect or value of the word "practical," and no person is better acquainted with the evidence than my hon. friend is.

Mr. EULER: His mere statement that they were considering drawing up lists shows that they thought they had the power to do that under the Act of 1918.

Mr. CALDER: That may be. I will not discuss that phase of the matter just now.

Mr. EULER: That is the vital part of it.

Mr. CALDER: This is another question which was asked Mr. Foran:

To put the case a little more concretely—and I am not going to ask you to reach a decision—take the case of those light-houses at isolated places where there can be no real competition, don't you think the commission should consider whether people of that class should be exempted?—A. Dr. Roche can tell you that he practically decided, as far as such appointments are concerned, that they should be exempt, because it is impossible for us to handle them in any efficient way. It is a case where you have got to look up the men. You cannot have any competition for positions of that kind. The point which the commission is very anxious to make clear is this: we have had this work imposed upon us. We have adopted the most practical and business-like methods, the most inexpensive methods of dealing with these appointments.

Only one other quotation and I am through. This was a series of questions asked by the member for Edmonton West, of Dr. Roche:

Mr. Griesbach: You have sat at all the meetings of the committee and have heard all [Mr. Calder.]

the evidence. Has your mind moved along the road to the point where you think that in the public interest some of these classes of employees might in the public interest be removed from the operation of the Civil Service Act?

Not because it was practicable—the hon. member asks if, in the public interest, they should be removed from the operation of the Act. Dr. Roche's answer was "Yes."

Mr. Griesbach: Your mind has moved along that line?

Hon. Mr. Roche: In fact, I do not know that I could not go a little further and say that so drastic a measure at one step, such as taken in taking in the whole service was too big an undertaking, and in view of my desire to have and maintain the best Civil Service Act in the world, I would not like to have any retrograde step unless an assurance is forthcoming that it is absolutely necessary. I know that we have a Civil Service Act that is more advanced than that in the United States, in England, or in any other country; but I am anxious to see the commission given time to work it out, and we will have more time in future to pay attention to the provisions of the Act when we get this huge undertaking of classification out of our way, as we will have it cleared up before next session.

My main point is this—and it goes right to the crux of the whole Bill;—it is not a question of appointing a wharfinger, or a labourer in some lumber camp or survey party, or a clerk at Ottawa or a lighthouse-keeper on the sea-coast; the whole question is, taking the entire Civil Service throughout Canada, whether it is advisable, in the public interest, to provide that the Civil Service Commission should not exempt all the cases which we have required. Dr. Roche, as well as Mr. Foran, the secretary, state, not only in the quotations that I have given, but in others that they deem it is in the public interest that they should have that power. Where does the power rest? It is not with the Government. The Civil Service Commission must decide what classes shall be exempt, and they must have clear reasons for those exemptions. If we add to the Bill a clause that they shall report to Parliament every exemption they make and if, further, they have to state the reasons for the exemptions they make, I think Parliament and the people are well protected. After hearing all the evidence, and knowing the manner in which the Civil Service has been operated during the last two years, I maintain it is in the interest of the public and of the Civil Service that there should be certain exemptions.

As I said the other day, no one is more opposed to patronage than I am, but I want to see the public business of this country run properly, and I claim there are certain powers that have been handed over to that commission that are operating in the other

direction, and the public service is suffering as a consequence.

At Six o'clock the committee took recess.

#### After Recess

The House resumed at Eight o'clock.

#### DIVORCE—ALPHONSE LEMOYNE DE MARTIGNY

On the Order: House again in committee on Bill No. 120, for the relief of Alphonse LeMoyné de Martigny.—Mr. Ross.

Hon. Mr. LEMIEUX: Mr. Speaker, I beg to move, seconded by Mr. King, that this Order be discharged from the Order Paper.

Motion agreed to and Order discharged.

#### CIVIL SERVICE ACT, 1918, AMENDMENT

House again in committee on Bill No. 122, to amend the Civil Service Act, 1918.—Mr. Spinney.—Mr. Boivin in the Chair.

The CHAIRMAN: When the committee rose, clause 1 of the Bill was under consideration, with the proposed amendment thereto of Mr. Euler. Mr. Euler had moved to amend the clause by striking out from line 14, on page 1 of the Bill, the words "nor in the public interest."

Mr. CALDER: We have had a fairly lengthy discussion on this Bill, and when it was before the House the other day a suggestion was made to the effect that an amendment should be made providing that an annual report should be submitted to Parliament by the Civil Service Commission.

Mr. MACKENZIE KING: Who made that suggestion?

Mr. CALDER: It was made by the leader of the Opposition. The suggestion was that an annual report should be made to Parliament by the Civil Service Commission, setting forth all exemptions made under this proposed section, and also the reasons for such exemptions. The report, it was stated, should contain the regulations passed by the commission and approved by the Governor in Council, for dealing with any positions that were exempted, in whole or in part, from the operation of the law. That matter has since been considered, and I understand that the minister in charge of the Bill is prepared to move that amendment. Probably, under the circumstances, the member for Waterloo (Mr. Euler) might be willing

to let his amendment go for the time being. Parliament will have an opportunity to consider the whole situation another year from now. In any event we have had a very full discussion, and I doubt very much whether anything would be gained by discussing the matter at further length. After all, it turns largely on one point, and that is as to whether or not the Civil Service Commission should be given power to exempt certain classes from the operation of the law on the ground of public interest. When you boil it down, that is the main contention between the parties who have spoken to the Bill, and it seems to me that we might let the law, as proposed, operate for at least one year, and Parliament will then have an opportunity, knowing exactly from the report of the commission what action is taken, to consider the whole question at the next session. Personally, I am strongly inclined to the view, from the attitude of the commission itself, that they will exercise that power with very great discretion, because the commission, I feel confident, is very anxious that what is ordinarily known as political patronage should not again enter into the administration of the public service. There is no one more anxious than they are to see that the principle embodied in the law of 1918 is carried out, and during this year, and until Parliament meets again, the matter might very well be left to the commission.

Mr. MACLEAN (Halifax): At 6 o'clock I understood the Minister of Immigration and vice-chairman of the select committee (Mr. Calder) to say that the whole question at issue, in relation to the report of the committee on this Bill was whether the Civil Service Commission were to make all appointments to the public service, or whether some services were to be excluded from the operation of the Act. In a sense, that is true, because I think we all agree that, in some circumstances at least, it might be deemed advisable to withdraw certain sections of the public service from the Civil Service Act; but I do not think that is the issue in the section now before the committee for decision. The Bill contains the words "In the public interest," and the member for North Waterloo (Mr. Euler) has moved that they be struck out. I agree with that amendment. I think that the section as it stands in the Act of 1918, without these words, is sufficient to accomplish the purposes which we all agree upon, namely, that if it is in the public interest, or in the interest of a section of

the public service, to withdraw certain classes from the operation of the Act, the power is now amply set forth in the Act, and there is no need of making any further amendment.

Mr. CALDER: Will the hon. member answer the question which I asked an hon. gentleman very squarely, and which he did not answer? In the case of astronomers and medical research men, would my hon. friend maintain that it was practicable for the Civil Service Commission to make those appointments?

Mr. MACLEAN (Halifax): When the insertion of these words, "in the public interest," was first suggested, I must say I was impressed with the proposal, although I do not like and never did like the use of the words "in the public interest" in any statute for the reason that it is almost impossible to give a definition to the phrase, and it is never wise to use these words if they can in any way be avoided, particularly in a statute. But I was satisfied that the words should not be in the statute when the minister spoke this afternoon and made the statement—a very direct statement—which he has just put to me in the form of a question. I say it is practicable for the commission to appoint a person to the astronomical service, or the Health Department for the purpose of carrying on research work, and I think it is in the public interest that the commission should make appointments of that kind.

Mr. CALDER: There is where we differ.

Mr. MACLEAN (Halifax): Yes, and that goes to show that the words "in the public interest" are capable of such varied interpretation that it is dangerous to employ them in a statute or even in ordinary speech.

Mr. McGIBBON (Muskoka): What qualifications have the Civil Service Commission to select eminent scientists capable of conducting research work?

Mr. MACLEAN (Halifax): Of all appointments to be made to the public service by the Civil Service Commission, none could be more easily made than the appointment of persons to the astronomical service or of scientific men to the Health Department.

Mr. McGIBBON (Muskoka): That is not answering my question.

Mr. MACLEAN (Halifax): It would be an easy matter and the Civil Service Com-

[Mr. A. K. Maclean.]

mission are as competent to do it as is the minister, the deputy minister, or anybody else in the world. What are the facts concerning these particular appointments? In the first place, the qualifications of such men are well known; they can be found only in a person who has pursued scientific studies, and adopted a scientific career as his life's work. Furthermore, in such appointments, the Civil Service Commission always like to confer with the heads of departments, and these appointments are infinitely more easily made than the appointments of stenographers or clerks, because it is difficult to ascertain the qualifications of such persons; they must be taken very largely as a matter of experiment. But the university career, the practical career of a scientific man is an open book to his friends, to the world, and certainly it would be to the commission.

Mr. CALDER: I do not know whether or not the hon. gentleman has read the evidence, but my judgment as to the weight of the evidence that came before us is that in the case of these very special appointments, the men whom you wish to get will never submit themselves to competition. That is the way the evidence struck me.

Mr. MACLEAN (Halifax): Take the case of appointments to the astronomical service; every man in Canada who has any qualification will apply.

Mr. CALDER: You will not get the right man.

Mr. MACLEAN: The Government service is the only one they can look forward to. Nobody in Canada employs an astronomer, and there would not be more than two or three persons in Canada who would make application for such a position.

Mr. CALDER: In so far as these very special technical, scientific appointments are concerned, the weight of evidence, is that you will never get the men you really want for those positions to submit themselves to competition.

Mr. MACLEAN: I did not read the evidence very carefully. I know an argument of that kind was submitted by Mr. Newcombe, the Deputy Minister of Justice, but I must say I was not impressed with it.

Mr. CALDER: Practically all of them said that.

Mr. MACLEAN: I do not care what the evidence is.

Mr. ETHIER: Because the salary is not high enough.

Mr. MACLEAN: It depends on the person in control how the witnesses are examined. Perhaps the views of the commission were not clearly directed to this particular point. If I had been on that committee, and examining any member of the commission, I fancy I could have got from him the opinion that the insertion of the words "in the public interest" in section 38, of the Act, was an unfortunate amendment to propose.

Mr. McGIBBON (Muskoka): Did the hon. gentleman ever know of a scientific appointment where applications were made?

Mr. MACLEAN: Oh, yes.

Mr. McGIBBON: It is not the custom in America or Europe.

Mr. MACLEAN: The vice-chairman of this committee undertook to establish by two unfortunate illustrations—

Mr. CALDER: Very fortunate.

Mr. MACLEAN:—very unfortunate from his standpoint, a defence for the proposed change suggested by the committee, and which is now one of the clauses of the Bill. To say that an appointment of a scientific officer to the Health Department could not be made by the Civil Service Commission is a proposition I do not affirm at all, and I do not understand why he made that suggestion.

Mr. CALDER: The hon. gentleman is not quoting me properly. It is not the case of an ordinary appointment to the Health Department. I stated that they were proposing to start certain research work in the Health Department. There will be one man appointed, who must be specially qualified for undertaking the research work, and I conceive that they will have the very greatest trouble in securing the services of that man. But instead of that, my hon. friend suggests that the Civil Service Commission should advertise and get applications from here, there and everywhere, and that somebody should sit down and decide as to which applicant should be appointed. I claim the Health Department itself which knows exactly the type of man required, the character and training and everything of that kind, is in a better position to appoint that man than any Civil Service Commission.

Mr. MACLEAN: All my hon. friend says would be applicable to the appoint-

ment of any person to any position in the public service.

Mr. CALDER: A stenographer, for example.

Mr. MACLEAN: I say again that the Civil Service Commission could make just as good an appointment to the Scientific Branch of the Health Department as could the head of that department, and I say, in any event, that the Civil Service Commission would confer with the deputy minister in making the selection. But under the Civil Service Act you are applying a principle in regard to appointments to the Civil Service, and you cannot go on picking out one position here and one position there and putting it without the Act, or taking it from within the Act. If it is in the public interest that appointments to the Astronomical Branch be taken from under the Civil Service Act, some minister is going to suggest that the same thing be done in his department. You would have the same suggestion in another department, and perhaps still in another department, and in the end you would find the invasions against the Act so numerous that it would be virtually destroyed. I say, the insertion of the words "in the public interest" in this section is an unfortunate selection of words. They are not workable terms. They are terms that always should be eschewed, especially in reference to their insertion in a statute or in any document, and even when they are employed in spoken language before a popular assembly, they are not regarded as very definite, and they are open to many interpretations. I say, Mr. Chairman, that the word "impracticable" there means something. It was intended to meet the case which the committee was considering. There is another word, "inexpedient," which perhaps is preferable to the word "impracticable," because that word recognizes the policy or the principle that in certain cases or instances, it is not desirable for one reason or another to adhere to the principle, but to depart from it. I do not know that I can add anything further, Mr. Speaker, other than to say that I quite agree with the amendment suggested.

Mr. EULER: I desire to clear up one or two little misconceptions that I thought might arise in the minds of the members of the committee from the remarks made by the Minister of Immigration (Mr. Calder). He spent some time this afternoon in proving from the evidence that it

is advisable that certain other classes, or certain other employees, should be withdrawn from the operation of the Civil Service Commission in the public interest, and apparently left it at that, to show that what they suggest in their amendment will meet the case and that it is the only way to meet it. I want to point out that those of us who dissent from the view of the majority of the members of that committee do not necessarily find fault with that attitude at all. We are willing to admit that there are other employees in the Civil Service who might very well and profitably be withdrawn from the control of the Civil Service Commission, but we differ as to the method by which that should be done. The amendment would give the power to the commission itself to make these exemptions just as they please, so long as they felt they were in the public interest—a very wide term, which I contend will give the commission power to exempt any part of the Civil Service from the operation of the commission, and so nullify the will of Parliament as expressed in the Act of 1918. I would like to refer to another remark made by the hon. member for Dufferin (Mr. Best). He referred to the evidence that was given, stated that the witnesses were examined under the eye of the Civil Service Commission, being themselves civil servants, and intimated that they would be in some fear as to their treatment if they gave evidence that did not meet with the approval of the Civil Service Commission. I pointed out to him then that the main witnesses who were examined were themselves deputy ministers and not appointed by the commission.

Mr. BEST: You will admit that they were not all deputy ministers?

Mr. EULER: There were eight deputy ministers and only four of the witnesses were ordinary civil servants. Those deputy ministers are not appointed by the commission, but by the Governor in Council or by the minister. Therefore, there could be no possible fear in their minds as to the treatment that might happen to them if they gave evidence contrary to what perhaps the chairman of the commission might desire.

Mr. BEST: If it is a good thing for the Civil Service Commission to hire men and women at \$2, \$3 or \$4 a day, why not give them power to appoint the deputy ministers? If it is a good thing in one case, surely it would be in the other.

[Mr. Euler.]

Mr. EULER: That is not the law. As I understand, deputy ministers are not appointed by the Civil Service Commission. But this was directly contrary to the assumption of the hon. member for Dufferin. As a matter of fact, the deputy ministers who were examined by the committee are directly under the control of the Government, and the majority of them gave evidence that, I think, was directly contrary to the views perhaps of the one minister, their direct superior, who sat there as vice chairman. Therefore I say it is something in favour of the present Civil Service Act that the great majority of those deputy ministers, despite the fact that over them sat the chairman and vice chairman of that committee, gave evidence which did not bear out the advisability of what we have tonight in the amendment to the Bill. So far as the chairman of the Civil Service Commission is concerned, if the evidence is searched carefully it will be found that he prefers to leave the Bill as it is, for some time at least. There is no possible doubt about that.

Mr. THOMPSON (Yukon): What ground has the hon. gentleman for saying that the evidence given by those deputy ministers was at variance with the opinions held by the vice chairman of the committee?

Mr. EULER: This is the ground: Nearly all the deputy ministers, who were heard, with the exception of the first two or three, were in favour of leaving the Civil Service Act as it is in respect to appointments, so that there would be no likelihood of political patronage being exercised again. I say that the amendment which is proposed does make it possible to reintroduce political patronage. That is my reason for saying what I did.

Mr. THOMPSON (Yukon): But as a matter of fact the deputy ministers are not appointed by the Civil Service Commission at all.

Mr. EULER: That is what I say.

Mr. THOMPSON (Yukon): And the commissioners of the Civil Service Commission are appointed by Parliament, and can only be dismissed by a majority vote of Parliament, as I understand it. So the deputy ministers and the commissioners are on an equal footing; the deputy ministers do not owe their position to the commission, and the commissioners do not owe their positions to anybody except Parliament itself.

Mr. EULER: That bears out what I said. I was trying to make the point that the deputy ministers, who were the majority of the witnesses, could not possibly have any fear of the commissioners because they were not under their control.

Mr. THOMPSON (Yukon): I misunderstood my hon. friend.

Mr. EULER: Just one word in regard to the chairman himself. In the early part of his evidence I think he expressed the view that the Act should be left as it is, for a year at least, by which time the classification trouble would be got rid of and the commission would have an opportunity of getting everything in proper order. I do not mean to be unduly critical, but I think it is the fact—and hon. members on the opposite side will agree with me—that leading questions were put constantly throughout that evidence, and that in many cases it was almost impossible for Dr. Roche and some of the witnesses, unless they showed very considerable force of character, to escape giving the answers that they were intended to give.

Mr. McMASTER: Undue influence?

Mr. EULER: They were leading questions. I think my hon. friend will know what that means. The few instances that have been given by the Minister of Immigration with regard, we will say, to scientific men and others, do not touch the question at issue to my mind. I am willing to admit for the sake of argument that an astronomer possibly could be selected to better advantage by the head of the department. My point is that the inclusion of the words "or in the public interest" will open the door so wide that the commission will have it in its power to effect a complete change of policy from what was contemplated in the original Civil Service Act. That power ought to be reserved to Parliament.

I understand that the Minister of Immigration proposes another amendment to the effect that during the recess the deputy ministers and the Civil Service Commission may get together to decide as to what other employees should properly be exempted from the operations of the commission, and report to Parliament. Now, I quite agree with that suggestion—I made it myself—but there is this difference between us: The minister would give the commission power to make those exemptions, in other words, to have an accomplished fact and to report to Parliament. My conten-

tion was that they in their wisdom should come to a decision so far as was thought advisable in regard to what changes should be made, but that they should not have the final say, but should come with their recommendations to Parliament, and that then Parliament would deal with those recommendations on their merits. There is the difference. In the one case you transfer the power to the commission, and in the other you retain the power in the hands of Parliament.

I stated the other day, and the hon. member for Halifax (Mr. Maclean) has dwelt upon it I think with very great effect, that under the Act as it stands to-day with the word "impracticable" the commission has all the powers that should fairly be given to it, if you want to make certain that they will remain within the Act as was intended when it was originally passed.

I just wanted to clear up the point, that this is not a question whether we are in favour of exemptions or not; it is a question entirely as to method. For that reason I do not agree with the amendment that I understand the minister is going to propose, because it does not touch the real, vital principle of the Bill as it is presented. He would ask Parliament merely to pass upon what has already been done; I would say that Parliament should retain the doing of it for itself. There is no manner of doubt in my mind, and I do not think there is any doubt in the minds of hon. members opposite, that while it may not be the intention just now of those members or of the commission to reintroduce the exercise of patronage, it at once becomes possible if that phrase is included in clause 38. I cannot understand the attitude of the hon. member for North Simcoe (Mr. Currie) who complains constantly that the commission has already too much power, and then is going to vote in favour of an amendment that will give them infinitely greater power. But I do think the committee should realize absolutely, as I think most of them do, that if the amendment carries, whether or not patronage comes in, it will be made possible within the law.

Mr. FRIPP: If the hon. gentleman will allow me a question, is he under the impression that the commission at the present time appoints labourers and mechanics required by any department?

Mr. EULER: I know—

Mr. FRIPP: You know that they do, or that they do not, appoint them?

Mr. EULER: I am not sure whether they do or not.

Mr. FRIPP: I should like to tell the hon. gentleman that the commission do not appoint them.

Mr. EULER: Very well, what is the argument the hon. gentleman desires to make?

Mr. FRIPP: The argument is, that instead of the commission appointing these men, they are appointed by the officers of the department, and those officers are exercising patronage. They simply send in a list of their appointments, and the commission approve of them without any investigation whatever. That is the point I should like to make.

Mr. EULER: Does the hon. member not know that under the Act as it stands, with the word "practicable" in clause 38, it is quite within the power of the commission to exempt those labourers? In fact, if they do not exempt them they may be remiss in their duty. In some cases, especially on the experimental farms, an ordinary, common-sense working arrangement was carried out which gave very satisfactory results.

Amendment (Mr. Euler) negatived.

Mr. SPINNEY: I move to amend clause 1 by adding to section 38b as subsection 2 thereof the following words:

(2) An annual report shall be made to Parliament within thirty days from the commencement of each session, by the Civil Service Commission, setting forth the positions excluded under this section in whole or in part from the operation of the Act and the reasons therefor, together with the regulations prescribed and approved for dealing with such positions.

Amendment agreed to, and section as amended agreed to.

Mr. CRONYN: I beg to move that the following be added to the Bill as clause 1A thereof:

1A. Section thirty-nine of the said Act, as amended by the said chapter 10, is repealed, and the following section is enacted in lieu thereof:—

39. (1) Immediately after each examination a list of the successful competitors in the case of a competitive examination, and of successful candidates in order of merit in other examinations, shall be made out and published in the Canada Gazette.

(2) The Civil Service Commission shall prepare and maintain a special list of persons in receipt of pensions by reason of their services in the war, nineteen hundred and fourteen to nineteen hundred and eighteen, who

(i) have from causes attributable to such service lost capacity for physical exertion to an extent which makes them unfit efficiently to pursue the avocations which they were pursuing before the war,

(ii) have not been successfully re-established in some other avocation, and

[Mr. Euler.]

(iii) desire to be placed on such list.

The commission shall obtain as full particulars of each person on such list, including particulars of his age, education, physical and mental condition, resources and responsibilities, as it is possible to obtain from all available records.

In all examinations for entrance into the Civil Service the persons named on such list who are found to possess the necessary qualifications shall be placed in the order of merit on the list of successful candidates above all other candidates.

(3) In all examinations for entrance into the Civil Service all persons other than those mentioned in subsection two of this section who have been on active service overseas on the military forces or who have served on the high seas in a sea-going ship of war in the naval forces of His Majesty or of any of the Allies of His Majesty during the war, nineteen hundred and fourteen to nineteen hundred and eighteen, who have left such service with an honourable record or who have been honourably discharged, or when any persons who have served as aforesaid have died owing to such service the widows of such persons, and who in either case obtain sufficient marks to pass such examinations, shall, irrespective of the marks they have obtained, be placed in the order of merit on the list of successful candidates next after any candidates who are on the special list mentioned in subsection two of this section and above all other candidates.

(4) The provisions of any statute or regulation prescribing the age limit and physical requirements with respect to any appointment in the Civil Service shall not apply to any persons with the military or naval service mentioned in subsection two or three of this section.

Mr. POWER: I do not wish to object to this provision, but I wish to point out that under section 4 of the Act it is provided that the regulations prescribing the age limit and physical requirements with respect to any appointment to the Civil Service "shall not apply to any persons in the military or naval service mentioned in subsections 2 or 3 of this section." For the present I do not think this matters very much, but in ten, fifteen or twenty years, when our returned soldiers have become somewhat older, if this provision stands our service will be clogged up with returned soldiers who are past the age limit for appointment and whose qualifications may not be as high as the qualifications of the ordinary civilian. A returned soldier fifty or sixty years of age, provided he is able to pass the entrance test, will be placed in the order of merit higher up than the ordinary young man who wishes to enter the Civil Service. If we intend to form old soldiers' homes it would be better for us to provide the money for that purpose than to place these men in the Civil Service. It will be bad for the country and bad for the soldiers themselves to have them understand that as soon as they get old

enough they will be placed in the Civil Service for life provided they can pass the examination. I presume the fact that they do not need to have the physical requirements to be appointed means that, even if they have passed the age limit and no longer have the physical requirements, if they are in the service, they cannot be put out. I presume that would be a natural corollary, so that we should be in this position, that is twenty-five or thirty-five years from now the Civil Service will be chuck-full of old soldiers who will not be in a position to work, or to give the country the service which it has a right to expect.

Mr. CRONYN: The proposed amendment as regards subsections 1 and 4 simply re-enacts what is already on the statute book, without the change of a letter or a syllable, so that the objection raised by the hon. member for Quebec South (Mr. Power) deals solely with a provision in the law which was passed by this Parliament some three years ago. It is not one of the questions which we considered this year, and is simply re-enacted from the statutes of 1918. The only change made in subsection 3 is one which extends the right of preference beyond members of the Canadian Expeditionary Force to those who served on the high seas in a sea-going ship of war in the naval forces of His Majesty. That amendment was made on the representation and suggestion of certain of those men who, on applying for this preference to the Civil Service Commission, were advised that, on the wording of the Act as it stood, that preference could not be extended to them. On their petition and on representations of the Department of Naval Service, the committee decided that that amendment should be made. The chief and real amendment is found in subsection 2, where there has been made a still further preference in aid of disabled men. Disabled men now not merely have the preference extended to all returned men, but they are put in a separate class by themselves. If they have the qualifications and can pass the necessary examination, their names go to the head of the list in advance even of their comrades who are sound and fit.

Mr. MACLEAN (Halifax): Without having passed an examination of any kind?

Mr. CRONYN: No, they have to pass the examination just as the fit men do, and they must have the necessary qualifications.

Mr. ETHIER: As regards this amendment, I would say that I am not against

protecting the returned soldiers in the country. The country and Parliament should make provision for them, and I think their services have been well recognized by this Parliament. But if we go on filling positions in the Civil Service of Canada in this manner, within two years we shall find that we shall have a military Civil Service. I think we should limit the preference which is given to returned soldiers on many occasions when they are not qualified, because to give them the preference in that case would have a tendency to make the Civil Service inefficient, as it is in some instances. I object to the amendment.

Mr. EDWARDS: As regards the point just referred to by my hon. friend (Mr. Ethier), it has been made abundantly clear that returned soldiers must pass the Civil Service examinations just the same as those who are not returned soldiers. Having proven their qualification by passing the Civil Service examination, why should they not be put in the Civil Service, and what is it against the Civil Service if every man in the Civil Service is a returned soldier who has proved himself to be qualified? I cannot understand the viewpoint of those who object and say: "We will reach a time when possibly all our civil servants will be men who have served overseas." Supposing we do, is there anything wrong in that? Is there any danger to the country in that? They have to pass a test examination. Having done so, they should have the preference. We should not play fast and loose in this matter. If we are going to give this preference, we should do so.

I wish to direct this question more particularly to the hon. member for London (Mr. Cronyn). Reference was made to those who served in the military or naval forces. I may not have caught all that was read, but I did not catch that men who served in the air forces were included. Am I right in supposing that they were not included, and if not, why should they not be included along with those who served in the military and naval forces?

Mr. CRONYN: The Act makes it clear that they have been included. It says:

All persons who have been on active service overseas.

I do not think there is any question about their being included.

Mr. MACLEAN (Halifax): What is included in the words:

Who have served on the high seas in a seagoing ship of war in the naval forces of His Majesty.

During the war a large number of ships were employed by this country in Canadian waters, performing, I have no doubt, very valuable service. In many instances these ships were employed within harbours doing necessary and important work. If we include that class of men, we should consider whether a preference should be given to them over any other person or class of persons in Canada. Did my hon. friends have any officer of the Naval Department before them to assist them in determining the meaning of these words and what persons would come within the definition?

Mr. BALLANTYNE: Probably my hon. friend (Mr. Cronyn) would allow me to reply briefly for him. Until this change was made to which the hon. member (Mr. Maclean) refers, sailors who served in the Royal Canadian Navy during the war were not placed on a parity with soldiers who served overseas. This is to put the Canadian sailor on an equal footing with the soldier. It alludes only to Canadian officers and men who served in the Royal Canadian Navy during the war.

Mr. MACLEAN (Halifax): It is perhaps dangerous to express an opinion upon a matter so delicate as this without having on opportunity of considering the matter, which opportunity I have not had. I am inclined to doubt very much the wisdom of extending a preference of this nature to all persons who served with His Majesty's Navy during the war. I, of course, have not in mind Canadians who were serving on any of His Majesty's ships, who were liable to be, or who were engaged in action, or who were employed in dangerous or hazardous work. But I doubt very much the wisdom of placing in this position persons who were in His Majesty's service and who were doing, say, harbour work, during the war. It may be that the persons I instance do not come within the terms of this clause, but I want to be sure about the matter, and I am rather disposed to feel that they would come within it.

Mr. BALLANTYNE: I think the Act makes it abundantly clear; it refers only to those sailors who have served on the high seas. Any of the men in the Naval Service who were simply on shore, for instance in the dockyard at Halifax, would not be included in this at all,

[Mr. A. K. Maclean.]

but I am sure that my hon. friend will agree with me that the Canadians who served in the navy on the high seas are perfectly entitled to what this Bill intends to give them.

Mr. MACLEAN (Halifax): What ships would come within the definition of those that served on the high seas?

Mr. BALLANTYNE: I could not give my hon. friend the names of all the ships at the moment, but there would be the "Rainbow," for instance, the "Niobe," and the mine sweepers and trawlers that were operating on the Atlantic coast.

Mr. MACLEAN (Halifax): The committee, I suppose, gave consideration to this, but I doubt very much if this question has been given the full consideration it deserves. While I do not intend to oppose the amendment, I have very grave doubts myself. I am very sorry indeed that this amendment has been moved to the Bill.

Amendment agreed to.

Mr. TRAHAN: I move to amend the Bill by adding thereto the following:

Section 33A of the said Act as enacted by chapter forty-one of the statutes of 1920, is hereby amended by adding at the end thereof the following words:

- (1) Epiphany Day.
- (2) Ascension Day.
- (3) All Saints Day.
- (4) Conception Day.

In accepting this amendment the House will only be endorsing the pledges which were given to it by the former Prime Minister, the right hon. member for King's (Sir Robert Borden), and by the present Prime Minister (Mr. Meighen) regarding Catholic religious obligatory holidays. You will remember, Mr. Chairman, that the question came up for the first time last year on an amendment made by the Senate. The House did not concur in the amendment made by the Senate, and we did not press a motion to the effect I have now made because the Prime Minister of that day, the right hon. member for King's, assured the House that Catholic civil servants would not be disturbed in their privileges as to obligatory religious holidays. Later on, in November last, it transpired that an order was issued in all the departments here at Ottawa and in other cities, that Catholic civil employees had to work on the religious obligatory holidays. At the beginning of the present session, we asked the Government to carry out the pledge which was given to the House by the former Prime Minister, and during the month of

May the present Prime Minister in answer to a question that I asked on the Orders of the Day stated that in the future the religious obligatory holidays would be observed in the Civil Service.

Mr. CURRIE: I submit, Mr. Chairman, that notice of this motion should have been given. I do not find any notice of it in the Votes and Proceedings.

The CHAIRMAN: I must ask the hon. member to cite the rule under which notice is required for an amendment to a public or government Bill. There is a rule which requires notice of an amendment to be moved in Committee of the Whole to a private Bill, but I know of no such rule in the case of a public Bill.

Mr. CURRIE: It has always been customary to give notice. The hon. member for London (Mr. Cronyn) gave notice of his amendments in the Votes and Proceedings, and I think the hon. member for Nicolet should have done the same. Whether there is a rule or not it has always been the practice in this Parliament to give notice.

Mr. TRAHAN: The right hon. the Prime Minister, in answer to a question which I put on the Orders of the Day, stated that in the future Catholic civil employees would enjoy the privilege of not working on obligatory religious holidays. I understand that after that, in order to put all the civil employees on an equal footing, an Order in Council was passed declaring that Ascension Day was to be considered as a legal holiday throughout the Civil Service. The amendment which I propose is only for the purpose of legalizing the pledges which were given on that occasion by the former Prime Minister and the present Prime Minister.

Mr. LEMIEUX: I remember when this question came up last year on an amendment made by the Senate to the Civil Service Act, the little exchange of argument that took place between my right hon. friend the member for King's (Sir Robert Borden) and myself, and with your permission, Mr. Chairman, I shall quote what was said on that occasion, June 26 of last year.

Mr. CLARK (North Bruce): Mr. Chairman, I rise to a point of order. I submit that in view of the fact that this amendment involves an increase in expenditure, it is not competent for a private member to move it.

The CHAIRMAN: I shall take the point of order submitted by the hon. member under consideration, but my first impression would be to declare the amendment to be in order. It will be remembered that this section fixing the statutory holidays was introduced last year by the Senate, and not by this House. That would confirm my opinion that it cannot be considered as a matter of involving a charge upon the public treasury.

Mr. MEIGHEN: Did not the Senate decrease the number of holidays, and therefore diminish the charge on the treasury?

The CHAIRMAN: I think that the number of holidays mentioned in the Civil Service Act at the present time is larger than the number of holidays mentioned in the Interpretation Act. I may, however, be in error on that point. The fact that the country would not get service for the salary paid on the holidays is a very remote circumstance to be considered in connection with the regularity of the motion. I shall give a definite ruling later but meanwhile, the hon. member may proceed.

Mr. LEMIEUX: I was referring to the little exchange which took place between the right hon. member for King's and myself during the discussion on the amendment made by the Senate to the Civil Service Act last year. I said (Hansard p. 4261):

Why should we not accept the precedent which has been created, which has been observed and which has never been challenged—

Sir Robert Borden: Nobody is challenging it.  
Mr. Lemieux: No, but if we agree to the amendment of the Senate we depart from the custom which has been established. We do away with a time-honoured usage, and we may not always have a Prime Minister who is so broadminded as is the right hon. gentleman. He says that no exception will be taken to the observance of these holidays—

The holidays proposed in the amendment of my hon. friend from Nicolet.

Well and good, but still under the amendment of the Senate in which we are asked to concur, these holidays will be done away with.

Sir Robert Borden: No.  
Mr. Lemieux: That is as I understand it.  
Sir Robert Borden: I should like to make it plain to the hon. gentleman. If there was no statutory provision on the subject, matters would go on in this country exactly as they have done for the past fifty years. It would continue to depend upon custom and convention to which my hon. friend has alluded. Now the Senate have given the force of law to a portion of that custom and convention.

Mr. Lemieux: I take it that under the amendment of the Senate it is for the future decided that certain religious holidays which have existed by custom since Confederation are abolished.

Sir Robert Borden: I thought I had informed my hon. friend that the acceptance of the Senate amendment is not intended to disturb the custom and convention that has existed for something like fifty years.

Mr. Lemieux: I am quite ready to accept my right hon. friend's word. I shall never doubt it, but at all events I understood that the amendment of the Senate did what I have stated.

Resting on that assurance, given by the right hon. gentleman, the amendment of the Senate was concurred in by the House of Commons; but my right hon. friend resigned, and the usual religious holidays on the occasions mentioned in the amendment moved by my hon. friend from Nicolet (Mr. Trahan), namely Epiphany Day, All Saints' Day, Conception Day, and Ascension Day, were not all observed. I may freely say that the right hon. Prime Minister (Mr. Meighen) this year, on the occasion of Ascension Day, had an Order in Council passed to maintain the custom of the past in connection with that festivity; and while I do not suggest that my right hon. friend was a party to it—far be it from me to say that—the Order in Council took effect only in the city of Ottawa. The Outside Service did not benefit by it, and consequently, as regards the other festivities, such as All Saints' Day and Conception Day, the usage and custom was not followed. I know from letters received from some of the civil servants that there was some objection taken to the decision of the various heads of departments. All that my hon. friend asks by the amendment is to re-establish the custom and time-honoured usage that has obtained since Confederation under Macdonald, under Tupper, under Thompson, under Abbot, under Laurier, under Mackenzie Bowell, under Alexander Mackenzie, and under Borden. I want my right hon. friend the present Prime Minister also to follow the precedent which all his great predecessors have observed.

Mr. MEIGHEN: I think that when I give the circumstances that have surrounded the treatment of this question since the discussion which has been quoted by my hon. friend from Maisonneuve (Mr. Lemieux), the hon. member for Nicolet will agree that there was no justification for introducing this amendment at this time. The discussion referred to undoubtedly took place. It appears that, last session, the Senate placed a clause in the Bill providing that there should be certain holidays, and no others, and these particular holidays inserted by the Senate did not include the four days embraced in this

[Mr. Lemieux.]

amendment. When the Bill came before Parliament objection was taken to it in that form, particularly on the part of the hon. member who has just sat down, the hon. member for Quebec (Mr. Lapointe), and the hon. member for Beauce (Mr. Bédard).

Mr. LEMIEUX: The hon. member for Nicolet too.

Mr. MEIGHEN: I did not recall his objecting to it. The Prime Minister at the time, the right hon. member for King's (Sir Robert Borden), argued that these days had not hitherto been statutory holidays, but that, by virtue of custom and convention, observance had been given to them within certain limits, and he gave his assurance that whatever observance had been given them in the past, would be given in the future. The question came up last fall, while I was absent in the West, orders were given that they should be observed as in the past and these orders were interpreted as extending the privilege of attending religious observances on these days. I am not certain that they were uniformly interpreted in all departments, but, at all events, they were interpreted that way in some. Consequently—I do not know what day it was, but it was a day last October or November—

Mr. LEMIEUX: All Saints' Day.

Mr. MEIGHEN:—they were instructed to be observed in the same way as in the past. Some complaints arose, I think, chiefly because the interpretation given was not uniform by the various deputy ministers, and, when the House opened, a question was found on the Order Paper, placed there by the member for Chambly-Verchères (Mr. Archambault). On looking carefully into the matter, it seemed to me that the words of my predecessor (Sir Robert Borden) might possibly have been understood to mean that, whatever might have been the extent of observance accorded these days in the past, they were to be holidays in the future, that is to say, whole holidays, because, as a matter of fact, they had not been observed as such, even in Ottawa, in previous years. Certainly they had not been observed as such in all the departments, although, I think, they were in some. Owing to the words of the Prime Minister being susceptible of the interpretation I have stated, making the holidays wider than previously, extending the custom, and making them whole holidays in the city of Ottawa, the question

of the hon. member for Chambly-Verchères was answered by assurance that, pending any revision of the law, the full and wide interpretation would be given to the promise that the Prime Minister had made. It has so been given ever since. Now, what I want to emphasize will illustrate how inappropriate it is for the hon. member to plunge the House into this discussion at this time. When instructions went out to the effect of the assurance given by myself in answer to the member for Chambly-Verchères, protests came from various departments that it meant a degree of observance that had never obtained in the past, and that was utterly unnecessary; and it was represented that it meant a cessation of public service that could not very well be allowed. Notwithstanding these protests, however, we went ahead and gave the entire holiday. The custom outside Ottawa has never been affected. The custom in Ottawa, instead of being restricted, has been amplified, and amplified against the protests of the deputy ministers. I think I have said enough to show that the Government has approached this subject in no narrow spirit, and the words of the member for Maisonneuve generously accord that to us. Consequently, there certainly was no need of introducing this question now. I may add that it is the purpose of the Government to have this subject thoroughly reviewed. I do not pretend to be a judge of these matters at all, but I am informed that there are many church holidays now observed which, according to the laws of either faith, are not required so to be observed or wholly observed. Possibly there may be some; I have not heard of any that should be observed that are not. However, it is the intention of the Government to review the entire subject with a view to bringing about this result; that no employee shall be required in any way to break the tenets of his faith by working at a time when those tenets call upon him for religious observance. At the same time you have this result: that there shall not be unnecessary waste by holidays not called for by the religious tenets of people's faith. We hope to bring that about in an amicable, friendly, and generous way, but meantime, while the law stands as it is, the assurance given to the hon. member for Chambly-Verchères (Mr. Archambault) having been observed in the past, will be observed in the future.

Mr. LAPOINTE: I am sorry that we have come to the point that we must plead

for what seems to me to be elementary. Surely at the time of Confederation nobody would have thought of refusing a request so elementary as that which is made by my hon. friend from Nicolet (Mr. Trahan).

Mr. MEIGHEN: What is there now that is not as wide or wider than anything given either by law or by custom at the time of Confederation?

Mr. LAPOINTE: I will show my hon. friend. In the Civil Service Act no holiday was mentioned in a special way. What was observed was what the Interpretation Act states must be considered as a holiday, and those days mentioned in the amendment of my hon. friend from Nicolet, are in that clause of the Interpretation Act. It was better to leave the Civil Service Act as it was than to introduce this amendment which was introduced in the Senate, for the purpose—and it was so stated in the Senate, and it can be seen in the Hansard—of refusing those holidays mentioned in the motion of my hon. friend from Nicolet. Now, Mr. Chairman, those days, under the laws of the Catholic religion are obligation days, which means that those who are of the Catholic faith must observe those days as they must observe Sunday. They cannot work on those days. It is a duty to conscience, and they must observe those days as holidays. Why should any gentleman in Canada object to that? Who is injured by that? Why should we be bound to plead for this? A few years ago an Act was passed by this Parliament prohibiting many things being done on Sunday, the Lord's Day, because people who believed that those things must not be done on Sunday petitioned this Parliament. There was a large number of the population of this country who thought that this law was too strict, and that many things had been forbidden which should be tolerated by law, but because it was contrary to the religious feelings of a large portion of the people of the country, that law was passed and accepted by everybody. Why refuse—not this concession—to sanction by law what has been done since Confederation? Why refuse to recognize that those employees of the Government should not be obliged to work on the four days mentioned in the amendment of my hon. friend from Nicolet? It is all right to say that they shall be granted a holiday, but that is not very certain, and they cannot rely on that. At the last minute before one of these holidays, last fall, an Order in Council was passed, but, as my hon. friend from

Maisonneuve (Mr. Lemieux) says, it only applied to Ottawa, and I received protests from many electors of the city of Quebec stating that they had been required to work on that day. Under the circumstances, Mr. Chairman, I feel bound to vote for the amendment of my hon. friend from Nicolet.

Sir ROBERT BORDEN: I would like to make it quite clear to the hon. gentleman that I gave no pledge last year, except that the past custom which was not based on any statutory enactment, would not be interfered with in practice in the future. That was the only pledge I gave. I did not give any pledge whatever as to future legislation.

Mr. LAPOINTE: That is a pledge, Mr. Chairman.

Sir ROBERT BORDEN: I gave a pledge that the custom would be observed, a custom that has been carried out for more than fifty years without any enactment. My hon. friend from Quebec East (Mr. Lapointe) asks why he is obliged to come here and plead for this. His party were in power for fifteen years, and they allowed the matter to stand as a custom and usage, as it had stood for many years previously. Why did he not plead then?

Mr. LEMIEUX: There was then no amendment of the Act by the Senate.

Sir ROBERT BORDEN: I pointed out last year that although the custom in respect to certain days had been converted by the Senate into a statutory enactment, it was not intended that the custom in respect of the other days should be interfered with. I made that perfectly clear, and the Prime Minister has pointed out that not only has the pledge which I then made, been fulfilled, but in one respect where there was some doubt as to the scope and meaning of the language used, the benefit of the doubt has been given to the officials of the Government, and they have enjoyed their privileges unimpaired, perhaps even greater privileges in this respect, than they previously enjoyed; so that I do not think my hon. friend from Quebec East adopts a fair tone when he represents these officers as being obliged to come here and vainly plead for something which has not been granted. It is granted now, as it had been granted for many years.

Mr. TRAHAN: Why not grant it now?

Sir ROBERT BORDEN: I do not understand my hon. friend's argument. The hon. member for Quebec East says  
[Mr. Lapointe.]

that they are required to come here and plead for their rights. They are not required so to plead. The usages and practice which have prevailed since Confederation are being observed now as they have been in the past. There is absolutely no occasion for reproach or suggestion of unfairness. The only difference is that in respect to certain days, usage has been converted into law, and in respect of other days usage is carried out exactly as it has been carried out in the past.

Mr. MACLEAN (Halifax): I have been interrupted for the last half hour. I thought the amendment proposed by the hon. gentleman from London (Mr. Cronyn) was before the committee, and I want to direct the attention of the committee to the last clause in that amendment. That clause reads:

The provisions of any statute or regulation—

The CHAIRMAN: I fear that the committee will get all tangled up if it attempts to discuss more than one clause or amendment at the same time. That to which the hon. member is now referring was carried some time ago.

Mr. MACLEAN (Halifax): When?

The CHAIRMAN: Ten minutes or more.

Mr. MACLEAN (Halifax): It could not have been carried by the committee, for the moment I sat down my hon. friend at the other end rose and commenced speaking on another subject. The motion I am sure was not put and declared carried by you, Sir.

The CHAIRMAN: The question was certainly put by the Chairman and the reply given was surely audible far beyond the limits of this chamber.

Mr. MACLEAN (Halifax): I must accept your ruling, Mr. Chairman, but I think in this instance you did not have an opportunity to declare the section carried. I had barely taken my seat when the hon. gentleman at the other end of the chamber was on his feet discussing his subject.

Mr. STEVENS: The vote was called.

Mr. MACLEAN (Halifax): Not upon the amendment moved by the hon. member for London.

Some hon. MEMBERS: Yes.

Mr. MACLEAN (Halifax): There was no such motion voted on; it was on the amendments proposed by the Minister of Immigration.

Mr. CALDWELL: I have been following this discussion as closely as possible and I agree with the statement of the hon. member for Halifax.

Mr. EDWARDS: I rise to a point of order.

The CHAIRMAN: The Chair cannot reverse its decision. That may be done by the House but I am sure if a vote of the committee were taken on the subject the great majority would support the Chair. The clause was put to the committee and was carried before the hon. member for Nicolet rose to submit his amendment.

Mr. CALDWELL: I am not disputing your statement, Mr. Chairman, that the motion was put and carried, but I think we at this end of the chamber should insist that both the Chairman and the members who address the Chair speak loud enough so that we can hear. I think we are entitled to that much consideration at least; if not, we had better go home.

Mr. MACLEAN (Halifax): Mr. Chairman, I am not going to persist in the position I took, but I heard some hon. gentleman across the way say a moment ago that the motion was put and members voted upon it. I am prepared to accept your statement, Sir, that you declared the section carried, but I am not prepared to accept the statement of any hon. gentleman that the motion was put to the committee and carried by a vote.

The CHAIRMAN: I am sure the committee desires to do justice to every hon. member and it is not often that the Chairman is told that he cannot be heard. If I were allowed to make a suggestion it would be that when we have disposed of the amendment now under consideration, we return, by unanimous consent, to the clause which has been adopted, for the purpose of allowing the hon. member for Halifax (Mr. Maclean) to conclude his remarks.

Some hon. MEMBERS: Hear, hear.

Mr. DOHERTY: I have always felt that the manner in which the legislation with regard to these four days came to be enacted was very unfortunate. As has been said, those days were struck out by an amendment in the Senate to a bill that went from this House without having reference to the subject matter of that Bill. I mention that because I desire to say that the method now sought to be adopted to provide a remedy is just as unsatisfactory as was that employed to bring

about the condition. We are in this position, that whatever may be the legal interpretation of that disposition, we have the pledge of the Prime Minister that what happened before that legislation will continue to happen, and we have that verified by the fact that it has happened, with the exception of the days in regard to which the misunderstanding arose.

Mr. TRAHAN: May I ask the right hon. gentleman a question? Why should not that pledge be embodied in the law?

Mr. DOHERTY: I was about to point out the reason why. We have that pledge, and we have it accompanied by the further pledge that the whole subject of putting our legislation with regard to these holidays in better shape will be dealt with.

Mr. CANNON: Will my right hon. friend allow me a question? As Minister of Justice and the legal head of the Government, does he claim that the Senate has the right concerning the Civil Service Act to set aside section 32, subparagraph 11 of the Statutes of Canada?

Mr. DOHERTY: I understand the Senate has the right to amend any statute of Canada if it obtains the concurrence of this House. However, I should like to confine myself to just what is germane to this particular matter. I am asked why the condition referred to should not be remedied in this way. My answer is perfectly simple. Those whom the hon. member for Quebec East spoke as pleading for have the absolute assurance that they will have just what they are asking for, accompanied by the further declaration that this entire subject will be taken up with a view to putting our legislation in a more satisfactory condition. Now, I appeal to hon. gentlemen, is it not desirable that a question of this kind, which is susceptible perhaps of arousing feeling in some measure, perhaps justified, should be dealt with in the manner least likely to give rise to any such feeling? And is it not more to the interest of those who desire to have the fullest liberty—and I am among their number—to observe their religious holidays, that the subject should be so dealt with so long as in the meantime they have that full privilege? I appeal most earnestly to the hon. gentleman who has made this motion and whose sentiment in regard to these days I have no doubt is identical with my own, to withdraw the motion and afford the opportunity of action being taken such as I have suggested, and so bring about an adjustment that will leave behind it no hard feelings.

Mr. EDWARDS: Last session, when the Bill amending the Civil Service Act came to this House from the Senate, I took a position somewhat different from that taken by the majority of members on this side. The effect of the amendment then adopted by the Senate was to place Roman Catholic civil servants in such a position that if they obeyed the law of the land they violated their conscientious convictions and if they followed their conscientious convictions they disregarded the law of the land. It seemed to me that that was an illogical position for the Senate and for this House to take. I hold that view now just as strongly as I held it last session. The hon. gentleman who has introduced this amendment should, in my view, accept the assurance which has been given him by the Government and withdraw the amendment. I say that for this reason: in the first place, it is the expectation that the House will finish its business to-morrow, and if we adopt this amendment and send it to the Senate we can hardly expect the Senate in a few minutes or a few hours to reverse the decision which they arrived at last year. Notwithstanding the amendment that was made last year, the holidays have been given to those of the Roman Catholic faith in the Civil Service; a most generous interpretation of the law has been given. The Government has assured the hon. member that it is their intention that this whole matter will be taken up later—and for myself I think it should have been taken up long ago. It is the evident intention, then, of the Government to settle this matter once for all upon the best judgment that can be brought to bear upon it, and upon an unbiased consideration of all the facts. Now, I do not think that the hon. member for Quebec East (Mr. Lapointe) is not warranted in taking the position that he takes here this evening. But I can see the reason why he does so; he wants to be in a position to go to certain people in his province and present the case that they are being unjustly and unfairly treated. That is the position; he would be disappointed if he did not have an opportunity to carry that tale to the people. If the hon. gentleman wanted to be consistent; if he was as much concerned in this matter as he would like the House to believe he is, he should have taken advantage of opportunities available earlier in the session to have the matter fully discussed and to have our opinion passed on to the Senate with full opportunity for them to discuss

[Mr. Doherty.]

it. But he did not avail himself of that opportunity at any time in the session, and now, within twenty-four hours or thereabouts of the end of the session, he avails himself of what he evidently looks upon as a golden opportunity to raise a religious cry amongst his people in the province of Quebec.

Some hon. MEMBERS: No, no.

Mr. EDWARDS: That is exactly the position taken by the hon. member for Quebec East. In my judgment, that is exactly his purpose in taking the course he is taking to-day.

Mr. CANNON: The hon. member for Nicolet (Mr. Trahan) requested me to second the amendment; therefore I would like to make a few remarks with regard to it and also with regard to the suggestion just made by the hon. member for Frontenac (Mr. Edwards). This amendment is in no way introduced to raise religious feeling in the province of Quebec. I am sure that if my hon. friend from Frontenac had as intimate a knowledge of the hon. member for Nicolet as I have he would not think for a moment that the hon. member would do anything of the kind.

Mr. EDWARDS: Now, do not misunderstand what I said. I did not charge the hon. member who introduced the amendment with having any such intention; I made my charge specifically against the hon. member for Quebec East (Mr. Lapointe).

Mr. LAPOINTE: The hon. member for Quebec East did not even know that this amendment was to be presented. He entered the chamber while the amendment was being discussed.

Mr. CANNON: So far as I am concerned I do not second the amendment with the idea of raising any religious outcry in this committee and in the last hours of the session. The amendment asked for is either right or wrong. If it is wrong, why should the Prime Minister, the Minister of Justice and the former Prime Minister get up and pledge themselves to give us what we are asking for? These gentlemen consider that our demands are perfectly reasonable; it would be impossible for any sensible man in the House to claim the contrary. If then, what we are asking for is right, why not enact it? If we were asking for something extraordinary, something exceptional, something exorbitant, opposition on the part of hon. gentlemen

on the other side might be easily explained. But what we are asking by this amendment is simply to incorporate in the Civil Service Act the exact words to be found in another part of our statutes, which provide that certain days shall be regarded as holidays in Canada. The very days mentioned in the amendment of my hon. friend are to be found in section 32 of the Act containing this provision. In one statute, therefore, these days are considered as holidays, but in another, the special Act respecting the Civil Service—through an amendment put in by the Senate—certain of these days are not recognized as holidays. Is that situation logical? Is it reasonable? Is it a situation that should exist in a country which boasts of some broad-mindedness? I am sure that if hon. gentlemen opposite would consider this amendment in the light in which it ought to be considered, there would be no opposition to it; every man on the other side, no matter what his religious creed, would be pleased to acknowledge the rights of the Catholics in this country. It is unfair that Canada should ask her civil employees to put aside the religious obligation of not working on certain days; that she should place them in the position of either being bad members of their church or being disobedient servants of the state. Simply to put the matter clearly before the committee should suffice; in my opinion, to bring about a unanimous decision to support the amendment introduced by the hon. member for Nicolet. We are asking only for simple justice, and we ought to get it.

Mr. MANION: I know that my hon. friends on the other side will not accuse me of taking a narrow view upon a question of this kind. The Prime Minister has stated that this matter will be given thorough consideration and dealt with at the next session of Parliament. We are in the dying hours, we hope, of this session, and in view of the fact that, as I believe, no serious complaint has been made with regard to the carrying out of the spirit of the amendment in the past, I appeal to my hon. friend from Nicolet and my hon. friend from Dorchester—two hon. gentlemen for whom I have personally a very sincere respect—to withdraw this amendment, not only upon these grounds, but upon the ground of harmony and good feeling throughout this country. The hon. member for Dorchester spoke of hon. members on this side being broadminded. One of the things which struck me when

I came to this House a few years ago was the fact that the very largest proportion, I might almost say at least 95 per cent of hon. gentlemen with whom I am associated on this side of the House, have always shown to me and, to my knowledge, not only in my presence but elsewhere, the most broad-minded spirit in dealing with religious and national questions. I say that to-night without any fear of contradiction from anybody who has associated with hon. gentlemen on this side. I appeal to hon. gentlemen opposite to show the same tolerant spirit which they sometimes ask for, and to withdrawn this question and allow it to be settled, as suggested by the Prime Minister, at the next session of Parliament.

The CHAIRMAN: Before submitting the question to the committee, I must rule upon the point of order which was raised by the hon. member for North Bruce (Mr. Clark). My impression at the time was that the point was not well taken and that this could not be considered as an amendment creating a direct charge upon the public treasury. The question was one where I felt that I should not rely upon my own judgment and I therefore withheld my decision and sent a memorandum to the Parliamentary Counsel, Mr. Francis H. Gisborne. It consisted of a copy of the amendment with the following words:

Could this in your opinion be considered as a money clause?

This is his reply:

Certainly not. It is not a charge on the treasury even though it may diminish the work done by the Civil Service.

Mr. FIELDING: I came in late in the discussion and heard only the end of it. I realize, therefore, that I am not as well equipped as I should be for coming to a decision. I would rather avoid voting on the question if I could, but that cannot be. I believe, under our system of Government, long established customs amount to law—and even if there were no statutes in the matter, if it has been our custom in all these years to recognize certain holidays in our country, with its differences of opinions and creeds, I should like that custom to be continued. The hon. member for Nicolet (Mr. Trahan) moved his amendment before I came in. I did not hear his amendment nor his early remarks. But I heard him ask the question: "If these are proper holidays, why not say so on the statute book?" I have an answer at once. If we are going to discuss and settle by statute the question of holidays, they must be considered from the

standpoint, not of one church, but of all churches. The hon. member has asked that there be placed on the statute book certain holidays which are days of obligation in his church. He is entirely right from the point of view of his church. But if you are putting them into the statute you must consider the views of other denominations. Other churches in Canada may desire to have observance of particular days. For that reason I would rather not vote to-day to put any specific days in. I would hope my hon. friend would be able to accept the assurance of the Prime Minister that, in the first place, the custom of the past will be continued for this year, and that at some early date the whole matter will be considered with a desire to put the matter in a form that will be acceptable to all classes and creeds. From that point of view, I would much prefer if my hon. friend were able to withdraw the amendment. If I have to vote upon it, I shall have to vote against it, although I would do so with great regret.

Mr. CLARK (Red Deer): May I be permitted, in a sentence, to fortify the very moderate appeal of the hon. member for Fort William and Rainy River (Mr. Manion)? It would be a matter of poignant regret to me to see any division in this House based upon religious views, or that might be suspected to be a division based upon such views. As for my personal regret, that is a small matter; but I hold, further, that such a division is to be avoided by every well wisher of this country if it can be avoided by any reasonable means. I would appeal to my friends, if I may call them so, the mover and the seconder of this amendment, to weigh well what fell from the hon. member for Fort William and Rainy River. Might I add my personal confession to his appeal, that this question has been sprung so suddenly that, sitting at this end of the chamber, I cannot give an intelligent vote on it at this moment? I have the greatest objection to running away from any vote. I think our friends on both sides of the House will do me the credit of saying that, as a rule, I have the courage of my convictions. There is tremendous force, in the mind of one who has been brought up as a British Liberal, in what has been pointed out by the hon. member for Shelburne and Queen's (Mr. Fielding), that if you begin to give statutory recognition to sects, it is impossible to resist the claim that more than one sect has directed. As a matter of fact,

[Mr. Fielding.]

one of the fights of British Liberalism, as I learned it—and I am not putting this forward as an argument so much as a request for light on this question—was to relieve the State as soon as possible of even the most distant connection with any given church in the State. I should like to put that to my hon. friends, and if we are to vote on this amendment, I should like to have enlightenment upon how, as Liberals, they reconcile themselves with the history of Liberalism, not only in Britain, but in this country. There was a time when the Anglican church was an established institution in Canada, but it was dug up. I should like to have an explanation which would disabuse my mind of what I am sure will be recognized as legitimate fears upon this point.

But I rose merely to reinforce, if I could, in a single word, the very moderate and tolerant appeal that was made in the speech of my hon. friend from Fort William and Rainy River. Why not accept the assurance of the Prime Minister and give time, if such be thought necessary, to get together the best minds on both sides of this House and discuss this matter calmly and quietly, and let the Government deal with it when they have something like a mature opinion upon the subject? I appeal to my hon. friends to relieve some of their friends and some friends who sympathise with their position, from a difficult position and not to throw an apple of religious dissension into the last hours of this session which may spread to a very great extent in this country. I make that appeal on the grounds of broad Liberalism of thought, and I trust they will give earnest heed to the words which I have ventured to utter.

Amendment (Mr. Trahan) negatived.

The CHAIRMAN: Before declaring the title carried, a question was raised by the hon. member for Halifax (Mr. Maclean). I think, by unanimous consent, he might be allowed to say a word.

Mr. MACLEAN (Halifax): I am sorry there is any difference of opinion as to what occurred in the committee some time ago in respect to the amendments which were recommended by the Soldiers' Civil Re-establishment Committee. I wish to point out to the committee that in the statute as it at present stands the preferred position accorded to returned men, or returned naval men, is qualified by this condition, that as respects age and physical capacity to carry on the work the fitness of the candidate must be certified to by

the Civil Service Commission. Section 4 of the amendment reads as follows:

The provisions of any statute or regulation prescribing the age limit and physical requirements with respect to any appointment in the Civil Service shall not apply to any persons with the military or naval service mentioned in subsection two or three of this section.

The effect of this amendment would appear to be that all persons placed in the preferred list are entitled to appointment regardless of their age or physical capacity to perform the work required. That is my reading of the amendment as it now stands, and I think it

10 p.m. would be a very unfortunate thing if my understanding of the amending section is correct. I quite agree with hon. gentlemen who desire to do everything we can for the returned men, and I quite concur in giving them the preference in appointment to the public service in accordance with the statute as it now stands, but I do submit for the judgment of the committee that we must always have in mind the welfare of the public service, and that nobody must get into the service without some qualification as to age, physical competency, and that sort of thing. I think it would be very unfortunate if this section was passed as it stands. It looks to me, Mr. Chairman, as if the resolution proposed the other night were being enacted just as it was presented to the House. Now a resolution is one thing, but amending sections to a statute are another thing. I have always understood that the law officers of the House or the minister responsible for any Bill passing through the House had to have a statute drafted, not necessarily in the exact terms of the resolution; in fact, there should be more care shown in the drafting of the statute. I do not know whether anybody has heard me. The House does not seem as if it were in a condition for doing business at the present time, and two hon. gentlemen are standing before the Chairman at the moment; just why, I do not know.

Mr. CURRIE: That point was placed before the committee by the gentleman who introduced the amendment, and the committee was quite seized of the facts. The House having unanimously adopted the resolution, I do not think it is necessary for us to go back to it.

Mr. MACLEAN (Halifax): With all respect to my hon. friend, I do not think he understands the suggestion which I have placed before the committee.

Mr. CRONYN: I think we might let the amendment go through as it stands this year. If there is anything wrong, it could very readily be put right later. I just want to take this opportunity to say that in speaking in reply to some remarks of my hon. friend from Quebec South (Mr. Power) I made the statement that subsection 4 made no alteration in the law as it existed before this year. I find that it does. My hon. friend from Halifax has pointed out that it does make a difference in that it omits these qualifying words "as to age and physical condition" which he had just mentioned. I think perhaps another year it might be well to look into that. In the meanwhile no harm can be done because the great majority of returned men have not yet reached the age where they would be affected.

Mr. MACLEAN (Halifax): I would like to make another suggestion. It is not fair to present a resolution to the House or to the committee as a Bill. It may sometimes happen that a resolution on which a Bill is founded is in such form and phraseology that it can be embodied word for word in the Bill, but I do say that no minister should have presented the amending clauses to the House in the form in which they have been presented. I would suggest that some member of the Government take the amending clauses which were reported from the Soldiers' Civil Re-establishment Committee, follow them to the Senate, and there attempt to amend them if, on consideration, the Government are of opinion that they should be amended.

Mr. CALDER: In reply to my hon. friend, I think it would be well if three or four of us got together and carefully considered the matter, with a view to following out his suggestion.

Mr. NESBITT: I have much pleasure in endorsing that suggestion.

Bill reported, read the third time, and passed.

#### ADDRESS TO HIS EXCELLENCY THE GOVERNOR GENERAL

##### MESSAGE FROM THE SENATE

Mr. SPEAKER: I have the honour to inform the House that a message has been received from the Senate acquainting this House that the Senate doth unite with the House of Commons in the Address to His Excellency the Governor General on the occasion of the approaching termination of His Excellency's official connection with

this country, by filling up the blank with the words "Senate and."

### SUPPLY

House again in Committee of Supply.

Scientific institutions—International boundaries: expenses connected with the survey and demarcation of international boundaries, including \$1,000 to J. J. McArthur, as International Boundary Commissioner, \$37,820.

Mr. LEMIEUX: Is this for the completion of the Alaska boundary?

Mr. MEIGHEN: The Alaska boundary comes in. The International Boundary Commission will be closed up, and if there is another Estimate after this year, it will be only a small one for maintenance of the boundary marks.

Item agreed to.

Northwest Territories explorations, \$70,000.

Mr. MACKENZIE KING: Is this \$70,000 necessary?

Mr. MEIGHEN: It will be well to have this amount in case it may be the part of wisdom to take action. I do not anticipate that we shall spend that sum.

Item agreed to.

Dominion lands and parks, \$5,142,070.

Mr. LEMIEUX: This amount, I suppose, is spent mostly on parks near Banff, and in connection with the herd of buffalo which Canada possesses. Perhaps the minister might explain the item.

Mr. FIELDING: I move that the vote be considered item by item.

Motion agreed to.

Protection of timber in Manitoba, Saskatchewan, Alberta, the N.W.T., and the Railway belt in B.C., tree culture in Manitoba, Saskatchewan, Alberta, and inspection and management of forest reserves, \$1,000,000.

Mr. BUREAU: Would it be possible to take \$5,000 from this appropriation and give it to the Canadian Forestry Association, which is carrying on such excellent work? I understand that the Minister of the Interior (Sir James Lougheed), and, if I remember rightly, the Minister of Trade and Commerce (Sir George Foster), have been written to in this connection, and I think that an amount of \$5,000 could be taken out of this vote for the protection of timber in Manitoba.

Mr. TOLMIE: We have \$4,000 already in the Estimates for the Forestry Association.

[Mr. Speaker.]

Mr. BUREAU: Then I suggest that you take \$1,000 from this and add it to that \$4,000, because the Forestry Association needs at least \$5,000 with which to carry on its operations.

Mr. JACOBS: I suggest that the \$1,000 grant to the Alpine Club be turned over to the Forestry Association. The Alpine Club consists of wealthy people who seem to be using this Government for the purpose of assisting them.

Mr. TOLMIE: I will bring the matter to the attention of the minister in charge. We gave them \$7,000 last year, and there is an estimate for \$4,000 this year.

Mr. POWER: Last year I urged upon the Minister of the Interior to add to the grant of \$4,000 to the Canadian Forestry Association, \$4,000 or \$5,000 more, and I also suggested, as my hon. friend (Mr. Jacobs) has suggested, that we cut out the \$1,000 which we granted the Alpine Club. I am sure that if the minister were aware of the good work done by the Canadian Forestry Association to preserve our forests he would take more interest in it and be willing to grant a larger sum. The Forestry Association has a car which goes from one end of Canada to the other demonstrating the best means of fire protection and tree culture. They also have moving pictures and they go among the settlers, the colons as we call them in Quebec, teaching them the best means of setting fires in order to clear the land. By means of lectures, they impress upon the people the extreme importance of preserving to our country one of its greatest natural resources, namely, the forests. If there is one object which ought to be aided by the Government, it is the work of the Canadian Forestry Association. This association has been in existence for some time, and through its efforts the provincial governments and others have been aroused to the great importance of forest conservation. When the Forestry Association was first instituted, I doubt whether any of the provinces had taken steps to conserve this natural heritage. Now, owing to the efforts of this association, and some of the zealous members of it in particular, we have, in nearly all of the provinces, laws which eventually will make for the adequate protection and preservation of our forests for future generations. I wish to impress once more upon the minister the fact that the Alpine Club gets a grant of \$1,000 which is not justifiable. What good that club does the country, I do not know.

Last year I was told by the present Prime Minister that it brought a lot of tourists. That may be true; but so do the Canadian Pacific Railway and all the other railways and shipping lines. We might just as well give \$1,000 to the Canadian Pacific Railway, or to any of the steamship companies, as to the Alpine Club, in so far as bringing strangers to the country is concerned. The lumber business certainly brings capital into the country to help to develop it, and if we could help the Forestry Association in their efforts to preserve the resources we have, we should be better off than by bringing in a few tourists to spend a few dollars in the country.

Mr. CAMPBELL: I support the position taken by the last two speakers. I know something about the work of the Forestry Association, and it is a very great advantage to Canada at the present time. There are few things undertaken by any department of Government more important just now than the preservation of our forests. This is a matter to which we must pay careful attention. Considerable stir has been created by certain people regarding the export of pulp wood from the country. The way things are at present, however, it would be better to export pulpwood and all other kinds of wood as fast as possible, because more wood is lost every year by fire than by exportation. The big task which the Government has before it is the preservation of our forests, and the Canadian Forestry Association is doing a very important work in this respect. I emphatically endorse the proposition made by the last few speakers. Does this vote include any amount for aerial service? Is it the intention of the minister to establish an aerial patrol, if so, is anything being done in that respect, and if something is being done, to what extent is it being done? In other countries—I will not say specially in the United States, although I know something about it there—aerial services are established which are of very great moment in this connection. Far more work can be done by one aeroplane than by hundreds of men patrolling in other ways, and I would like to have some information from the minister in this respect.

Mr. TOLMIE: In reply I beg to say that this item does include a certain amount for aerial patrol and this will be used for that purpose. In British Columbia the aerial patrol has been found very useful indeed in connection with forests. Regard-

ing the Canadian Forestry Association, I very fully appreciate the very excellent work that it is doing. I think the appropriation of four thousand dollars is a modest one, indeed, and I will have great pleasure in bringing to the attention of the minister in charge of this department the remarks of the hon. gentlemen with reference to increasing this grant very materially. With regard to the Alpine Club, I think they are accomplishing a great deal of good. I come from a province where we cater to the tourist trade, and we have tens of thousands of visitors to that part of the country. They leave a lot of money there every year, and we are beginning to think that the work of inducing tourists to come to British Columbia and enjoy themselves is becoming quite an industry.

Mr. POWER: The recent liquor legislation will assist.

Mr. TOLMIE: It will help materially.

Mr. CAMPBELL: Is any provision being made for aerial patrol in the three Prairie Provinces? I only heard British Columbia mentioned.

Mr. TOLMIE: It applies to all the provinces. I merely referred to British Columbia, as having had some experience of the aerial work being done by the Provincial Government, but this appropriation refers to the use of aeroplanes in all the provinces.

Mr. DENIS: I notice the protection of timber is limited to Manitoba and the western provinces. How is it that it does not extend also to Ontario, Quebec and the eastern provinces?

Mr. TOLMIE: This protection applies only to Dominion lands, where the Government owns timber lands.

Item agreed to.

Reclamation of Dominion Lands by Drainage (including revote of \$149,000), \$300,000.

Mr. CAHILL: Where is this money being spent?

Mr. TOLMIE: In southern Alberta and southern Saskatchewan.

Item agreed to.

Canadian National Parks, \$800,000.

Mr. ARCHAMBAULT: I would like to ask the minister if he could tell the committee how many employees there are at Banff in connection with the Canadian National Park.

Mr. TOLMIE: Does that include labour?

Mr. ARCHAMBAULT: Yes, and the office staff.

Mr. TOLMIE: I have not the details of Banff alone in 1911, but the whole staff in 1914 was 109, and in 1921, 186.

Mr. ARCHAMBAULT: The reason I am asking is that I have received a letter which says:

"Take the office staff at Banff, they have a large building, they are simply falling over each other; some of them might be sitting on the ground. It is one of the jokes here that some of the staff have to be on the street all the time to make room in the office."

There seems to be a complaint that there are too many employees. This letter also states that some of the members of the office staff are named on the payroll as labourers. Will the minister kindly tell the committee how many labourers there are employed?

Mr. TOLMIE: The nature of the work up there includes a great deal of road work for which labourers are hired. Sometimes as many as eighty or a hundred men may be employed on these roads, and these vary from time to time according to the supply of labour and the amount of work being carried on.

Mr. ARCHAMBAULT: I understand they are building a golf course up there.

Mr. TOLMIE: There is a golf course in process of construction.

Mr. ARCHAMBAULT: That probably accounts for the great number of labourers.

Mr. TOLMIE: A good many of them.

Item agreed to.

Administration of the North-west Game Act and the Migratory Bird Act, \$60,000.

Mr. FIELDING: Might I remind my hon. friend of a matter I mentioned early in the session? There is some discontent with regard to the operation of the Migratory Birds Act in the lower provinces, it being complained that the dates chosen, not by the statute but by regulation, for forbidding the shooting of birds are not those which are best suited to the condition of the country. I do not wish to do more than call my hon. friend's attention to it, so that he may see that proper inquiry is made, and if suitable dates can be fixed, I am quite sure the department will try to meet the views of the people.

Mr. TOLMIE: I shall be very glad to inquire into the matter.

[Mr. Tolmie.]

Mr. SINCLAIR: How is that sixty thousand spent?

Mr. TOLMIE: The items are as follows:

Salaries.. . . . .	\$12,230
Maintenance of sanctuaries.. . . .	5,600
Traveling expenses.. . . . .	17,500
Publicity.. . . . .	6,000
Legal expenses.. . . . .	2,500
Honorary officers' expenses . . . .	500
Contingencies.. . . . .	1,500
North-west Game Act, Wolf Bounty.	3,000
Wood Buffalo patrol.. . . . .	4,420
Reindeer Herd, Lobster Bay, salaries and expenses.. . . . .	5,750

Mr. SINCLAIR (Antigonish and Guysboro): Where are the sanctuaries?

Mr. TOLMIE: The sanctuaries are located in different parts of the western provinces, some in Saskatchewan, and some in Alberta.

Mr. SINCLAIR: Are these bird sanctuaries?

Mr. TOLMIE: Yes.

Mr. SINCLAIR: Are there any in Eastern Canada?

Mr. TOLMIE: I understand there are some in the Maritime Provinces, but these are carried on in co-operation with the Provincial Governments in the eastern provinces wherever they exist.

Mr. SINCLAIR (Guysborough): Can the minister tell us where they are?

Mr. TOLMIE: I regret I cannot give that definite information now, but I will be very glad to secure it for the hon. member.

Mr. SINCLAIR (Guysborough): Perhaps the minister can tell us how much is expended in the Maritime Provinces?

Mr. TOLMIE: I cannot give those details just now, but I will be very glad to get them.

Mr. SINCLAIR (Queen's): I wish to endorse the remarks of the hon. member for Shelburne and Queen's in regard to the Migratory Birds Convention Act and its enforcement in Eastern Canada. A great many of our people feel that their shooting rights in the spring have been interfered with by the enforcement of the regulations necessary under the treaty. I would commend the idea voiced by the hon. member for Shelburne and Queen's to the minister and ask him to convey the same to the Minister of the Interior, in order that when the time comes for renewing that treaty consideration may be

given to the arguments put forth by those in Eastern Canada who have enjoyed the right of shooting in the spring of the year migratory birds, chiefly geese and brant: Some of the older sportsmen and fishermen are of the opinion that sufficient consideration was not given by those who negotiated the treaty to the fact that the birds which migrate north in the spring and stay in the bays and inlets along the shore of the Atlantic coast are not the laying birds. The chief reason given for preventing the shooting of those birds at that time of the year was to preserve the breeding birds. It is stated by those men that the latter birds go north direct to the breeding grounds and that it is very rare for a bird to breed before four years old. I have no opinion to submit myself, but if the claim of these men is well founded it is worthy of consideration and should be borne in mind before the treaty is renewed.

Mr. FIELDING: I do not think it would be necessary to amend the treaty. In the cases which came under my own observation I felt they could be dealt with by amending the regulations. Of course, the principle of the treaty is that there shall be protection of the birds, but it leaves the selection of the time of prohibition very largely to the governments. Therefore I hope that the desired effect can be accomplished, not by changing the treaty but by better determining the form of the regulations.

Mr. SINCLAIR (Queen's): The information I had was that the treaty made the close season on the North American continent from early in March until September, and that the other portion of the year was all that was left to the regulations. If I am correctly informed, my hon. friend will see that it does not leave to the regulations an opportunity to give an open season in the spring of the year. I may be wrong in that. If so, the hon. minister will please correct me.

Mr. SINCLAIR (Guysborough): I have a suggestion which the Minister of Agriculture might pass on to the Minister of the Interior. There are suitable islands on the coast of the Maritime Provinces which might be reserved as bird sanctuaries. That policy has been adopted in the Gulf of Mexico by the state of Florida. Certain islands are reserved, people are prohibited from landing there, and in the course of time the birds get to know that they are safe. The policy is working out very

well. I have some doubt whether this \$60,000 is being well administered; \$17,000 for travelling expenses looks pretty large and makes one wonder what the man was doing in travelling about so much. I think it would be well for the minister to have the department look into this question as there is a good deal of dissatisfaction on the coast about the regulations, and there does not seem to have been any improvement since this administration commenced.

Mr. TOLMIE: I will be very glad indeed to bring that suggestion to the attention of the Minister of the Interior. In connection with this item we have two caretakers at \$300; twenty caretakers at \$125; caretakers' expenses and materials, sign posts, etc., \$2,500: making an expenditure of \$17,500. Naturally in an extensive area like that western country there is bound to be a great deal of money spent in travelling from one place to another in enforcing the regulations.

Item agreed to.

Costs of litigation and legal expenses, \$10,000.

Mr. PEDLOW: I should like to know the reason for such a large amount being expended. Last year the appropriation was half that amount. This seems an enormous amount of money for legal expenses.

Mr. JACOBS: I might tell the hon. member for South Renfrew that \$10,000 is not a very large sum for legal expenses.

Mr. TOLMIE: The item is estimated to be necessary to meet legal expenses in matters relating to disputed cases in connection with Dominion lands, timber, grazing, and mining lands in Alberta, Manitoba and Saskatchewan, mining lands in the Yukon territory or other legal expenses for the fiscal year 1921-1922. The expenditure during the past six years has been as follows:

1914-15.. . . . .	\$10,711 65
1915-16.. . . . .	7,933 96
1916-17.. . . . .	11,006 32
1917-18.. . . . .	6,645 11
1918-19.. . . . .	3,591 50
1919-20.. . . . .	5,624 36
1920-21 (estimated) . . . . .	10,000 00

So that this figure is a very fair estimate of what might be expected.

Mr. PEDLOW: Does the minister anticipate any extra heavy expenses during the current year from lawsuits which would warrant the increase?

Mr. TOLMIE: We do not expect anything very extraordinary. This is the

usual Estimate regarded as being necessary to cover these contingencies.

Item agreed to.

Seed Grain Advances—Amount required to meet uncollected portion of advances of seed grain made in the western provinces by the chartered banks to holders of unpatented Dominion lands under the guarantee of the Dominion Government, also including commissions, fees to sec.-treasurers of municipalities and officers of the Provincial Departments of Agriculture and clerical assistance, etc, \$500,000.

Mr. SINCLAIR (Guysborough): What is the gross amount that has been defaulted in connection with seed grain advances?

Mr. TOLMIE: There is \$1,750,000 outstanding out of more than \$10,000,000 which has been expended in seed grain advances since 1876. In all these cases the department has a lien on the land. The farmer purchases his own grain and the banker supplies him with the money; then the Government stands behind the banker with the land as security.

Item agreed to.

Amount required to provide relief by way of necessary supplies of food, clothing, fuel, etc., also fodder for animals, to needy settlers of the provinces of Alberta and Saskatchewan by co-operation and agreement with the Provincial Governments or otherwise, and under regulations to be made by the Governor in Council (Re-vote of part of unexpended balance of 1919-20), \$325,000.

Mr. CAHILL: Is this by way of loan?

Mr. TOLMIE: It is in the form of loan to the settler through the Provincial Governments.

Mr. PEDLOW: How much of the amount appropriated last year for this same purpose was expended during the year?

Mr. TOLMIE: \$375,000.

Item agreed to.

Miscellaneous—grant to Imperial Mineral Resources Bureau, \$12,166.67.

Mr. CAHILL: This item was under consideration earlier in the session and the minister promised to give some information regarding it.

Mr. TOLMIE: The establishment of this bureau was discussed at the Imperial War Conference held in London in 1917, and a committee appointed to report on it. This committee subsequently reported favourably to the project; the organization of the bureau was proceeded with and is now practically completed. The expenses of the bureau during the organization period were

[Mr. Tolmie.]

met by the British Government and they purpose contributing the sum of £10,000 annually to its upkeep, the Dominions being expected to contribute an equal amount. The contributions for 1920 were as follows:

Imperial Government.. . . . .	£10,000
Government of the Dominion of Canada	2,500
Commonwealth of Australia.. . . . .	2,000
Government of India.. . . . .	2,000
Government of New Zealand.. . . . .	1,000
Government of Newfoundland.. . . . .	250
Crown Colonies and Protectorates as detailed hereunder:	
Union of Federated Malay States ..	500
Gold Coast.. . . . .	250
British Guiana.. . . . .	250
Ceylon.. . . . .	250
Nigeria.. . . . .	250
St. Vincent.. . . . .	10
Fiji.. . . . .	10
Straits Settlements.. . . . .	10
Cyprus.. . . . .	10
Trinidad.. . . . .	10
Sierra Leone.. . . . .	10
Jamaica.. . . . .	10
Grenada.. . . . .	10
Gambia.. . . . .	10
Barbados.. . . . .	10
British Honduras.. . . . .	10
Leeward Islands.. . . . .	10
Zanzibar.. . . . .	10
Falkland Islands.. . . . .	10
Mauritius.. . . . .	8
St. Lucia.. . . . .	3
National Federation of Iron and Steel Manufacturers.. . . . .	1,000

The functions of the bureau are to collect, co-ordinate and disseminate information as to the resources, production, treatment, consumption and requirements of every mineral and metal; to ascertain the scope of existing agencies with a view ultimately to avoiding any unnecessary overlapping that may prevail; to devise means whereby existing agencies can, if necessary, be assisted and improved in the accomplishment of their respective tasks; to supplement these agencies if necessary in order to obtain any information not now collected which may be required for the purpose of the bureau; to advise on the development of the mineral resources of the Empire and of all particular parts thereof in order that such resources may be made available for the purposes of Imperial defence of industry or commerce. The bureau is controlled by a board of governors representing all portions of the British Empire. The governor for Canada is Dr. W. G. Miller who attended the sessions of the bureau for a short time each year. We are at present represented on the bureau by Dr. H. M. Ami, who works through the offices of the High Commissioner for Canada. Neither of these men is paid any salary. Already a considerable number of bulletins have been issued cover-

ing particularly metals or minerals, such as nickel, zinc, manganese, copper, cobalt. These deal with occurrences throughout the world, the production and condition of the industry, also the extent to which we are dependent or independent on foreign sources of supply. The bureau is also building up a file in which will be tabulated information regarding the mineral resources of the various portions of the British Empire, and that will be extended to cover the world. This file is of service to us since it has already been the cause of a number of inquiries from firms in Great Britain wishing to obtain minerals in this country.

Mr. CAHILL: I wish merely to protest against the continuation of this bureau as an outgrowth of the Imperial War Cabinet. The people of Canada have not passed on any Imperial Cabinet, and until they do, we are getting ahead of ourselves when we undertake to organize bureaux under the authority of an Imperial Cabinet, whether war or otherwise. During the war the Imperial Cabinet, no doubt, had some grounds for its existence and authority, but it certainly had no authority from the Canadian people to organize a bureau under an imperial understanding. This vote should be cancelled at the earliest possible opportunity or, at least, the name should be changed. If it be found necessary to co-operate with the other countries of the Empire, that might be advisable, but certainly we in Canada do not wish to be bound by any Imperial Cabinet at this time. The quicker the minister and the Government cancel these arrangements, the better it will be for the Canadian people.

Mr. FIELDING: There is or was in London an institute known as the Imperial Institute to which Canada contributed a large sum. I do not see any reference to it in this appropriation. Is it possible that this appropriation takes the place of the appropriation for the Imperial Institute, or are they separate organizations?

Mr. McMASTER: They are separate.

Mr. FIELDING: We still have the Imperial Institute?

Mr. McMASTER: Yes.

Mr. FIELDING: And give a grant to it?

Mr. McMASTER: Yes. Might I support what the hon. member for Pontiac (Mr. Cahill) has said, and bring forward reason why this expenditure would seem inadvisable? This seems to be a case of

duplication. We have our Department of Mines, our Geological Survey, which have been manned in the past by men of great ability, and amongst whose personnel at the present time are found a number of men of great ability. I am afraid that this is a duplication. We have no money to spend on duplications, and on that ground it would be well to drop the vote.

Item agreed to, on division.

Mines and Geological Survey—Amount required for balance of development expenses, and capital costs of a demonstration plant, established by the Lignite Utilization Board of Canada, in connection with the carbonizing and briquetting of lignite coal. This grant is made upon condition that the provinces of Manitoba and Saskatchewan each agree to supply an additional \$70,000.—Governor General's Warrant, October 11, 1920, \$140,000.

Item agreed to.

Amount required by the Lignite Utilization Board of Canada for working capital and other expenses in connection with carbonizing and briquetting of lignite coal, \$140,000.

Mr. McMASTER: What is the explanation of this item which is for the same amount as the previous one?

Mr. TOLMIE: The other \$140,000 was for last year. This \$140,000 is to carry on the work in connection with this lignite plant until such time as they are able to turn out their product. The machinery is now, or will be very shortly, in working condition, and this capital is required until they reach a point where they begin to market their product.

Mr. CAHILL: Where is the plant?

Mr. TOLMIE: Bienfait, Saskatchewan.

Mr. PEDLOW: How much has the Government spent up to date on this proposition?

Mr. TOLMIE: \$599,674 up to April 1, of this year. They are turning this lignite out now in the form of briquettes at a cost of \$15 per ton, whereas anthracite is selling at about \$23 per ton.

Mr. PEDLOW: Is that the price at the mine or delivered?

Mr. TOLMIE: Delivered at Winnipeg. Our experts tell us that for certain purposes it is almost equivalent to anthracite coal.

Mr. SINCLAIR (Guysborough): Does the minister mean to say that a ton of briquettes is equivalent in heat producing power to a ton of anthracite coal?

Mr. TOLMIE: That is what I am informed as a result of experiment.

Mr. PEDLOW: How many tons of lignite, as it comes from the mine, are required to make a ton of briquettes?

Mr. TOLMIE: Two.

Mr. PEDLOW: This coal is mined at Estevan at about 75 cents per ton. That means a tremendous additional cost to turn it into fuel.

Mr. TOLMIE: The hon. members's estimate is low.

Mr. PEDLOW: I had information from the manager of the mine at Estevan, that the coal used there by the Estevan Coal and Tile Company cost this particular company just 75 cents for mining and loading on the cars. That was in 1919.

Mr. TOLMIE: Quite a process is involved. The raw lignite is first ground down very fine; the water is driven off; then a binder is used, and it is put into little moulds to put it into the shape in which it is marketed.

Mr. McKENZIE: This matter of lignite was up before the Fuel Committee, and professors in charge of this work appeared and gave evidence. They also produced samples of the briquettes. They rather gave us to understand that they were past the experimental stage, that is, that they had proven that this fuel could be produced at a reasonable rate, and that the question now was one of producing sufficient to be a factor in the fuel market of the world. They have proven that this kind of fuel can be produced; they have abundance of material. Is it not now, or will it not be henceforth, a commercial venture? It is hardly fair for us to be voting money for the support of any coal mine in one part of the country if we do not do that in another. This is merely money paid for the purpose of developing a coal mine in that part of the country, once the experimental stage is past. I have no objection at all to the Government spending money for the purpose of experimenting and finding out what can be produced, but once we have reached the stage where the commercial possibilities of this material are proven I am not so clear that we should continue contributing money for further development.

Mr. TOLMIE: The work has passed the experimental stage, and this money is required as a working capital until we reach the point where the machinery is properly adjusted and in working order for turning out the product commercially.

[Mr. Tolmie.]

Mr. McKENZIE: By what authority do we furnish working capital beyond the experimental stage to any competing coal company, because, after all, it is a competing coal company.

Mr. TOLMIE: This working capital is required to get the machinery into proper working condition. It would be useless to carry on experiments and then cease at the point where if you spent a few dollars more, you could put the thing on a commercial basis.

Mr. McKENZIE: The minister does not seem to get my point. This Parliament is not in the habit of furnishing working capital to any concern. We have given subsidies and bounties, but I am not aware of any case where we have furnished working capital to any company. My hon. friend raised so much money over that dry dock of his that he wants to be generous with the whole world, and he is giving working capital to anybody. Whosoever will may come and get working capital from the minister. He must not be so generous. There must be, at all events, a little tinge of business in his expenditure of public money.

Mr. TOLMIE: This is not a private concern, but a Government-owned project. This \$140,000 is to be turned over to this Government-owned project to enable it to carry on until such time as the output itself will meet the situation.

Mr. McKENZIE: The thing is getting worse all the time. We discover now that we own a lignite coal mine in the West, and that we are working it. That fact was never fully disclosed before. I am not going to say anything about it, but it is well to know that we have such a valuable property. I wonder how much per ton it has cost to produce these briquettes. I have seen them, and they look very nice, but I hear they are somewhat of a gold brick.

Mr. TOLMIE: The Government does not own any mine out there. Coal is very scarce in that part of the country, and the plant has been established out there in consequence.

Mr. McKENZIE: I wish my hon. friend would tell that to my hon. friend from Regina (Mr. Cowan). It would confine his head in a basket.

Mr. TOLMIE: This plant was installed there for the purpose of demonstrating that lignite could be properly utilized as a fuel in that part of the country. I have

pointed out that it can be delivered in Winnipeg for \$15 per ton, as against anthracite coal from Pennsylvania at \$23 per ton. The experts of the department advise us that in many respects this lignite is equal to anthracite in heat-producing qualities.

Mr. PEDLOW: What quantity has been manufactured to date, and what profit has the department made on the transaction?

Mr. TOLMIE: The plant is just completed. When it is in full swing it will turn out 100 tons per day.

Mr. PEDLOW: There has been none manufactured up to date?

Mr. TOLMIE: Not in a commercial way.

Mr. SINCLAIR (Guysborough): Does the minister think that this will be the last time he will have to ask Parliament for assistance to this industry?

Mr. TOLMIE: We sincerely hope so.

Mr. FIELDING: I understood that my hon. friend said that the experimental work was carried on jointly by the Dominion and the provinces. Am I right?

Mr. TOLMIE: Yes, Manitoba and Saskatchewan.

Mr. FIELDING: Are they supplying part of the working capital, or are we going to supply the entire amount?

Mr. TOLMIE: We supply one-half, and the two provinces one-quarter each of the cost.

Mr. POWER: Will the profit be divided in the same proportion?

Mr. TOLMIE: Yes.

Item agreed to.

Indians—New Brunswick, \$23,784.

Mr. LEGER: When this item was last before the committee, I had asked some questions of the minister, and the item stood for his reply. One of my questions was with reference to Mr. John Sheridan, Indian Superintendent for the North Shore district of the province of New Brunswick. This gentleman was a candidate in the provincial election last year, and it looks to me as if he at that time held the position of Indian Superintendent.

Mr. TOLMIE: Since the item was up before, the hon. member has placed some questions on the Order Paper, which were replied to on April 27. I will give the questions and the answers:

\*Mr. Leger:

1. Did John Sheridan, who was a candidate in the last provincial election held in the province of New Brunswick on the ninth day of October, 1920, tender his resignation as Indian Superintendent for the North Shore district of said province before the date of said election?

2. If so, what was the date of his resignation?

3. Was his resignation accepted by the Government?

Hon. Mr. Tolmie:

1. Yes.

2. September 27, 1920.

3. No action was taken by the department.

I understand that this man was on part time, and that he tendered his resignation, but as pointed out, no action was taken and he is still in the employ of the department.

Mr. LEGER: I have asked this question on many occasions, and I hope that the minister's information is correct. Prior to Mr. Sheridan's appointment as Indian Superintendent, he was a member of the provincial legislature, from which he had to resign as a result of certain investigations. Then this Government picked him up and gave him this position. Last year he was nominated as a candidate in the provincial election, and he was badly defeated. According to the answer which the minister has just read, at that very time he held the position of Indian Superintendent. A certain time after the election I learned that this gentleman was still in his position. I wrote to the Minister of the Interior (Sir James Lougheed) the following letter:

RICHIBUCTO, N.B., October 25, 1920.  
The HONOURABLE MINISTER OF INTERIOR,  
Ottawa.

Dear Sir,—Would you be good enough to let me know who was appointed to fill the position of Indian Commissioner for the North Shore District, N.B., which position was made vacant by the resignation of Mr. John Sheridan, who was a candidate for the county of Kent in the provincial election which was held on the 9th October instant, or who is acting as such commissioner since the resignation of Mr. Sheridan?

An early reply would oblige me very much.

Sincerely yours,  
A. T. LEGER.

I received the following reply:

OTTAWA, ONT., October 30, 1920.

Dear Sir,—Answering your letter of the 25th instant, I beg to say that no vacancy has been created in the Northeastern Superintendency, Department of Indian Affairs. Mr. John Sheridan is still discharging the duties of Superintendent.

Yours sincerely,  
JAMES A. LOUGHEED.

This answer was not satisfactory, and when I came to the House I put a motion

on the Order Paper, and on Friday, April 8, 1921, a return was tabled. The order had been dated March 14, and called for copies of all correspondence, telegrams, and other documents relative to the resignation of Mr. John Sheridan, Indian Superintendent for the North Shore district in the province of New Brunswick, and also for copies of all correspondence, etc., relative to his appointment to the said position. I did not find the return any more satisfactory than the answer I had received from the minister in the first instance, and in reply to a question I placed on the Order Paper, I received the information from the Minister of Agriculture that the resignation had been submitted on September 27, 1920, and that no action had been taken by the department. The information which I now get was denied the people of the country when it was first asked for, and I do not think the Government can justify permitting a public servant, who meddles in politics, to retain a position as that of Indian Superintendent. This is altogether indefensible, and I thought it was my duty to bring this matter before the House in order that this thing might not be repeated under similar circumstances.

Mr. MICHAUD: The Minister of Agriculture (Mr. Tolmie) is too young a man to be guilty of the offence alleged by the member for Kent (Mr. Leger), and if the present Minister of the Interior were in the House at this moment, I should have no hesitation in declaring that he is the guilty one. A government official hands in his resignation to the department and it is accepted; then he goes and puts in his nomination papers, stands for election and is defeated, and, after his defeat, he receives word from the department that his nomination papers were faulty and that his resignation has not been accepted after all. Of course, after all his trouble and his hard fight for the good of his own party, he is allowed to retain his position. That is the present situation, and I say that it is highly improper for the department to treat the public in that fashion. The Minister of the Interior is to be censured for what has occurred in this matter, and I am sure that if the Minister of Agriculture had been in his place he would have acted differently.

Mr. LEGER: Did Mr. Sheridan draw pay during the time of the campaign?

Mr. TOLMIE: Mr. Sheridan was a part-time man; he did not derive the whole [Mr. Leger.]

source of his income from the moneys he received from the Government, which amounted to \$960 a year. He was docked one month's pay. He has been in the employ of the department for some years, and his resignation was not accepted.

Mr. LEGER: I saw by the report of the Auditor General that he gets a regular salary, but of course I take the Minister's word that he is only a part-time servant. From last year's report of the Auditor General I extracted the following:

John Sheridan, Indian Commissioner, salary, \$800; traveling expenses, \$255.35; rent, \$50; 12½ cords of wood, \$80.75; postage, \$21.40; printing, \$4.75; small items, \$5.54: Total \$1,217.70.

I was under the impression that this man was receiving a regular salary; at any rate, he used to. As regards the items mentioned in this statement, he lives in his own house, and the twelve and a half cords of wood would be used in his own home. The postage, I suppose, is all right, but the other expenses are extras.

Mr. TOLMIE: A good deal of that wood would be used in his office. This report would not cover the period of that election, which was held last fall. The report covering that period would not be out yet.

Mr. LEGER: An hon. gentleman has asked me whether Mr. Sheridan was a Conservative or a Liberal. He certainly ran for the Conservative party.

Mr. ROBB: About the same time that Mr. Sheridan was a candidate in New Brunswick, the general manager of the National Transcontinental railways gave a ruling that any official of the railways going into politics must at once resign his position. The question brought up by my hon. friend from Kent introduces this idea. I suppose the same regulations would apply to all departments of government as to the National railways. What is there to prevent any official from going into politics if he wishes, tendering his resignation, and the minister holding it up until after the election? If the man is successful, the resignation is accepted; otherwise, he goes back to his position. The minister might make a statement as to how far the ruling of Mr. Hanna conflicts with the policy of the Government.

Mr. CALDWELL: I would like to call attention to a circumstance that happened in my riding last year on what is called the Maliceete Indian reserve, Victoria County, New Brunswick.

Mr. MICHAUD: The Tobique Reserve.

Mr. CALDWELL: Yes. I had a letter from the chief of the reserve in March, stating that certain parties were cutting green lumber on the Indian reserve. I went to the Indian Department here and inquired about it, and they advised me by letter that they had taken it up with the Indian agent at Perth, which was very close to the Indian reserve, and the agent reported there was nothing being cut but dead timber. I believe that is all that was allowed to be cut on any reserve. I replied to the chief's letter giving the information I had received, and I got an answer from the Indians stating that a large quantity of green timber was being cut on the reserve, and that the timber was getting scarce. The chief said he hoped I would see about it. I went back to the department and on further investigation I found that there had been six hundred green logs and quite a large quantity of green pulpwood cut on this Indian reserve. I would like to urge upon the minister that the Indian agent, who gets a very good salary for looking after these matters, should be requested to see that the Indians' rights are protected on this reserve, and that outside parties are not allowed to go in and cut the green timber which should be held for the Indians. This is the second time this reserve has been pillaged, if I might use the word in that way, and I would urge the Department of Indian Affairs to see that their Indian agent looks after the interests of the Indians. I believe they get a fairly good salary for doing this. The agent lives at Perth, not three or four miles from this point, and should be able to investigate a charge of this kind, before the timber is all cut, hauled away and disposed of. I would like to know what action was taken with regard to the cutting of the green timber on the Tobique reserve.

Mr. TOLMIE: I shall be glad to bring the matter to the attention of the department.

Mr. CALDWELL: I brought it to the attention of the deputy minister, and I never received any information as to whether the parties were punished for cutting the timber, or what was done.

Mr. ROBB: There appears to be a conflict of ideas between Mr. Hanna and the Government. What is the hon. gentleman's idea of the matter?

Mr. TOLMIE: I do not know that Mr. Hanna's decision with regard to the employee's taking part in politics has any effect on the Department of Indian Affairs. I should imagine, anyway, from what has been reported here, that it did not have much effect. I do not know whether the decision of one department would have any effect on another department. I do not know that there is very much to say about it.

Mr. LEGER: Is it the intention to allow such a thing to be done, and to allow the man to remain in office during the campaign? I would like to have the assurance from the Government that they will not allow such a thing as that, because when the man sent in his resignation, he knew perfectly well what he was doing.

Mr. McKENZIE: The hon. gentleman from Kent (Mr. Léger) intimated that Mr. Sheridan left the legislature for some reason that has not been explained. Perhaps the hon. gentleman could explain why this man left the legislature and joined the Indian tribe.

Mr. LEGER: I do not intend going into details. Certainly, if I am asked to give further information with reference to the matter of his resignation, I will do that. During that time he was a member of the provincial legislature, there was a certain bridge in course of construction near his place, and it seems that through the commissioner or the foreman of the work, a certain cheque was issued from the Government, which was handed over to Mr. Sheridan, and the amount was used for his personal benefit. A charge was made, a Royal Commission was named by the Government, of which he was a supporter, and through this commission he was adjudged guilty of the charge, and had to resign his seat in the House. Then, as I said before the Government here picked him up and gave him the position of commissioner.

Mr. TOLMIE: He resigned his seat in the provincial House.

Mr. CHISHOLM: Yes, but it seems to me a very extraordinary thing that this Government, as my hon. friend says, would pick up a man with a record like this and put him in a responsible position. The Government no doubt must have been aware of the record of this man. I do not know anything about it, but it appeals to me as a very vicious practice to take a man and put him in a responsible posi-

tion when that man had a record behind him that made it necessary for him to resign from the legislature. You can see the consequence of a policy or a practice of this kind, and you must realize the kind of public service you will have if that practice continues. If it was necessary for him to resign from the provincial legislature, surely he was not a proper party to be given the responsibility of looking after the wards of this country.

Mr. SINCLAIR (Guysborough): Will the minister say why the Government did not accept his resignation?

Mr. TOLMIE: I am unable to give that information.

Mr. SINCLAIR (Guysborough): It looks very suspicious that the resignation should not have been accepted. It looks to me as if it would have been a good chance to get rid of him, but it was not accepted by the Government, and the inference is that there is something underhand about it. It is unusual for a man to send in his resignation, and for it to lie over, without acceptance and without being dealt with in any way, and it requires some explanation. If the Government were in collusion with this man, intending to take his resignation on faith, so that it might serve him in that if he won his election, no objection would be taken to the fact that he was a Dominion official, and if he lost his election he would go on occupying the office. It is a severe reflection on the Government.

Mr. TOLMIE: I have no information on that point.

Mr. McKENZIE: I must say that this looks like a very shady transaction. I am sure that if we had pure, capable, honest civil servants, it would not happen, and the Civil Service must not be made a receptacle for crooks of that kind. If this member of the legislature of New Brunswick had been tried by a government opposing him we might suppose that politics entered into it and that he did not get justice; but the case was so obnoxious that the premier of the government of which the member was a supporter appointed a Royal Commission. That commission, if anything, should have been prejudiced in his favour, but they found him guilty of embezzlement, and of course there was nothing left but to expel him from the legislature. Yet notwithstanding his unsavoury reputation that man is picked up by the Dominion Government and put in a responsible position as ward over

[Mr. Chisholm.]

the Indians in New Brunswick, who of all people should have a capable and straightforward man dealing with them.

I am sorry that the responsible head of the department is not here, and it is but another example of the necessity of having the heads of departments who are spending money members of this House. As I have said, this man was given a position of responsibility. But not content with that he comes to his masters and he says, "I want to run an election. Under the laws of New Brunswick before my nomination is regular I must resign. I will go through the camouflage of sending you a paper, but you must not use it." I would say, as a lawyer, if anything hinged on the resignation, that he was still an officer until his resignation was accepted. The department said, "Go to it, boy. Send in your resignation. Nothing will be done and it will be heads you win, tails we lose. Whatever happens you will be all right." That is the kind of government and the kind of departmental administration that we are up against.

A motion was made in this House for the correspondence relating to this matter. If that man's resignation was filed in the department it should have been brought down with those papers, but it looks as if there was no such document, because only two letters were brought down. If he sent in his resignation surely there should be a letter accompanying it, and there should be the acknowledgment of the department. Both letters are public documents and should have been brought down. The only conclusion we can reach is that the whole thing was a frame-up to help out this man. I am sorry if I must reach the conclusion, but it seems to me that the minister of that department is responsible for any irregularities in connection with this case.

I do think this protest should be put on record as a warning to the Government to avoid further pitfalls, but I fear they are hopeless; indeed, the more holes they plunge into the better satisfied they appear to be.

Mr. LEGER: From the answer of the Minister of Agriculture it is apparent that the papers which I asked for were withheld from me and from the country. The Minister of the Interior could just as easily have given the answer which I have now received, and that was the reason for my pressing the matter to-night. I am thankful to the minister, and I ask him now whether the Government is going to retain this man in office?

Mr. ROBB: I think my hon. friend from Kent, N.B., is entitled to a reply, for on the statement the minister made to-night the Government must still hold the resignation referred to. What do they propose to do?

Mr. CASGRAIN: Answer.

Mr. TOLMIE: I will bring this to the attention of the regular minister who is at the head of this department, and who was there when this transaction occurred, and I shall be very glad to discuss it with him in detail.

Mr. POWER: And get an answer next session.

Mr. COPP: That does not mean anything to us, Mr. Chairman. Every member I am sure has sympathy with my hon. friend in taking over the passage of items for payment of the man referred to who, as Indian commissioner, is in charge of the Indians of New Brunswick. What my hon. friend from Kent has said is absolutely correct. We have to-day in the department administering the affairs of a class of people, who of all people should have in charge of their affairs a man of integrity and business ability, Mr. Sheridan, a man whom, as my hon. friend has said, was tried by a royal commission appointed by the Government of New Brunswick of which he was a supporter, and that commission, if it were at all possible, would no doubt have brought in a report favourable to that gentleman. Afterwards he resigned his seat in Parliament, being enforced to do so by the adverse report of that commission. It is almost incredible that this Government, without inquiring into the capability or reputation of that gentleman, appointed him, obviously upon the recommendation of some person in the county of Kent, to a very responsible position. There are many men in that county, men of integrity and capability, who would be glad to fill that position, and there was absolutely no excuse for the Government employing a man who had been found guilty of transactions described in detail by my hon. friend from Kent. If that man was unfit to occupy a seat in the Legislature of New Brunswick, I submit to my hon. friend the minister that he is not fit to occupy the very important position to which he has been appointed by this Government. The Government allowed this gentleman to resign his position in order that he might contest a seat in the New Brunswick Legislature. His resignation was held in abey-

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ance and when the election was over and he was found to be defeated by a large majority he was reappointed to his position. For no other purpose than to carry on the political schemes of my hon. friends opposite, a man has been kept in office whose reputation has been found by a Royal Commission to be unsavoury. In the light of these facts how can the people of New Brunswick have confidence in or respect for the office-holders of this Government? I say to my hon. friend that this is a scandal in the political life of New Brunswick. The position is not a lucrative one, but the procedure in this case shows the depths to which my hon. friends will descend in order to carry on political intrigues which they think may be of advantage to them. I have no personal feeling against the gentleman in question, but it does seem as if the Government finds it impossible to get a man of reputation to fill this position and that they are using the office for purely political purposes. It does no credit to the Government, to the minister in charge of the department, or to the political party in New Brunswick who are responsible for forcing the minister's hand in this matter.

Item agreed to.

Indians—Prince Edward Island—repairs to roads, \$200; relief to destitute Indians, further amount required, \$300, \$500.

Mr. SINCLAIR (Queen's, P.E.I.): Was this amount all spent in 1920?

Mr. TOLMIE: Yes.

Mr. LANCTOT: How is that money distributed amongst the Indians and what is the name of the officer through whom the payments are made?

Mr. TOLMIE: During the spring of 1920 a request for urgent repairs to the roads on the Lennox Island Reserve was brought to the attention of the department and upon investigation it was found that three main roads were in need of immediate repair. These roads were very low and waterlogged, the concrete culverts having become cracked with frost, which interfered with the children going to school. This item is to make the necessary repairs. No appropriation for repairs to roads in Prince Edward Island was provided in the main Estimates. With regard to the \$300, the appropriation of \$1,375 for relief to destitute Indians in Prince Edward Island is insufficient to meet the necessary and inevitable expenditure. The present appropriation is an increase of only \$250 over the appropriation of 1914. In the

year 1919-20 it was found impossible to pay all accounts from the appropriation made and some of them had to be paid out of the 1920-21 appropriation, thereby lessening it to the extent of \$300. The net expenditure up to February 28, 1921, was \$1,645. The agent is Rev. J. A. MacDonald.

Item agreed to.

Agriculture—for purchase of seed grain—  
Governor General's Warrant, December 22,  
1920, \$1,500,000.

Mr. PEDLOW: Is this an additional amount for seed grain? I would like some explanation of this vote.

Mr. TOLMIE: This is a scheme which is carried on by the Department of Agriculture every year. It was inaugurated during the war at a time when greater production was so necessary. We have a seed branch made up of experts who purchase this grain. This grain, which is high grade, is thoroughly cleaned, and then sold to settlers under certain conditions. We get all the money back with a decent profit every year.

Item agreed to.

For health of animals—further amount required—Governor General's warrant, January 18, 1921, \$100,000.

Mr. TOLMIE: This work is carried on in connection with the accredited herd system, a system introduced within the last few years for cleaning up our pure-bred herds from tuberculosis. This system has been adopted in the United States, and as we are large sellers of pure-bred cattle to that country, it was necessary for us to clean up our herds in the same way so that we could continue enjoying that market to the south of the line.

Mr. LEMIEUX: Will the minister inform the commission now sitting in England as regards the health of our animals?

Mr. TOLMIE: I shall be glad to do so.

Mr. SINCLAIR (Queen's, P.E.I.): Does that explanation cover the three items amounting to \$300,000 in the Supplementary Estimates?

Mr. TOLMIE: Yes. When we introduced the accredited herd system in Canada, we did not anticipate that it would be as popular as it developed. There were so many demands on all sides to have herds tested for tuberculosis and cleaned up under government supervision, that it was necessary for us to get sufficient money through Governor General's warrants to meet the demands for compensation. We

[Mr. Tolmie.]

have at the present time about 625 herds under this system, and we expect that before the end of this year the number will easily reach 1,000. We expect in a short time, after we reach the peak in this kind of work, that we shall begin to diminish the amount of compensation from time to time. The amount is still on the increase on account of the number of herds.

Mr. SINCLAIR (Queen's): Do the owners of the herds contribute anything towards this test?

Mr. TOLMIE: No, except that they enter their herds under certain conditions and place them in the hands of the Government entirely. They have to carry out certain instructions for inspection, destruction of the reactors and as regards the tuberculin test. They lose a considerable amount of money, of course, on account of animals being destroyed, because we do not pay the full value of the destroyed animal. Tuberculosis is a disease that has interested people during the war. It is prevalent to a certain extent in all countries where livestock are maintained, particularly cattle and hogs. We have often had the demand made to us to inaugurate some scheme whereby we should clean up tuberculosis in herds throughout the whole country. That would be impracticable, because in the first place the scheme is too big a one, and in the second place no such scheme could be successful without a huge expenditure of money and a thorough education of the people. By cleaning up the pure-bred herds first, we are getting in the first place herds free from tuberculosis which will naturally increase districts free from tuberculosis later on. That has been the experience in British Columbia in connection with the scheme inaugurated by the Provincial Government for the eradication of tuberculosis to ensure a pure milk supply. While some persons, in the early stages of this work, were very reluctant to have their herds cleaned up on account of the loss, now in certain districts it is almost impossible to find any breeder, who thinks anything of himself, who has not had his herd cleaned up and maintained in as healthy a condition as possible.

Mr. SINCLAIR (Queen's): As these items of expenditure in the Main and Supplementary Estimates amount in all to about \$1,000,000, could the minister give the committee an idea of the proportion expended and proposed to be expended

during this year towards remunerating owners of herds for cattle destroyed and the proportion for carrying out the administrative part of the work?

Mr. TOLMIE: Roughly speaking, about \$400,000 for compensation and about \$200,000 for carrying out the work this year.

Mr. SINCLAIR (Queen's): It is almost an impossibility for a Federal Government to eradicate tuberculosis and pay for diseased animals destroyed throughout the country. The minister would be well advised to follow very strict rules in regard to losses for which compensation is given. Many complaints are prevalent in different quarters throughout the country that some of our—I will not say breeders—but breeders and dealers combined, are taking advantage of the regulations under this appropriation to get remuneration for animals that they have not had very long in their herds and for which they do not deserve to get compensation. The committee is entitled to an explanation from the minister as to the regulations that are in force under the Health of Animals Branch to prevent breeders or dealers in cattle from buying cattle and putting them into their herds, having them examined and getting more for them in compensation than they could get for them in the open market. This, in some cases that have been brought to the attention of members of this House, seems to be a weakness in the administration of this expenditure. This may not be correct; I am citing it for the benefit of the minister and his department; but if there is any foundation for it, it is certainly something that should be stopped. No person in this country would object to taking every means necessary to prevent tuberculosis from existing in Canadian herds and much more from spreading to herds that are free from the disease. But it is an expensive proposition to do away with that disease by paying people who have diseased animals even a two-thirds valuation for an animal which, in many cases, is worth a great deal more than that. Is allowance made for the valuation of the carcass when compensation is given? We know that animals, if they pass inspection at the abattoir, are permitted to be used for human food. Is that taken into consideration when compensation is given? It is much better for us to pay strict attention to assisting our people in every way in testing their herds and letting them know when cattle are diseased. When

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that is done, I do not think any man in this country would maintain diseased cattle in his herd, especially in dairy herds, because every person understands the danger to the human family arising from the use of beef, and more especially milk, the product of infected animals. I make those suggestions to the minister in order that the department may be assisted in carrying on its work. It may not be wise to follow too much the principle of giving compensation, and it would be wise to reduce the compensation per animal.

Mr. TOLMIE: There is not much fear of any man making any money by way of securing compensation for diseased pure-bred animals when they are valued by our inspectors and only two-thirds of that valuation is paid. We confine this work entirely to pure-bred herds under the accredited herd system except in some cases where they are mixed herds, and where there are grades on the premises. Under those circumstances we test all the cattle to clean up the farm thoroughly and to afford protection to the pure-bred animals on the farm.

We have a marketing system in connection with our Live Stock Branch, and we keep in very close touch with the prices paid for cattle. This Live Stock Branch furnished at very short intervals to the Health of Animals Branch the prices that pure-bred cattle are bringing in various parts of the country, and our inspectors are strictly instructed to follow these prices as closely and as reasonably as possible. I never saw a district yet in my past experience, and I have had a good many years experience, where you would not find men who had lost their herds who would not try to square themselves in the eyes of the public or try to appear a little more clever than their neighbours and claim that they got more money out of the Government than they could dispose of their herd for in the ordinary way at auction. I have often seen that, but after tracing it up you usually find that it was some man who was inclined to be rather a free talker and careless about what he said. I am very glad the hon. member has brought this to my attention, because it gives me an opportunity to clear it up. If there is anything of that kind going on, there is nobody who wants to know about it sooner than I and the responsible officials of the department.

Mr. NESBITT: Is there not a maximum price fixed?

Mr. TOLMIE: Yes, \$250 for a pure-bred animal, and we pay two-thirds of that. When you remember that pure-bred animals are selling all the way from \$75 to \$100 for a calf, and up to \$10,000 or \$15,000, according to the value, for a full grown animal, \$250 as a maximum does not seem very high. It would be a great hardship, and would ruin many a man who was starting up in the pure-bred business, if his cattle were destroyed without compensation. While this is a very expensive kind of work, I feel that it is very valuable when we think of the great loss there is throughout the world among tubercular cattle and swine.

Mr. NESBITT: I would point out to my hon. friend that if he will have his herds tested he will find that when the Government officials get through he will not be overpaid. I have had some experience, and I know of others who have a good deal of experience, and I can assure him they did not complain that they were overpaid.

Mr. SINCLAIR (Queen's): I do not think a diseased animal is worth very much.

Mr. SUTHERLAND: Some time ago when the Estimates for the department were before the committee I asked for certain information with regard to the Health of Animals Branch, and particularly with regard to the amount that had been paid out in connection with animals that had been slaughtered under the accredited herd system. My objections did not receive much consideration, and I was finally forced to move that the item should be reduced to what it was the previous year, \$1,020,000. That was not a very pleasant task for me. If I may be permitted, I would like to remind the committee that I asked on that occasion what amount had been spent in the past year under the accredited herd system, and if my memory serves me we were told that it was something in the neighbourhood of \$22,000, or to be exact \$21,827.94, and that 212 animals had been slaughtered. When I received the further Supplementary Estimates for the year ending March 31, 1921, I was surprised to find an item of \$300,000 for the Health of Animals Branch, \$200,000 of which had been paid out under Governor General's warrant. I also find that there is an item in the further Supplementary Estimates for 1921-1922 of \$300,000 for the Health of Animals

[Mr. Nesbitt.]

Branch, so that altogether we are being asked to vote this year almost \$1,000,000 of an increase in connection with this matter, and I do not think it is in the interest of good government to permit an item of that amount to go through without some discussion, particularly in view of the fact that those who are vested with authority in enforcing the law in connection with this matter have not, to my mind at least, acquitted themselves in the past in a manner that would justify us in placing this amount at their disposal without a little better understanding as to what their authority is going to be in the future.

Mr. CRERAR: Whom do you mean?

Mr. SUTHERLAND: The Veterinary Director General. Under the Animal Contagious Diseases Act, and under the accredited herd system, he has authority to have the animals slaughtered where the owners have failed to comply with the Act. Even if a man's stock is on his own premises, and he complies with all the requirements that you could almost possibly imagine, if his cattle should nose through the fence with his neighbour's cattle, the Veterinary Director General can cancel all the work he has done, and the owner is helpless, although he may have sustained a very heavy loss in having his animals destroyed to clean up his herd. Early in the session I had occasion to bring before the House, and it was a very unpleasant task indeed, the case of a resident in my constituency, a man who was born and has lived in that county upwards of seventy years. Nearly all the money he had in the world was invested in a business under license by the Government. The Government inspectors under the authority of the Veterinary Director General came along and destroyed every animal on his premises, rendering a \$10,000 investment which he had in building and plant practically useless to him, and they refused absolutely to give any credence to any of the statements this man made or any that were made on his behalf. This individual is practically ruined in his old age, by reason of the action of the men at whose disposal we are asked to place this amount of \$1,000,000. Any one who complies with the law of the country has a right to feel that his vested interest in property will be safeguarded by the Government and not be subject to a government official coming and absolutely destroying his property without any recompense. It may be said that he can carry the matter to the courts. Well, he is not in

a position to do so for the reason that he has to first secure a fiat to enable him to sue and it is a question whether any one in his circumstances can afford to enter into a lawsuit with a Government in order to recover damages or compensations. I referred to this matter first on March 15, and the minister brought it up himself on the 17th in a way I do not think he was justified in doing. I do not believe that, previous to my calling his attention to the matter a short time before, that he knew anything of the circumstances of the case, but he had a report from the Veterinary Director General, and that gentleman was not fair with the minister in the report he submitted to him. The result was that I was forced to put upon the Order Paper a motion calling for a copy of all reports, orders, telegrams, certificates of valuations and correspondence in connection with the matter. Shortly afterwards on April 11, this return was brought down, and after looking it over I came to the conclusion that it was not complete. It was quite evident from the information I had in connection with the case that the return was incomplete, and I had again to bring the matter up in the House. I made the statement that the return which had been brought down was obviously incomplete in that several papers relating to the matter had been withheld and that there appeared to be an intention to evade the order of the House. About a month later a further return was brought down, and three different papers which I had specifically asked for, were tabled. The owner of the animals which had been slaughtered had placed the matter before the department in an honest and straightforward way, and I asked that his case be properly investigated. This was about three or four months after the animals had been slaughtered. The Veterinary Director General immediately wrote to his officers at Toronto Junction, instructing them to make further inquiry into the matter. Certain information had been submitted to the Veterinary Director General by the owner of the hogs in order that he might receive two-thirds compensation, but the Veterinary Director General, in notifying his officers at Toronto, withheld from them the particular information which might have enabled this man to prove his case. You might say that this was accidental. I grant you it might be so, with all the work which his department has to attend to; but it was somewhat significant that he gave his officer information

in regard to, and asked to have investigated, a case that was not referred to him by the owner of the animals at all; and when this officer went to investigate that matter, having gone to the premises of the owner of the animals now in question, whose son was living on the place, he received from him information similar to that supplied the Veterinary Director General and he then made an inquiry into this particular case, which he was not asked to do by the Veterinary Director General. He furnished information, in connection with this case, which the Veterinary Director General should have instructed him to furnish, and when the return was brought down in the House, that report of the inspector of the department was withheld, and, I believe, purposely withheld. This indicates a dishonest action on the part of the Veterinary Director General, and to substantiate that statement, I may say that two other papers that were also brought down in connection with the matter show that the Veterinary Director General was endeavouring to conceal from this House information which he had at his disposal. I make that statement because of the fact that this man, when he found that the department were not going to pay him the compensation allowed under the Act for the loss he had sustained,—and which would not cover more than one-third of his loss—wrote to a solicitor in Ottawa, through his solicitors in Toronto, and asked to be furnished with a copy of the application which he had made to the Veterinary Director General, for a license to enable him to feed garbage to his hogs, according to the regulation passed by the department in 1915, and also for a copy of the license. He had been carrying on this business for several years before that. Do you suppose that the Veterinary Director General gave him this information? No. He wrote to the deputy minister, asking his advice as to whether he should furnish the information, and he pointed out that these lawyers, in his opinion, were endeavouring to obtain the information with a view to recovering compensation which his department were withholding. Now, why was this paper not filed with the other returns? The day following this application for a copy of the license, the Veterinary Director General wrote to the inspectors at Toronto to have this man's license cancelled, and this paper was also withheld. Why should he take steps to have this man's license cancelled on ascertaining that he was endeavouring to collect the compensation to

which he was entitled? He knew perfectly well that the man had about \$10,000 invested in the business, and that his property would be virtually worthless if he did not again secure the license. The license was cancelled and this man was then notified by the Veterinary Director General that in order to continue his business he would have to secure a renewal of the license. All these things taken together illustrate very clearly to my mind that the men who are at the head of this branch of the Department of Agriculture are absolutely incompetent to administer the Act and to spend the hundreds of thousands of dollars which we are voting, because they are prejudiced, unfair and dishonest. Not only have they been dishonest with this man with whom they were dealing, but they have been dishonest with this House, in withholding information which should have been tabled. I should not have been forced to take this action in order to get this information. The case rests there. This resident of the county of Oxford, who has lived there nearly all his life, and whose money is invested in that business, is today in this position, that his word is discredited by the department.

The minister stated when the matter was before the House that he had a lot of experience with these people who had licenses to feed garbage, particularly on the Pacific coast. He referred to the Chinese there, who have all kinds of ramshackle premises, and declared that he was prepared to accept the word of his inspectors in preference to that of the hog owner, as he termed them. I do not know the inspectors personally, I am not acquainted with any of them, but I do think it is somewhat significant that in the case of a man with two hundred and forty-five animals on his premises a garbage inspector should come along and state that cholera exists on his premises, when his son, his manager, and the owner himself, made declarations that they were not aware of any disease existing in their herd at that time. The declaration of the son and foreman was forwarded to the department, and is on file. The garbage inspector notified the Keele street office in Toronto and several other inspectors, among them Dr. Hall, visited the premises on that same afternoon, and they held a postmortem examination on one small pig, reputed to be about thirty or forty pounds in weight. The Veterinary Director General claims this man's son admitted they had lost a number of hogs shortly before this alleged outbreak took

[Mr. Sutherland.]

place. The son states most emphatically that he had not lost a hog for a considerable period, or while he had been managing the premises, but that he had lost a few small pigs shortly after weaning during the winter. As he was endeavouring to raise them during the winter, having to feed them on garbage, and the winter of 1919-20 being a very severe one, he very naturally as every farmer does, lost some of the most unthrifty ones of the litter.

We are all anxious this session should end as quickly as possible, and I must say it is with a very great degree of reluctance that I am taking up the time to-night. I have been patient. I have done my best to see that this man obtains justice. All he asks is that if the department will not accept his word, if they will not pay any attention to sworn statements made by himself and those who have intimate knowledge of the matter, then submit the matter to arbitration, and let them decide it, and he is prepared to accept, and to submit to such decision. That being the case, I think it is only reasonable and fair that something of that kind should be done. The man who held the post-mortem on this one little small pig has not made a report with regard to the matter; there is no evidence in the return to show that he ever made a report, but there is a report by the garbage inspector, who was not a veterinarian at all, and he states that Dr. Hall says that he found evidences of cholera in this animal. Another inspector, Richards, in his report also indicates that Dr. Hall found evidences of cholera in the herd. The temperature was taken by Inspector Richards of eight or nine of these animals. On April 20 of last year, when he began to destroy these animals, there was some delay and the proprietor persuaded him to permit him to kill and dress a number of them, because he said he was absolutely certain there was no disease in them. The inspector finally gave him permission to dress what he could in one day, which he did, and they drove out thirty-three of these animals, picked out of ten different pens, not by the inspector, but by the owner's employees. They were separated and slaughtered the next day. They were hung up on the premises, and the intestines were placed beside each animal. The inspector came along and examined every animal, and he did not condemn any one of the thirty-three animals, which were disposed of for food. This is contrary, I know, to the statements made by some of the inspectors, because they claim the bal-

ance of the herd was destroyed, and that these were apparently free from disease. How can you substantiate a statement of that kind? Inspector Richards states that he took the temperature of a number of these animals, and those animals of which he had taken the temperature, the owner declares, were among those that he slaughtered and dressed, and which were pronounced free from disease by the inspector. The owner is most emphatic in his declaration that he does not believe disease existed in his herd. He has been in the business for a number of years. He has everything at stake. He had all the appliances for cooking the garbage, and the Veterinary Director General claims that unless he could establish that the disease had been introduced from some outside source, he would not be entitled to compensation. It is somewhat significant that he had shown that some of the animals that had been on his premises were owned by R. H. Parker, had died shortly after, and that this man's name was withheld by the Veterinary Director General. From that time on, it is not a matter of asking that he should show that the disease was introduced from some other source, but his letter to Inspector Stork of the Keele Street Office, Toronto, states that they are not going to pay the compensation because he was negligent in not notifying the department that disease existed in his herd. These are the grounds on which the compensation has been withheld—because he did not notify the department that disease existed in his herd. How could he notify the department if, as he says himself, there was not to his knowledge, a sick hog on his premises, and they were all taking feed regularly? The inspector states, as his report shows, that three animals had died. The owner states there was not a dead animal on the premises, that none had died for weeks before, and it was then only some small pigs that died shortly after they were weaned.

Now, in order to bring this matter to a close as quickly as possible, I again wish to state that I think it is only fair, in view of all the circumstances, and the impossibility of the minister, with all the other duties which he had devolving upon him, to make a personal inquiry into the matter, that a Board of Arbitrators should be appointed and asked to arbitrate the matter. Let them take sworn evidence—no hearsay evidence,—as to the whole circumstances connected with it, and in that

way see who is telling the truth, or who is not, or whether the unsupported evidence of the Veterinary Inspector is to have preference over that of an equally good citizen of this country who has been endeavouring to carry on legitimate business.

Hon. MEMBERS: Carried.

Mr. SUTHERLAND: No, Mr. Chairman, it is not carried just yet. This is another evidence, I presume, of what we had on March 17, when this matter was up before. When I was told that only two hundred and twelve animals had been slaughtered, and that something like twenty-two thousand had been paid out under the accredited herd system, I said that it seemed almost incredible to me because I knew of one instance where over eighty animals in one herd had been destroyed, and several others in other herds. Now I think the committee are entitled to some explanation from the minister as to why on that occasion when we were passing the Estimates for the present year we should be told that only 212 animals had been slaughtered and that less than \$22,000 had been paid out, when at the same time according to these Estimates \$200,000 had been paid out since the beginning of January under the Governor General's warrant and another \$100,000 is asked for in this vote for the same purpose.

Some hon. MEMBERS: Carried.

Mr. SUTHERLAND: Mr. Chairman, I fail to secure any explanation from the minister. I suppose that is a privilege which he has, and it indicates the arbitrary manner in which he has permitted officials of his department to deal with the public in this matter. Money has been paid out, and I presume that no further explanation is necessary,—it is only left to the House to pass the item. Well, if hon. gentlemen opposite are satisfied with that sort of procedure, I can assure you that I am not, and I think we are entitled to some explanation from the minister.

Mr. CHISHOLM: What about your own side?

Mr. TOLMIE: I have been anxiously waiting for an opportunity to get up—

Mr. SUTHERLAND: Mr. Chairman—

Some hon. MEMBERS: Order.

Mr. SUTHERLAND: I waited and sat down, some hon. members declared the vote carried. Even then the minister did not get up.

Mr. TOLMIE: Mr. Chairman, in connection with the all-important hog question, we went thoroughly into it, and I have since made further inquiry, and I have no doubt at all from the evidence of the commissioners that the disease existed on those premises and that Mr. Alderson had not complied with the regulations in feeding garbage. If Mr. Alderson wishes to have recourse to the law I think he would have no difficulty in obtaining a fiat. At any rate I would be glad to assist him to the fullest extent.

With reference to tuberculosis, as I have pointed out already before the hon. member for South Oxford came in, this accredited herd system was made necessary on account of the fact that we market a great many of our pure-bred cattle in the United States, and the system having been adopted there it was only natural to expect that a purchaser of pure-bred cattle for an accredited herd on the United States side would not buy cattle from a herd in which the animals were not all tested and found free from tuberculosis. The work has been very much more popular than we had ever anticipated. A great many dairymen all over the country have applied for this work to be carried on, and about two months ago a representative body of dairymen interviewed the Minister of Finance, the Minister of Labour, the Minister of Customs and myself and put forward a very strong request that we not only provide \$300,000 but \$500,000 in the Supplementary Estimates to carry on this work. We have provided \$300,000, which we expect will be necessary to meet the requirements for the testing of these accredited herds. The compensation is being allotted with great care, but, as I say, the demand from representative men has been so great for this work to be carried on that it is necessary for us to ask for this additional money, and it has the backing of all dairymen in this country so far as I am aware.

Mr. SUTHERLAND: Has this amount been already paid out in connection with items 382, 383 and 384?

Mr. TOLMIE: \$192,652.94 was paid out last year. Some of the present allotment has been paid out, and there are other requisitions in for which cheques have not been issued.

Mr. SUTHERLAND: Then the statement which was made on March 17 that last year we paid \$21,827.94 for accredited herds—

[Mr. Sutherland.]

Mr. TOLMIE: That was for the year before.

Mr. SUTHERLAND: We were passing the Estimates for the present year.

Mr. TOLMIE: March 17 is in the previous year—the year ended on March 31.

Mr. SUTHERLAND: But we were passing the Estimates for 1921-22 which began on the first of April.

Mr. TOLMIE: Last year, on the 17th of last March, was a different year from last year at the present time.

Mr. SUTHERLAND: No explanation was forthcoming when it was pointed out that 212 head did not seem a reasonable number, and no information was supplied the committee on that occasion that another item of \$300,000 would be down for the past year, because we were passing the Estimates for 1921-22 on that occasion, the Main Estimates.

Item agreed to.

Additional amount required for Experimental Farms for the establishment of a demonstration station for flax in Western Ontario, \$25,000.

Item agreed to.

Additional amount required for the enforcement of the Destructive Insect and Pest Act, \$10,000.

Mr. SUTHERLAND: Mr. Chairman, before we get away from item 456—

Some hon. MEMBERS: That has been carried.

Mr. SUTHERLAND: When this matter was before the House—

The CHAIRMAN (Mr. Steele): Order. We are now on item 457.

Mr. SUTHERLAND: Mr. Chairman, I must appeal from your ruling if we are not permitted to discuss an item when it is before the committee. It is an old established rule in this committee that immediately the Chairman says "carried," if any member gets up to speak on that item I have never yet known him to be refused an opportunity to speak on it and therefore I desire to state that when this matter was first brought before the House in 1916 to investigate the growing of flax in this country I took the stand that flax-growing had not been a success in any country except where there was an abundance of cheap labour, as in Russia, India and the Argentine, but that under the abnormal conditions that prevailed during the war it

might be successful here. Those conditions have passed away, and to-day you will find that the flax industry is the most stagnant industry that we have in this country. If we have an experimental farm in western Ontario it may show on the map, but it will benefit very little the people of western Ontario, who are entitled to something better than this.

Item agreed to.

Agriculture—additional amount required for Health of Animals, for extension of accredited herd work and work in connection with bovine tuberculosis, \$300,000.

Mr. SUTHERLAND: A short time ago we passed an item for \$390,000 for this work, and now we have another one here. I believe—and I state it emphatically—that the documents contained in the return to which I have referred on previous occasions, show absolutely that the Veterinary General is not only incompetent to administer these moneys but absolutely unfair and dishonest in his dealings. I do not like to make a statement of that kind except before the man whom I am accusing. I think you will all give me credit for doing my utmost to have this matter cleared up, but apparently no attempt has been made to explain it satisfactorily. I will therefore move that this item be not passed but that it be struck out—until we get someone who is better qualified to administer the expenditure than the Veterinary Director General.

The CHAIRMAN (Mr. Steele): A motion to strike out an item is out of order. If the hon. gentleman wishes to oppose the item he can vote against it.

Item agreed to.

Additional amount required for Seed and Feed Control, to cover extension of this work and provide for the administration of the Fertilizer Act, \$20,000.

Mr. SINCLAIR (Queen's, P. E.I.): What is the policy of the department in regard to Canada being represented at the World's Poultry Congress to be held at the Hague during the coming summer?

Mr. TOLMIE: The matter of having Canada represented on the occasion of the important poultry congress to be held at the Hague during September next is under consideration.

Mr. CANNON: I suggest that the minister have in mind the fact that the hon. member for South Oxford seems to be very competent to represent the department.

Mr. SINCLAIR (Queen's P.E.I.): Has any provision been made for the expenditure which would be involved in our sending a representative to that congress?

Mr. TOLMIE: We have the funds available if it is decided to send a representative.

Mr. SINCLAIR (Queen's, P.E.I.): It is very important that Canada should be represented at that congress. It is a long time since we have been in such an unfavourable position in the matter of finding a market for our surplus products, especially eggs. Higher barriers have been raised against the sending of our eggs into the United States market. We have always had a surplus in Eastern Canada, and during the last few years, as the development of the West has advanced, that surplus has increased. Last year we shipped to the United States fifteen carloads, largely from British Columbia and Prince Edward Island, the extreme west and the extreme east. We have to look for an outside market this year, and it is important, Sir, that the requests of the produce dealers, the producers, instructors and investigators in the poultry business should be heard; that a representative be sent by this Government to the World's Poultry Congress and that Canada's position in this regard be brought before the European countries. We must try to market more of that product in the United Kingdom. It is not a question of price; it is a question of getting a market for our product, and I hope the minister will remember that and see that we have proper representation.

Mr. TOLMIE: I shall be very glad to keep the hon. gentleman's suggestion in mind when this matter is taken into consideration.

Department of Agriculture—salaries, \$12,000.

Mr. McKENZIE: I do not think that we can lightly pass over the fact that a supporter of the Government has alleged in this House that an officer of the Government is incompetent and dishonest. My reference to the matter is not intended to give weight to the suggestion, but if that statement came from this side it would be regarded as scandalous. It should not be allowed to pass unnoticed.

Mr. TOLMIE: This matter was pretty thoroughly discussed on a previous occasion and I thought it was hardly necessary to make any clean-cut reply to the statement made by the hon. member for South Oxford. But if the other side of the House has

taken this statement seriously, as would seem to be indicated by the remarks of the hon. member for North Cape Breton, then I think it is necessary for me to say a few words about the Veterinary Director General and about the matter referred to by the hon. member for South Oxford. The Veterinary Director General is a gentleman of very high standing in his profession who has occupied his present responsible position for a number of years. In that position he succeeded Dr. Rutherford when that gentleman was appointed to the Railway Commission. The general efficiency of our Health of Animals Branch is one of the things that we are proud of in our Department of Agriculture; it is one of the planks on which we stand when we ask for the removal of the British embargo. The Health of Animals Branch in Canada will, I think, compare very favourably with that of any other country in the world. This has been demonstrated by the fact, as I have pointed out on a previous occasion, that our Health of Animals Branch was able to protect Canada, over a boundary of 4,000 miles in length, from such an infectious disease as the foot and mouth disease which was prevalent in the United States close beside the boundary. The fact that that was done, not only on one occasion, but on several occasions, is a guarantee of the efficiency of that particular branch of the Department of Agriculture; in fact, it is one of the things that we are very proud of. Then there is the fact that this branch was able to take hold of the disease dourine in western Canada. We inaugurated and carried on a system, devised after investigation by one of the officials of that branch, of blood tests so as to be able to diagnose the disease even when no physical signs were shown, and from 1914 to 1921 the compensation was reduced from \$48,000 a year in 1914 to \$120 in 1919, \$70 in 1920, and absolutely nothing so far in 1921, the disease having been cleaned up entirely. I might mention the work the branch did last year in cleaning up and dipping 220,000 head of mangy cattle in southern Alberta and in doing it so efficiently amongst cattle that roamed over an area of 2,600 square miles, where mange had existed for a quarter of a century. After it took hold of the disease and after thorough investigation and co-operation with the live stock men, it cleaned up the disease so that it was able to cancel the quarantine area the first time in 25 years. This is the branch that is so much abused by the hon. member for South

[Mr. Tolmie.]

Oxford (Mr. Sutherland). I have known Dr. Torrance, the Veterinary Director General for a long time, and I have absolute faith in his honesty and efficiency in that position. I have, however, gone very carefully into the particular case referred to by the hon. member for South Oxford. I have had a fair amount of experience in this particular work, and if I had thought for one moment that there was any doubt, after going carefully over the documents, I would certainly have carried on an investigation further than I did. I went into the matter very thoroughly with my officers after it was brought up in the House on a former occasion and I am satisfied that this man had hog cholera on his premises; that he did not comply with the regulations, and that under those conditions he is not entitled to compensation.

Item agreed to.

Civil Government—Post Office salaries and contingencies including \$50 to W. Cooch, \$1,435,144.

Mr. LEMIEUX: I understand that the firm of Griffenhagen is at work making a transformation of the whole department. Indeed, I have seen a report which has been prepared by that firm and, I think, submitted to Council. If I am well informed, Council is acting upon that report. Will the minister be in a position to give some details to the committee regarding the extent of the transformation taking place in the department? Of course, I must once more protest against the absence of the Postmaster General from the House of Commons. A minister in charge of a department which comes so near to the people and which affects practically every home in Canada should have a seat in this House. For the last few years we have been deprived of the privilege of listening to that gentleman in this House. His Estimates always come up at a very late period of the session, and we have not an opportunity of cross-examining the hon. gentleman because he belongs to another chamber. In any further reorganization of the Government, the gentleman assigned to the Post Office Department ought to have a seat in this House. The present situation is not fair to the country, and it is not fair for the minister who is temporarily in charge of the Estimates to give the explanations which are required. Indeed, I have a more serious charge to make and I regret to have to make the charge because the minister is not in this House and cannot defend himself. But I am informed that the minister is practically non-existent in the department and that

the affairs of the Department are administered by the Minister of Trade and Commerce (Sir George Foster). I shall not insist upon that point.

I come back to the first statement which I made a moment ago, that the firm of Griffenhagen is transforming that department at the present time. Some of the old heads of that department have been put aside and replaced by new men or other officials who have been transferred from Toronto and elsewhere to Ottawa. Earlier in the session I complained that an old and trusted official like Mr. Sidney Smith had been absolutely ignored, and I am informed that other officials of the highest type like Mr. Throop, Mr. Anderson and Mr. Moon to name but a few, have been put aside and replaced by others. As I stated a moment ago, the Post Office Department is an institution which comes near the home of every citizen in Canada, and we are entitled to have there the best servants. No reason is given why those changes are made. I do not know why that particular department is being transformed in that way. I notice also that the Post Office Department which, for many years was conspicuous for its good administration, has sadly fallen from grace. I see at page 8 of the Annual Report that since 1902 a series of surpluses replaced a long series of deficits, and during those years of surpluses, which started in the year 1902 under the late Sir William Mulock, Postmaster-General, we had a very progressive administration of that department. It is true that since 1911 the surpluses have been maintained with the exception of the year 1915, when there was a deficit of \$2,914,000, but you will notice, Mr. Chairman, that the surpluses which have continued since 1915 have been made up chiefly by the additional war tax of one cent on each stamp.

The expenditure has grown enormously also during the last few years. Whilst in 1911 the net revenue of the department was \$9,146,952.47, the expenditure was \$7,954,222.79, leaving a surplus of over \$1,000,000. Since that year the expenditure has grown enormously. We have a jump from a little over \$9,000,000 in 1912 to \$10,882,804.57 in 1913; \$12,822,058.44 in 1914—I will give only round figures for the following years—1915, \$15,961,000; 1916, \$16,009,000; 1917, \$16,300,000; 1918, \$18,046,000; 1919, \$19,273,000; until in 1920 we reached the startling figure of \$20,774,385.20, as against a net revenue of \$24,449,916.97. There is an apparent surplus, but if you leave out of account the

war tax, you find that there is a very heavy deficit. Now we have, I believe, about the same population to-day as we had five years ago. I believe that the next census figures will reveal that the population of this country has not materially increased. How, then, do you account for the enormous increase in the expenditure of that department? I claim, Mr. Chairman, that if you had as the responsible minister of that department a gentleman who would take the duties of his office seriously, there would be a very different statement to present to the House. I say that in those days of very large commitments due to the war, it was the duty of the minister, especially one at the head of a revenue producing department, to economize and retrench, but it seems that the gates have been wide open in that department and that the expenditure has been of a riotous kind. I submit, Mr. Chairman, that that is not an example to follow, and that the minister in charge of that department, in view of the circumstances I have related, does not care for proper business methods; he is never to be seen in his department; he is rarely to be seen in the upper chamber, and I am told that he does not even attend the meetings of council. It seems to me, Mr. Chairman, that the only thing for him to do is to resign from the Government so that we may have at the head of that large and important department a minister with some sense of responsibility.

I claim that in spite of this apparent surplus, we really have a heavy deficit in the department, if you take into account the war tax which was to be imposed for the duration of the war. That tax, however, has been maintained. If you compare the figures, you must arrive at the conclusion that there is a heavy deficit.

I wish to say further that it is in the interest of the department to abolish this war tax. The experience of the various Postmasters General since fifteen or twenty years ago has been that the cheaper the postage rate, the greater the revenue you will get. It is to the credit of the late Sir William Mulock and the Laurier Government to have inaugurated penny postage within the British Empire. Although at that time there were people who doubted the wisdom of having a uniform postal tariff throughout the Empire, events have justified the reduction in postage within the Empire.

1 a.m. Indeed, the revenues were never so buoyant as during the days

when Canada had that cheap postage. The same principle applies with regard to cables and telegrams; the higher the rates the less revenue you have; the cheaper the rates, the greater your revenue.

As to the revenues of the department, the United States during the war also had a war tax on stamps, but immediately after the armistice their Post Office Department abolished that tax. As a result the revenues of the postal service for the fiscal year ending June 30, 1920, including the revenues from money order and postal savings business, amounted to \$437,150,212.32. During the preceding fiscal year the receipts were \$436,239,126.20, which, however, included collections of \$71,392,000 as a war tax derived from increased postage on first-class mail, the ordinary postal receipts for 1919 having been \$364,847,126.20. For comparative purposes, therefore, it may be stated that the postal revenue for 1920 in the United States shows an increase of \$72,303,086.13 over the preceding year—war tax excluded—the rate of increase being 19.81 per cent. Those figures, Mr. Chairman, are significant. Compare them with what has taken place in our own Post Office Department, and see the difference.

The net revenue for the year 1920, including the war tax, amounted to \$24,449,916.77, and the expenditure \$20,774,385.20, increases of \$2,847,204.32, and \$1,500,831.56 respectively. The surplus of revenue over expenditure for the year was apparently \$3,675,531.77. Excluding the war tax calculated at \$7,312,534.97, the expenditure exceeded the actual postal revenue by \$3,637,003.20. This is the actual condition of affairs in that department. According to the Blue Books in my hands, and taking into account the postal tax, which has not, and is not going to be abolished, we have an actual deficit of over \$3,000,000. Now, in the United States, they have abolished the war tax, and yet they have a large surplus of 19.81 per cent over the last year's operations under the war tax. Mr. Chairman, the administration of the department, I charge, is very lax indeed. Without the knowledge of Parliament, in the absence of the slightest evidence, on two different occasions, at one fell swoop, the railway mail service was given double the amount which it had received from the department up to that time. An Order in Council was passed and the amount paid to the railway companies was doubled. This occurred in 1912. The railway companies evidently thought that the department was an easy

[Mr. Lemieux.]

target, and they have come back, and with a vengeance. Another Order in Council was passed referring the matter to the Railway Commission, who materially increased the rate of railway transportation in connection with mail matters. And I am informed that the Government yielded. So that whilst the total amount paid the railways for carrying the mails during the fiscal year 1918 was \$3,405,461, by allowing a new schedule of rates an increase was created in favour of the railway companies of nearly \$4,000,000,—to be exact, \$3,980,132, and that, without Parliament having one bit of evidence to justify that enormous increase. I say, Sir, that this is only preying upon the Dominion exchequer, and it is to the discredit of the Postmaster General that he should have allowed, in these days of heavy financial commitments, the railway companies thus to prey upon his department. There was a protest on the part of one of the higher officials, and it was addressed to the Hon. Mr. Rowell, who was then a minister at large, filling several positions in the Government. That year, owing to the absence of the Postmaster General, he had charge of that department for a while, and in September, 1919, he was warned of the situation in the following letter:

September 8, 1919.

Dear Sir,—With further reference to your letter of the 4th instant, I beg to submit the following information on the different points concerning which you ask for information.

1. The total amount paid Railways for carrying mails during the past Fiscal year was, \$3,405,461.
2. To allow the proposed new schedule of rates would mean an increase of, \$3,980,132.
3. The department has no data on which it is able to give the distribution of mail matter as between letters, newspapers, periodicals and parcel post, or the cost of service and revenue from each of these branches. As you are aware postage on all classes of mail matter, except newspapers mailed from the offices of publication, is paid by the ordinary postage stamps so that there is no means by which the department can separate the revenue derived from any particular class. All kinds of mail matter are handled by the same staff, carried together by the Railways and the mail couriers and it would be impossible to give even a close estimate of the cost of handling any class separately except perhaps, newspapers, which is dealt with under No. 5.
4. Is dealt with in the same manner as No. 3.
5. There does not appear to be any way in which the Post Office can materially increase its revenue unless the Government should decide to increase the postage on newspapers. The present rate of 3c on letters and 2c on post-cards could not be raised and it is from these sources that most of the revenue is collected.

I shall not delay the committee by reading the whole of the letter, but this official states:

Dealing with the increases that will follow the adoption of the proposed new rates, I find that the Government Railways including the Canadian Northern would receive about \$900,000, the Grand Trunk Railway \$625,000 and other railways the balance. It would not be possible to curtail the present mail service to any appreciable extent or to transfer to the Government Railways much of the mail which is now being carried by other roads, as it is difficult to withdraw service anywhere after it has been established with its dependent mail routes throughout the country. There appears to be no doubt, therefore, that the adoption of the new rates will mean an additional cost of about \$3,000,000 to the Government for carrying on the postal service, unless newspaper rates can be raised as suggested.

I may add that an enquiry as to railway mail rates is now being carried on in the United States and it will be interesting to see what conclusions are arrived at by the Interstate Commerce Commission which is conducting the enquiry there. Before deciding to accept the proposed new rates, it might be well to wait for the result of the enquiry in the United States.

Following that letter, and in spite of the protest from the accountant of the department, the matter was submitted to the Railway Commission, and of course their decision was against the department and in favour of the railways. Now, Mr. Chairman, I was postmaster for over six years, and Sir Allen Aylesworth and Sir William Mulock before me, and I know that all three of us resisted the pressure exerted by the various railway companies. After all, the railway companies must remember that they received subsidies from the Dominion treasury, and they should be somewhat liberal in transporting the mails of this Dominion. But, of course, if the Minister is weak-kneed, if he has no backbone, the railway will get the better of him. I, for one resisted until 1911. My successor in office, the Hon. L. P. Pelletier, a year or two after being sworn in as Postmaster General, yielded, and an increase was given to the railway companies. I do not begrudge that increase. I believed at the time that the railways may have had a fair claim. Yet they were agreeable to accepting the existing rates. As a result, the railway mail subsidy was doubled, but they came a second time, and, in spite of the protests of the accountant of the department, in spite of the freight rates which were granted them by the Railway Commission at the expense of the consumers and shippers of Canada, they were given an additional three million dollars mail subsidy out of the exchequer. Mr. Chairman, I protest against this, this matter should have come before Parliament, and if it had, I am quite sure that, not only on this side

of the House, but on the other side, members would have protested so loudly that the Government would have declined to grant that request of the railway companies. Mr. Chairman, there is no head to the department, there is no one to protect the department against the exactions of interests. While every taxpayer individually is economizing and retrenching, we should have an example set to us by these departments of the Government.

I said a moment ago that the cheaper rate meant a larger revenue. The people of this country live in about the same condition as do the Americans to the south of us. They have, it is true, a larger population. They have not a larger territory. The people are as educated in Canada as they are in the United States, and, proportionately speaking, we have the same amount of correspondence and postal exchanges, as between province and province, city and city. Well, in the United States they have reverted to the old rate of postage, with the result I pointed out a moment ago. We should revert, for instance, to the one cent drop letter system in existence before the war. When a letter is dropped in a city or in a village, for delivery in that city or village, a rate of one cent is sufficient.

Mr. CURRIE: Might I ask a question? Is it not a fact that so far as the history of post offices is concerned, every time the rate of postage has been reduced, the revenue has increased?

Mr. LEMIEUX: Of course, and if I had time, and if we were not anxious to close to-morrow, as we all are, I would give the history of postal development in England. England has been a leader in the matter of cheap postage. In the first place, the letters were paid as they were delivered by the parties to whom they were addressed. We all know the history of that poor widow who received a letter from her son who was in the army in India, and as she went to the post office she had not the money to pay for the postage. She had to look at the letter behind a candle, to see whether there was anything in it. Her son had told her before leaving "Mother when you put the letter before the candle, if nothing is written all is well; if something is written, pay for the letter, there is some news interesting for you." And it was at that time that the great Englishman, Rowland Hill, made aware of that incident decided that there should be established in England and in the colonies a rate of postage which would allow the poor as well as the rich

to get the news. Now, in Canada, in the beginning, it was the same. I remember Lord Strathcona telling me in Montreal, that at the time he was agent for the Hudson's Bay Company, letters were transported the same way, and people would pay as they received the letter. If they did not pay they would not get delivery of the letter. The reform was established in England on a sound basis. They had first a moderately high rate but finally they adopted the penny system. Penny postage was introduced in Canada by Sir Wm. Mulock and then began the years of surplus in the Post Office Department. Yes, my hon. friend is right, the cheaper the postage the larger the revenue.

I shall not detain the committee, but I hope that my hon. friend is sufficiently acquainted with the affairs of the department to answer these various questions. But there is one in disputable fact and it is that that department, of all departments, should be represented on the floor of the House by a responsible minister. Secondly, it is a department which comes near to the home of every citizen of Canada, and it should be a business department where business methods are followed. Third, in these days of economy and retrenchment, there should be no laxity in the administration of the department, and the big interests should be curbed, as they were in days gone by. Mr. Chairman, I must protest against the fact that, although we have nominally a Postmaster General, yet as a matter of fact, it is well known in this city that the department is under the tutelage of another minister. At the present time a complete revolution is taking place in the Post Office Department. This shows one of two things: either that a rigorous sabotage is taking place, or that the department was so badly administered that it required a complete modification. There is in the department a fear amongst all the employees. They do not know what to-morrow will bring. I have in mind some of the oldest and bravest employees there, Mr. Anderson, Mr. Troop, Mr. Northrup, Mr. Sydney Smith, Mr. Moon, Col. Verret, all old and trusted officials. They have been quietly removed, or they are on the point of being quietly removed. Does that make for the efficiency of the department. I do not think so. Once more I regret that the minister in charge is not here to explain the sabotage which is taking place in his department, which I take pride in saying, Mr. Chairman, was well administered during the years when Sir William

[Mr. Lemieux.]

Mulock, Sir Allen Aylesworth and I were in charge of it. I regret that the Post Office Department, once well administered on sound business principles, has fallen into the state in which it is to-day.

Mr. DOHERTY: I am sure that the hon. gentleman and the committee will pardon me if I am as brief as is possible in dealing with the many questions that he has touched upon. I have no doubt we all appreciate the jealousy with which the hon. gentleman follows the operations of this department. I have no desire to depreciate in any way the record which he himself made in administration of that department. We are not so small that we are unwilling to recognize that he brought to that administration both ability and energy. I regret, however, that his sources of information with regard to the action of the present Postmaster General should be so inadequate. When he charges that the present minister does not attend to the duties of his office, and that the department is under the tutelage of my right hon. friend the Minister of Trade and Commerce, I have only to say that nobody would be more astonished to hear the statement than the Minister of Trade and Commerce himself. It is only fair to the Postmaster General to say that the hon. gentleman will only have to inquire of the officers of the department and of people who do business with the department to ascertain that the information he has received as to the attendance of the minister is quite inaccurate.

We have had some reference to the fact that this department is being reorganized, and that is claimed to be evidence of gross mismanagement. Let me tell the hon. gentleman that the reorganization of that department is only one portion of a plan looking to the amelioration of conditions in all the departments. The Printing Bureau was dealt with, and the Department of Customs is now being dealt with. It is indeed a strange reward for an endeavour to effect improvement—and there is room for improvement everywhere—that that endeavour should be taken as conclusive evidence of the gross negligence which has been imputed to the Postmaster General.

There has been reference to some employees whose services have been dispensed with. That is part of the plan to secure a more economical administration. One gentleman was mentioned. His case is the result of the combination of two branches and the consequent disappearance of the

office of head of one of them. That gentleman was fairly treated, being given his retirement allowance, and the country has the advantage of economy effected by that combination.

Mr. CRERAR: I understood the right hon. gentleman to say that reorganization was at present going on in the department. Who is conducting the reorganization?

Mr. DOHERTY: Griffenhagen and Company have made an examination and employed their expert methods of determining what would be improvements. In consultation with the officers of the department they reach certain conclusions, which conclusions are from time to time reported first to a subcommittee of the council, and then to the council itself, and are gradually being acted upon. The work is not yet completed. Once an appropriate system is laid down we expect to apply it to the other departments, employing men trained by these outside gentlemen.

Mr. CRERAR: Griffenhagen and Company are still working on the job?

Mr. DOHERTY: They are winding up their operations. I should just like to call attention to the fact that the hon. gentleman who has spoken reproaches us for gross extravagance, and also for an endeavour to economize. You cannot reduce expenditure without cutting down, among other things, your staff. Yet almost in the same breath practically in which we are reproached with this alleged gross extravagance and increasing expenditure we are as bitterly reproached because we are endeavouring to reduce that expenditure in the most economical manner possible.

Mr. CRERAR: It is expected that the reorganization will reduce the expenditure?

Mr. DOHERTY: That is expected.

Mr. CRERAR: In the Estimates submitted to the House there is provision made for an increase of 185 in the staff, under the heading of Civil Government, and an increase in the total vote of over \$250,000.

Mr. DOHERTY: The explanation is very simple. Those 185 officers who last year and the previous year were paid in the Outside Service are now being paid in the Inside Service; so it is no increase at all.

Now, the hon. gentleman has spoken of our surpluses and of what he calls our deficits, and has dwelt upon the increasing expenditure. I could not help wondering whether he supposed that the Post Office

Department could be absolutely exempt from the increase in the cost of everything that contributes to the life not only of the individual, but of any business. This Government has not discovered any miraculous methods by which when the cost of everything goes up the Post Office Department can buy its supplies at the old prices, nor does it pretend to be able to develop, we will say, the rural mail service—which is a very extensive branch and has grown rapidly—without any additional expenditure.

The hon. gentleman contends that we ought to abolish the war tax; that cheaper postage means larger revenue, and he points to the example of Great Britain in the past and to our following it. Well, perhaps the hon. gentleman will explain why Great Britain, whom we should follow in the line of reduction, has doubled her postage rate and continues that doubled rate. Perhaps he would explain why Australia has done the same thing and is continuing it; why New Zealand has done the same thing and is continuing it. Perhaps he would explain, too, if it be so clear that the mere cutting down of the rate would increase the revenue, why it was that the cutting down by the United States, which he instanced—the abolishing of the war tax—produced a net loss of some \$17,000,000 in the first year they did it. Now, that was not an absolute loss, but I am told by those who are experts in that line that there is in this post office business what is called a natural increase; that you have every year a regular, normal increase of some 12 per cent. When you say that the United States the year after had a larger income, why, that was merely the natural increase; leaving that out, she dropped some \$17,000,000 in the transaction. In the year that she had that natural increase, the natural increase in her case was 18 per cent and in ours it was 14. Just to mention one item to account for the increase in expenditures that is complained of, last year the increase in salaries and wages resulting from the reclassification and the increases in pay amounted to no less than \$1,200,000, and in addition to that the employees were given shorter hours which, of course, if the same work is to be done, necessitates the employment of a greater number. I do not suppose that the hon. gentleman himself would say that these increases in salary were not justified.

We have heard a great deal about the increase in what we pay to the railways.

Again I ask, can the Post Office Department, when the rates of everybody else are increased, expect that its rates are not to be increased? Did the hon. gentleman when he was in charge have some magician's wand by which he kept the Post Office Department immune from the changing conditions in which it in common with the rest of the world lived? We all know that the freight rates have been tremendously increased even to the point of destroying traffic, yet the hon. gentleman is scandalized because the Post Office is subject to these same conditions.

Mr. LEMIEUX: But there was an increase a few years ago.

Mr. DOHERTY: I do not know just what the number of years would be, but we had two increases in the railway freight rates coming within about two or three years of each other. The hon. gentleman himself is not disposed to find fault with the increase that was made in 1912. I am not in a position to speak of the circumstances under which it was made; it was a number of years ago. I am not familiar with the conditions which existed then nor am I in a position to obtain this evening information in that regard. But as to the last increase that my hon. friend is talking about, what does he suggest that the Government should have done, or that Parliament should have done, for that matter? Would he have expected Parliament—apparently he expected it from the Government—to say: Everybody else's freight rates are increased; the wage rate that the railway companies are paying is immensely increased, as is their cost of operation, but the service given to the Post Office is to remain in statu quo. I submit that there was nothing more fair or reasonable than that the Government should have done what it did when it submitted to the arbitration of the Railway Commission the question of what we ought to pay. The people of Canada as individuals have to be governed by the determination of the Railway Commission as to what they ought to pay for services that the railways render; I ask in the name of common sense why should we, the Government of the country, not be called upon to submit also to the determination of the same body? The hon. gentleman himself admits that there should have been an increase, because what does he say? The Government referred it to the Railway Commission, he says, and "of course" either means that they increased the rates because they ought to be in-

[Mr. Doherty.]

creased, or—and I am sure the hon. gentleman does not mean to do so—he imputes to the Railway Commission a desire to sit there, though there was not reason or ground for it, and increase the railway rates. I am quite willing to accept the reproach that this Government was prepared to submit the question to the body which under the authority of Parliament has been constituted to decide precisely the same question for the whole Canadian public.

Mr. LEMIEUX: How is it that the Government has on two occasions recently yielded to the request of the railway companies, whereas during twenty-five or thirty years previously the department had successfully resisted the same request? How is it that these increases go only to the old companies, companies which were subsidized by the Government? New companies that have been subsidized in the last fifteen or twenty years do not receive mail subsidies because under the Railway Act it is provided that as they receive railway subsidies they should transport the mails free.

Mr. DOHERTY: As I understand my hon. friend's argument, it is that what he calls the new companies were granted subsidies on condition that they carry the mails free. Well, these companies have accepted the subsidy with that condition.

Mr. LEMIEUX: Should not the old companies, which besides receiving railway subsidies were being paid a special mail subsidy, have been satisfied with what they were getting?

Mr. DOHERTY: The subsidies granted to them had been granted apparently with no accompanying condition that they should carry the mails. I suppose it was considered that the advantage to the public from the construction and carrying on of the roads justified the granting of that subsidy without such a consideration. Past governments recognized that the matter was one of making a bargain for a fair price for the carriage of the mails. The hon. member claimed credit for himself and his predecessors for having resisted during twenty-five years. If there had been no increase for twenty or twenty-five years before 1912, I leave it to the common sense of this House whether that fact itself does not demonstrate that the time had come, if you are going to act fairly at all, when there ought to be an increase. As regards the second increase that is spoken of, I have already pointed out that the Post

Office Department has shared the fate common to the entire people of Canada, and has taken the judgment of the body that decides what all of us ought to pay when we have occasion to ask for carriage by the railways.

As to the protest that was read to us, it pointed out existing conditions and objected to accepting certain terms that were demanded by the railways. Those terms were not accepted; the matter was submitted to the Railway Commission, and it has given its decision. In that protest, I notice it was pointed out that there was a call for an increase in the charges to be made for the carriage of newspapers. That has been acted upon. Last year we had an increase of from one-quarter to three-quarters of a cent per pound and next year the rate is to become  $1\frac{1}{2}$  cents. I do not know that there is anything further that I need add. I should only like to repeat in closing that because the hon. member's sources of information are inaccurate, I think he is very unfair to the Postmaster General. Whether the Postmaster General should be in this House or not is a question that has been discussed on different occasions. If the minister were in this House, if we were to carry out what is a well established custom, some other minister would be in the other chamber. I do not, however, desire to go into a discussion of that question which, after all, is an abstract one. There is much to be said on one side and on the other.

Mr. SINCLAIR (Guysborough): The minister has not explained to my satisfaction the enormous increase in expenditure during the last number of years. In 1910, the total expenditure amounted to \$7,900,000; in 1911, it was \$9,100,000; in 1912, it amounted to \$10,482,000; in 1913, it amounted to \$12,000,000. This was all before the war. In 1914, it amounted to \$12,956,000. It was advancing at the rate of \$2,000,000 in some years and \$1,000,000 in others. When we have the evidence of the Civil Service investigators that the Post Office Department is so filled up with unnecessary officers that they propose to save at least \$1,000,000 by discharging men who have nothing to do, we can see the reason for a large part of that increase. The management of the Post Office has been most reckless during the present regime, and, in fact, ever since 1911. Taking into consideration the high cost of everything, there can be no excuse why the expenditure of the Post Office should go from \$9,000,-

000 to \$20,000,000 in those years. Something more than the increase in the cost of living and the increase in the cost of service is necessary to explain such an enormous increase as that. With the war tax, there is an apparent surplus; but if we deduct the war tax as it appears in the Post Office report, there is the enormous deficit of \$3,637,000. I find, in comparing the post office accounts of this year with those of some years ago, the increase is largely in salaries, showing that the number of officials appointed in Ottawa and other branches of the service accounts for a large part of the increase.

Mr. DOHERTY: And likewise increase in the rates of salaries. There you have a very heavy increase.

Mr. SINCLAIR (Guysborough): But that would hardly bring the salaries up from something like \$3,000,000 to \$10,000,000 as they are now. There is not time at present for us to discuss this question in an intelligent manner. There is so much that has to be dealt with that it is very unsatisfactory that these Estimates should have been brought on at this stage of the session. If one department of the Government ought to have its Estimates brought on at an earlier stage of the session, it is the Post Office Department. Every man in Canada is interested in the Post Office. What I object to is to have to deal with these questions in the dying hours of the session. This is not a new method adopted by the present Administration. The Railway Estimates were treated in the same way. Contentious Estimates are kept off until the close of the session, and we are expected to rush them through without explanations during the dying hours of the session. This is very unsatisfactory, and, of course, it results in members not knowing what they are voting the money for?

I want to get some information regarding the reorganization that, I understand, is to take place in the Maritime Provinces. There is a rumour in the newspapers that the inspector's office in Halifax is to be closed and removed to Moncton; the staff at Prince Edward Island are also to be removed, and for all the Maritime Provinces, we are to have the one inspector's head office at Moncton. This should not be done without consultation with the representatives of the Maritime Provinces. I know no good reason why this ought to be done, and I should like to know the views of hon. members from the Maritime Provinces supporting the Government. Do they want to

lose the inspector's office at Halifax where it is a great convenience to members of this House and all other parties who have business with the inspectors?

The office at Moncton would be very inconvenient for the whole province of Nova Scotia. It would be a good centre, I admit, for the three provinces, but we have no business with Moncton and men will not travel one or two hundred miles simply for the purpose of meeting the inspector and discussing with him small questions concerning the management of the postal service in some particular district. On the other hand, we all go to Halifax frequently on business, and we can then kill two birds with one stone—do our business, and discuss any questions we have with the inspector. If the office is removed to Moncton it is going to be very inconvenient for the people of the province of Nova Scotia, and I do not think the change should be made without consulting the maritime members. I do not know what are the views of my hon. friends from Nova Scotia who are supporters of the Government. I would like to know the views of the Minister of Public Works (Mr. McCurdy), of my hon. friend from Annapolis, (Mr. Davidson), and my hon. friend from Pictou (Mr. McGregor), who are all interested in this question. Do they think it would be to the advantage of the province of Nova Scotia to have the inspector's office removed from Halifax to Moncton? Moncton is a place where most Nova Scotia people have very little business. We pass through there going to Montreal. It is a very fine city, and if we were going to have one inspection office for all the Maritime Provinces, it would be a very central place, but the inconvenience is going to be very great if the change is made for those people in the province of Nova Scotia who have business with the inspector. I do not know what, if anything, can be gained by the change. Perhaps the minister can tell us what the plan of the Government is. What does he expect to gain by the change? I can assure him it will not be a popular move in the province of Nova Scotia, and that it will create a great deal of inconvenience for the people who want to do business with the post office inspector. I should like some information from the minister on that point.

Mr. DOHERTY: I am informed that while the matter is receiving consideration, no final decision has been arrived at with regard to it. As to the desirability

[Mr. J. H. Sinclair.]

of the views of the members from that part of the country being taken, I feel quite authorized to assure the hon. gentleman and any other members who may desire to impress their views upon the departmental officers, who, as I have said, are in consultation with the firm that is doing the reorganization, that their views will be quite welcome and will be given every consideration. I know of no other way by which the department can elicit the views of hon. members, and I am quite sure that the doors will be open to them, and that any representations they desire to make will have a respectful hearing and consideration.

Mr. SINCLAIR (Guysborough): If the minister would tell us something about what he intends to do we would have a better idea. I have seen this rumour in the press.

Mr. DOHERTY: As I have said, no decision has been arrived at and therefore I am not in a position to tell the hon. gentleman what we intend to do. The matter is being canvassed and considered and discussed. That is all I can say at the present moment.

Mr. SINCLAIR (Guysborough): Has the change been recommended by the Griffenhagen Company?

Mr. DOHERTY: I understand that that is the recommendation of the Griffenhagen Company.

Mr. LAVIGUEUR: I regret that the Estimates of the Post Office Department have not been brought down to the House until the last hours of the session, as there is so much criticism to be offered on the administration of the Post Office Department.

As has been stated by the hon. member for Maisonneuve and Gaspé (Mr. Lemieux) and the hon. member for Antigonish and Guysborough (Mr. Sinclair), it is not surprising to anybody who has any knowledge of the administration of that department, that the expenditure of the Post Office Department has jumped from \$9,000,000 to \$24,000,000. In view of the patronage which has been introduced into that department of late years, we are not surprised to learn that the salaries have increased over \$10,000,000. It is within the knowledge of a great many people, and especially the people of the city of Quebec, that positions at high salaries have been given in the department to friends of the Government who had even no office in the

city of Quebec, and who in some cases have made no reports to the department. I wish to mention one case, in particular, that of Dr. Michel Fiset, who occupies the position of Parcel Post Supervisor, at a salary of \$2,800 a year. He was appointed by Order in Council in 1914. It was stated in reply to a question I put on the Order Paper, some time ago that he has drawn over \$19,000 from the Post Office Department. I suppose this is just another instance of friends of the Government drawing big salaries without rendering any service whatever. Mr. Fiset is well known in the city of Quebec. He is a politician, and a great friend of the Government. He was the opponent of the late Sir Wilfrid Laurier in Quebec East, and I suppose he was given this position by the Government as a reward for his services in that respect. As I have said, he has received almost \$20,000, and has rendered no service to the department. This is another instance of patronage and waste of money in the department.

Mr. SINCLAIR (Guysborough): Is he still in the employ of the department?

Mr. LAVIGUEUR: It was stated in reply to a question of mine a couple of months ago that Mr. Michel Fiset was recommended for a pension. Whether he is still in the employ of the department, I do not know; the last news I had was that he was. In the session of 1918, I asked a question of the minister, and if my memory serves me correctly the Prime Minister himself answered me that Mr. Fiset was Parcel Post Supervisor, and even he did not know of what utility that position was.

Mr. ARCHAMBAULT: Where does Mr. Fiset reside?

Mr. LAVIGUEUR: In Quebec city.

Mr. ARCHAMBAULT: I thought my hon. friend said that he was not a citizen of Quebec.

Mr. LAVIGUEUR: He is a citizen of Quebec. The citizens of Quebec cannot see what service Dr. Fiset has rendered, but he has drawn some \$19,000 odd since 1914. There is much complaint in regard to the administration of the Post Office Department. I know that many communications have been addressed to the Postmaster General, and have received no acknowledgment. Ten or twelve days ago I addressed to the department a petition signed by over 300 of the principal citizens of the

town of Loretteville, asking for the establishment of a post office near the church. There was some difference of opinion as to where the post office should be located, and this petition was signed by over 300 persons, including the mayor, and the principal citizens. I addressed it myself to the department with a letter of recommendation to the Postmaster General, but I regret to say that I have never even received an acknowledgment of it. I am not surprised therefore that the member for Maisonneuve should say that the Postmaster General is indifferent, and neglects his department. This statement is certainly borne out by the fact that people cannot get important communications even so much as acknowledged.

Mr. DOHERTY: I shall be glad to inquire into the oversight in regard to the letter and see that the matter is attended to. With regard to the case mentioned by the hon. gentleman, Dr. Fiset stands on the retired list as from March 31 last, so that even if the case were as lamentable as it is represented,—and I have no information regarding it—the evil will cease.

Mr. SINCLAIR (Guysborough): Is he getting a pension?

Mr. DOHERTY: I have not the age of Dr. Fiset, and therefore cannot say whether he is or not. I shall be glad to forward the information to the hon. member to-morrow morning.

Mr. ARCHAMBAULT: The minister does not need to know Mr. Fiset's age to state whether he gets a pension or not.

Mr. DOHERTY: What is to be determined is whether he gets a pension or a lump sum by way of retirement allowance, and that, I am informed, depends upon his age and length of service.

Mr. ARCHAMBAULT: His electoral service?

Mr. DOHERTY: No, length of service.

Mr. SINCLAIR (Guysborough): I understand that the mail carriers have made a request to the department for some rearrangement of the method by which they are at present paid. I refer particularly to the rural mail carriers. They have asked for a stated sum per mile. This is chiefly in the province of Ontario, but I understand that the same thing is true in respect of the whole Dominion. I am requested to find out what action is being taken in this matter.

Mr. DOHERTY: The rural mail carriers are contractors who are paid what they offer to do the work for. I understand that on their behalf a request has been made that they be made employees. They get the contracts because they make lower tenders than other people, and then they find that they cannot do the work for the amount at which they tender and they request that without further ceremony they be made permanent employees of the Government and be given a fixed rate per mile, I think \$70. Now, the present view certainly is that this proposition cannot be entertained. In all cases where men have so tendered and got contracts, when it is established that for one reason or another they are unable to make ends meet at the rate they have tendered, the department has shown itself most lenient in discharging them from their obligations, and assuming the responsibility of calling for new tenders. Complaints in this respect have been very much reduced. They naturally were more frequent when the cost of everything was going up, because it was more likely to happen, under such circumstances, that men would miscalculate, at the time they made tenders, as to what the work would actually cost; but now that most things are on the decline, I am informed that complaints by rural mail carriers, that the sums they receive are not sufficient, are considerably few. Now, as indicating the unwisdom, not the impossibility, of acceding to the request that has been made, I might point out that while what is asked for is \$70 a mile, the average of tenders coming in now for new contracts is \$40 per mile, so that, on its face, the request seems absolutely unreasonable.

Mr. SINCLAIR (Guysborough): The system of tendering has not been very satisfactory. My hon. friend knows that very many people tender at too low rates and are not able to carry out their contracts and of necessity have to come to the department for further advances. That is the prevailing condition, and I understand that bonuses have to be paid them. But the only question is whether it is a wise policy to do as they have done in the United States. The rural mail carriers should be paid so much a mile—I do not say \$70—but whatever is right, owing to the conditions and circumstances at the present time. We would have a more satisfactory service if that system were adopted than we have with the present system.

[Mr. J. H. Sinclair.]

Mr. DOHERTY: I understand the Post Office Department find the present system working satisfactorily, and I have just pointed out that the complaint from the contractors has very much diminished. Many of the rural routes involve comparatively short distances, and do not take all of a man's time, or anything of that kind. The departmental opinion, at all events, is that, from the department's point of view, the present system is preferable, and it is quite possible to do justice and act fairly towards the contractor under the present system. The departmental view is that there would be no advantage to be derived from the change, and I am informed that it costs the United States a very considerable sum of money to effect the change—that the bringing about of the change involved a very considerable addition to the cost of doing the work.

Mr. LEMIEUX: I have just a few questions to put to the right hon. gentleman. First, I see an item about the annuities which has reference to the administration of a branch of a department which was transferred to the Post Office, some years ago. I would like to know if the right hon. gentleman can state generally as to whether there has been an increase in the number of annuities provided in accordance with the system which was introduced some years ago by the Government?

Mr. DOHERTY: I am informed there has been a slight increase in the business, but that the public do not really seem to take hold of it in any large way.

Mr. LEMIEUX: Is the department promoting the system? I understand the Annuities Branch of the Department of Trade and Commerce was transferred to the Post Office in order to make available the various post offices throughout the Dominion as advertising agencies for that system, which is really a sort of old age pension for the public. I do not know if the department has given the impetus necessary to the success of that system in Canada.

Mr. DOHERTY: I am informed that the system has been advertised throughout all the post offices. Posters have been put up, but it is pointed out to me that the conditions have been such that people could find much superior investments for their money, and that the terms on which they could procure annuities from other sources are much more advantageous and that readily accounts for the slowness of the

people in availing themselves of this system.

Mr. LEMIEUX: Another point which is perhaps a little personal: Some years ago I had, as secretary of the department, Col. Hector Verret, and before I left the department he was appointed Assistant Deputy Postmaster General. Col. Verret, besides being a very efficient officer, and doing practically the work of the province of Quebec, because he is so familiar with both languages, has been a long and faithful servant of the public. I am informed—and we are all aware—that he was a gallant officer during the Great War. He was wounded and decorated on the battlefield for his gallant services. In his absence, unfortunately, another gentleman was promoted in his stead as joint Assistant Postmaster General. I shall not give his name. But so many protests were made that that other gentleman was given the administration of a branch of the department, and lately, I am informed, he was obliged to resign on account of irregularities. If I understand, some proceedings were taken against him, but my latest information is that he is still scot-free, and has not been brought to justice. This is not the point I wish to make, however. I suppose the Department of Justice will see that this man is brought before the court, if the facts which have been revealed are true, that he was tampering with the dead letters, and with the various objects which came under his supervision and control. But I wish to say that I am informed that Col. Verret, a gallant soldier, who was wounded and decorated on the battlefield is to be, not dismissed, but degraded in this sense, that it is supposed that Messrs. Griffenhagen and Company have decided that his post should not be filled, and that Col. Verret should be placed in some inferior position, possibly with the same salary. When Col. Verret was appointed Assistant Deputy Postmaster General he was filling a long-felt want in that department, and was doing practically the business of the whole of the province of Quebec. There are very few French Canadian officers in the department, and it seems very drastic that he should be put aside, especially after having served so gallantly his country and his King. I hope that in the reorganization of the department, Col. Verret, who is well-known by all members of this House, who is most courteous and efficient, will be maintained in his position. I am informed—in fact I have read that report of Griffenhagen and Co.—

that men who came into the service long after Col. Verret and who received orders from him, are recommended for a higher salary. I say the least that should be done in this case is to give the higher official the higher pay, and above all he should be retained in the position which he deserves to occupy. I have not seen Col. Verret for months and months. I meet him occasionally. He was a fine, faithful servant to the various ministers who came in succession into that department. I am not pleading on his behalf because of my personal relations with him, but I know he is a good civil servant, and a man who was wounded on the field, who was decorated, who risked his life during the Great War, and who returns home to find that he will be degraded in the department, when he is still full of life and vigour, willing to serve as Deputy Postmaster General. It seems to me that my right hon. friend should impress upon the Postmaster General, and upon the Government that no injustice should be done in this case.

Mr. DOHERTY: I have every sympathy with the expressed desire of the hon. gentleman that no injustice should be done to Colonel Verret. The question that has arisen so far, however, is not a personal question at all, but whether there is occasion for the services of an Assistant Deputy Postmaster General. That every consideration should be given to Colonel Verret if it be decided that the particular office is not necessary, I fully concur in, but I think we have got to consider simply the general proposition, that you cannot very well maintain an office, if it be a useless office, because it happens to be filled by a very competent gentleman and a very deserving soldier.

Mr. LEMIEUX: I appeal to my hon. friends on both sides of the House who have had any business to transact with the department to bear me out when I say that Col. Verret is really a most necessary official of the department, for he is approachable at all hours day in and day out, and it seems to me that he should not be degraded. He has won his position by merit, and in spite of Messrs. Griffenhagen and Company he should be maintained in it.

Mr. CURRIE: I wish to endorse every word that has been spoken in favour of Colonel Verret. I had occasion to have dealings with the Post Office Department before the war and always found him competent and courteous. Throughout the

war he was a brother officer of mine, and I cannot speak too highly of him, and I think it would be a matter of very deep regret to any one who knows him to think for one moment that any reorganization could be achieved in the post office whereby he would be degraded and forced out of his position.

Mr. BUREAU: Griffenhagen and Company would do it.

Mr. CURRIE: They are not Britishers, French or Canadians, and they do not even know who won the war. But there is no doubt that so far as Colonel Verret is concerned nothing should be done that will be injurious to him. I met him in Canada, in England and in France under all conditions, and I can assure the House that words of mine cannot convey one-half of the esteem I have for him and of my admiration of his ability. He and another young man by the name of Murray assisted largely in establishing the most efficient postal service that we had in the war zone and in England. His heart is always in the post office, and I feel satisfied that the Government will see to it that he is dealt with properly and that no reorganization will find him deprived of his position. I also want to refer to another gentleman in the Post Office Department whom they are trying to throw out of the service—Mr. Anderson. He also is a most efficient officer and an ideal civil servant. I do not know of any two men in all the departments who are better qualified to fill the positions they occupy than these gentlemen, and I hope the committee of council which has charge of this work will see to it that no outside organization shall come into the department and deprive the country of the services of these capable officials.

Mr. LEMIEUX: I fully endorse what my hon. friend has said of Mr. Anderson. He is a most competent man and known throughout Canada. He does not consider at all the hour of the day or night—he is always ready to give you the information you require. He is full of health and vigour, and certainly I would not accept complacently any degradation in his case either.

Mr. DOHERTY: I am told by the officers of the department that the suggestion of any removal of Mr. Anderson is something they have heard of for the first time. With regard to Colonel Verret, I shall bear in mind what has been said.

[Mr. Currie.]

Mr. PEDLOW: Has the acting Postmaster General any information in regard to the extensive reorganization of the Post Office Department that is now in progress? Another matter I want to refer. I understand no separate accounts are kept in the Post Office Department of its sale of postage stamps and of inland revenue stamps. I protested against that last year. I think separate accounts should be kept so we will know exactly what the actual revenue of the Post Office Department is.

Mr. CURRIE: Does the hon. gentleman think that the people of Canada are going to be put to such inconvenience in order that this information may be obtainable that they cannot use a postage stamp on a cheque? That is absurd.

Mr. PEDLOW: I am addressing my remarks to the acting Postmaster General and looking for information from him on these points. If I should want other information that might be obtained from an ex-officer of the militia I shall address my remarks to the member for North Simcoe. Another item I want to refer to is the reduction in postal rates. The United States reduced their rates on letters from three cents to two cents on July 1, 1919. I agree with the statement made by the member for Maisonneuve that there would almost certainly be an immediate increase of revenue by a reduction in the rates. That was our experience years ago when Mr. Mulock was Postmaster General and the rates were reduced from three to two cents—the revenue increased immediately. Is it the intention of the Government to consider this matter? I think it is very desirable that these rates should be reduced. If they were able to reduce them in the United States immediately after the war there is no reason why Canada should not do the same. I should like to know also whether the Government are considering a readjustment of the parcel post rates. Any increase in these rates would affect myself adversely, but I submit that they are altogether too low—railway rates have tremendously increased but parcel post rates are the same as they were some years ago. Then, as to purchasing agents, I find that there are in this branch of the service 24 such officials; last year there were 21. We have a purchasing department which is costing the country about \$100,000 annually for salaries; one would think, therefore, that there would be no need for an increase in the number of these employees in the

Post Office Department. I find that there is one postal purchasing agent and store clerk, that there are 6 senior store clerks, 4 store clerks, 6 supply clerks, and 7 junior store clerks. If the purchasing department is functioning as it should, these employees should not be necessary in the Post Office Department—and this applies to all other branches of the service. There is certainly duplication of services here as well as duplication of cost. Another point which I wish to bring to the minister's attention has to do with rural mail service. I will put the case in this way: the department advertises for tenders for a certain mail route, and three or four tenders are received. Now, instead of accepting the lowest tender, here is what happens: the department has a very clever fellow here in the service who goes out to the section concerned, interviews Tom Jones, Joe Brown, John Smith and the rest of them who have tendered, and gets them to bid against each other—and here is where the whole trouble arises. I know instances where through operations of this kind the bid has been reduced down to an amount below that of the lowest tender. If the department would accept the lowest tender, provided all the requirements were complied with and proper bondsmen provided to guarantee the service to be performed, there would be no kick. The minister has stated that the department is magnanimous in these cases; that he will cancel the contract wherever the lowest tender is not accepted, but that he holds the bondsman until such time as another tender is received and is accepted. Well, the same system again prevails; this gentleman goes out and gets the tenderers to bid against each other and in that way they are fooled into accepting contracts at much lower prices than those at which they can really afford to do the work—and more trouble arises. Now, I have submitted a good many matters for the minister's consideration, but he will agree they are sufficiently important to merit attention at this time.

Mr. DOHERTY: With regard to the matter of rural mail carriers, the hon. gentleman's reproach really is that the department are trying to get the work done at as reasonable a figure as they can. We are blamed for incurring increased expenditure—the hon. gentleman himself made comments along that line—and then we are blamed for taking any steps to cut down expenditure. I am told that when these endeavours are made to reduce the lowest

tender it is when the official is face to face with a lowest tender which is a great deal more than the work is worth.

Mr. PEDLOW: That is not correct.

Mr. DOHERTY: That is the judgment of the officials employed, and the reproach is that they go to these men and get as good a bargain as they can. Now, if these men are, as the hon. gentleman says, fooled into doing this, it is marvellous what shrewdness they develop when they come later on to make their claim for increased price. I have had opportunity of listening to some of them myself, and to me it is inconceivable that the shrewd man who came to me to get his price built up, who was able to confront me with every sort of reason and for whom I was no match at all, is the same innocent man who when the employee of the department went to see how little he would do it for, was fooled into doing it. Had the hon. member been in the House earlier in the evening, he would have learned that after the rural mail carriers had been making this claim for a rate of \$75 a mile, the average tenders that came in were for \$40 a mile. Everything is now on the down grade, and I understand that the unrest and complaints in regard to this matter have considerably fallen off and are continuing to do so. With the information that I have, I cannot concur in the hon. member's opinion, and I have only to refer to the fact that Great Britain and the other countries that I have mentioned cannot see the matter in the way that he does. The United States have made the change, and they have lost a very large sum of money in doing it.

The hon. gentleman proposes that parcel post rates should be raised. The question is being considered, but I understand we have perilously nearly reached the point where, if we increase the rates further, they will be as high or higher than those of the express companies and naturally we will not do any business. We must consider how much the traffic will bear. No conclusion has been reached upon the subject.

There is only one purchasing agent, and I do not see where the hon. member found twenty-four agents. There are storekeepers, but a man who keeps store is not a purchasing agent. The staff has been amalgamated into one department under one purchasing agent, who is the head supervisor over all the men in charge of keeping the stores.

Mr. PEDLOW: There is an instance in the Estimates of a stores clerk getting \$2,800 a year. He must surely perform some duties beyond that of an ordinary stores clerk.

Mr. DOHERTY: The gentleman was occupying a clerical position of an important character to which was attached this salary of \$2,800, when the Civil Service Commission thought it wise to classify him under the name of stores clerk. Notwithstanding the change of name, he was entitled under the law to remain at the same salary.

Mr. PEDLOW: What are the duties of a stores clerk and why are there so many of this class of employees?

Mr. DOHERTY: A stores clerk takes charge of and issues the different stores confined to his care, and he is responsible for them.

Mr. PEDLOW: A man had a mail contract for thirty miles for which he received \$960 a year. He kept two horses and a wagon, and he was on the road the whole time, not being able to do any other work. He took that under contract, but I have my doubts whether he was not chewed down by your efficient and capable agent who negotiates these deals. While I believe that the lowest tender should be accepted, there should be no chewing down. The department consented to cancel this contract provided that they could get a satisfactory man to take up the work. This man, on my advice, tendered again on the basis of \$45 a month, and this is the only tender. This agent came along from Ottawa and he cut the man's price down by \$100, notwithstanding the fact that his costs, giving him absolutely a bare living, figured up to not less than \$1,500. That is not decent treatment. This man should get \$1,500, or \$50 a mile.

Item agreed to.

Post Office—Outside Service, \$25,028,323.25.

Mr. SINCLAIR (Queen's): Is it the intention of the Post Office Department to adopt the recommendation made by the Griffenhagen firm as regards the reorganization of the Postal Inspection Branch of the Maritime provinces? I am informed that these experts recommend the closing of the offices at Charlottetown, Halifax and St. John and moving a portion of the staff to Moncton where the inspectorate will be centralized.

[Mr. Doherty.]

Mr. DOHERTY: Earlier in the morning I answered the same question to the extent that I am in a position to answer it. There has been a recommendation made which is receiving consideration. No decision has as yet been reached.

Mr. SINCLAIR (Queen's): The people of the Maritime provinces do not view with favour this movement, which is not confined to the Post Office Department alone, in centralizing the control of the different departments in one centre in the Maritime provinces. I hope the Minister of Public Works (Mr. McCurdy), and the Minister of Customs and Inland Revenue (Mr. Wigmore) will take particular notice of this, because we are all equally interested. We think we get better control of the service if it is managed in each province. In fact, when the provinces came into Confederation it was not intended that we would ever be governed through the centre of any other province. To put it briefly, our people do not wish to be made the tools and minions of the Griffenhagen Company. We object very much to being made an annex or vestibule to any other province, and I trust that the minister will convey that impression to his colleague in the Cabinet who is at the head of the Post Office Department. This same principle was followed a few years ago with the railways, and the situation has never been as good since the management of our Island railway was moved to Moncton, and it is much worse now that the management has been moved to Toronto. We want as much local control as possible over local affairs. It is much easier for us as members of parliament to get satisfaction when we have an inspector in the district who is responsible to Ottawa. We get better satisfaction and much quicker service, especially in a department where there are so many details to be taken care of as in the post office department. I commend that to the consideration of my hon. friend.

Mr. JOHNSTON: The minister some time ago stated in reply to a question from my hon. friend from Marquette that the staff increase of 185 was accounted for by the transfer of that number from the outside to the inside service. I notice that the vote for the outside service has increased by \$916,594.62, salaries and allowances making up \$714,000 odd of that increase. If there are 185 less people in the outside service, how does the minister account for that increase?

Mr. DOHERTY: I understand that the increase in the cost of the outside service is the result of statutory salary increases and the increase in salaries as a result of the reclassification.

Mr. JOHNSTON: Is it a fact that there are 185 less people in the outside service of that department?

Mr. DOHERTY: As there are 10,000 employees in the outside service, it is not surprising that there should be that much of an increase in view of the statutory increases and by reason of the reclassification.

Mr. JOHNSTON: I submit that it is a tremendous increase. We have 185 fewer people in the outside service this year than last, yet it is costing \$714,000 odd more.

Mr. DOHERTY: I have here, and could read to the hon. member, a full list of the people to whom those increases go, and show him that the total amount is made up of the statutory increases and such increases as result from the reclassification.

Mr. JOHNSTON: I would not ask the minister to go to that trouble. If 185 people have been transferred from the outside to the inside service, have the places of those 185 people in the outside service been filled by other people?

Mr. DOHERTY: If the 185 were not counted in the inside service, it would simply mean 185 more in the outside service.

Mr. DECHENE: (Translation.) Mr. Chairman I wish to call the attention of the hon. Minister of Justice (Mr. Doherty) who is acting as Postmaster General, to the fact that since over three months the citizens of Iles aux Grues in Montmagny county complain that the motor boat service between Montmagny and Iles aux Grues is quite irregular. The mail service is made on land through the town of Montmagny on a distance of one mile and the river is crossed by motor boat. According to his contract, the mail carrier is supposed to supply a boat capable of carrying, in the summer time, at least twenty people. This year the mail carrier was rather late and could not get a proper boat for the service. When the Post Office Inspector came to inspect the service, early this spring, he crossed from Montmagny to Iles aux Grues on the mail carrier's motor boat.

In the evening he called on the cure of l'île aux Grues and told him that in order

to get back to Montmagny next morning he would take another boat than the one which the mail carrier used, because he did not wish to risk his life. On many occasions I drew the attention of the Postmaster General to this fact, asking him to see that the mail carrier placed at the service of the citizens of the island a better boat. Each time the answer was: "We shall make an inquiry." When last I heard from the island this inquiry had not taken place. Even lately, although a promise was made to make an inquiry in this case, I was informed by one of the leading citizens of l'île aux Grues that the mail service instead of being performed by a motor boat was being done by canoe and consequently the citizens of the island have absolutely no service and even before this last event took place no mail was despatched for one or two days. Under these circumstances I believe it my duty to draw the attention of the Postmaster General to the case and ask him to see that the mail carrier fulfils his contract and if he cannot do it, the minister should immediately ask for new tenders, so as to get some one who will give a satisfactory service to the citizens of l'île aux Grues.

Rt. Hon. Mr. DOHERTY: (Translation.) I am afraid that the hon. member is not applying to the right department. The officials inform me that the Post Office Department lets out no contract for the transport of passengers by boat. I am told that the Department of Trade and Commerce looks after this. We pay the mail carrier to carry the mail but we do not take into consideration the comforts of the public in this service.

Mr. DECHENE: (Translation.) I want to tell the minister that on two different occasions I personally examined the contract passed between the Post Office Department and the mail carrier and the former stipulates in that contract that the mail carrier will supply a boat. It is the Post Office Department that has made the contract with the mail carrier and according to this contract a service must be supplied as the one I spoke about a few moments ago.

Rt. Hon. Mr. DOHERTY: (Translation.) If the hon. member will give us the name of the mail carrier we will look into this matter.

Mr. DECHENE: (Translation.) I do not at present remember the name of the mail carrier, but it is very easy for the minister

to ascertain who he is. For the last month I have been writing almost every week to the Post Office Department with regard to this matter. You will find at the department a whole file of letters written by the member for Montmagny. Besides having often written to the department I had a number of interviews with Col. Verret, who told me: "My dear Dechene, I cannot do more than to ask for a report from the Quebec office!" That report, Sir, never turns up. They promised to have an inquiry made, but the inquiry never took place, no one went to the island to do so.

Mr. CASGRAIN: (Translation.) Mr. Chairman, before this item is passed, I wish to make a few remarks very closely resembling those made by the hon. member for Montmagny. About a month ago I submitted to this House a resolution with the aim of obtaining a better service than is at present in existence between St. Catherines Bay and Tadoussac. At that time I told the House that there was a contract between the Post Office Department and a certain person for the carrying of mail; I believe that the Government was paying him \$2,000 or \$3,000. I received a letter from the Postmaster General (Mr. Blondin) informing me that this was the amount being paid and that he could not understand why the service was not a better one. Often the mail failed to arrive on time. Although the contract clearly stated that the mail should be carried by boats such as circumstances required, an ordinary small canoe was used to cross the Saguenay river; according to the contract the mail carrier must make use of a gasoline launch; this was never done and consequently it has often happened that the mail was a few days late. When I brought forward my resolution, I read to the House a letter from a Mr. Pennington, once a member of the Quebec Harbour Commission—that letter was inserted in Hansard. Mr. Pennington wrote to me that he had been to St. Catherines Bay, wishing to get to his lumber mills, but that he was unable to cross owing to the boat being unsafe and that it would have meant taking his life in his own hands, had he crossed in the canoe which the mail carrier used. The case is very similar to the one that my hon. friend from Montmagny spoke of.

I am addressing my remarks to the Acting Postmaster General, for whom I have a great deal of respect, and I am sorry to find that this Government makes him responsible for the sins of another minister

[Mr. Dechene.]

and obliges him to spend night after night in this House. Under those circumstances, if the Government would allow the deputy minister to come to this House instead of bringing in some young officials who perhaps are not as competent as Mr. Coulter in order to discuss these matters, perhaps it would be more satisfactory for ourselves.

Right Hon. Mr. DOHERTY: As far as the Deputy Postmaster General is concerned, I will say to the hon. member that unfortunately he is sick. This is liable to happen to everybody and even the best Governments are subjected to the misfortune of seeing some deputy ministers stricken with sickness. With regard to the other question, I may say to my hon. friend that I will make inquiry about it. The officials who are here now exercise their wonder that the department should be called upon to explain the terms of some contracts concerning the transportation of passengers. I am informed that the Department of Trade and Commerce, in some cases, pay subsidies to the owners of such boats, and that it is provided in those contracts that they will carry the mail in consideration of that grant. I don't know if there is any question of a contract of that kind but I will inquire about it and I will give the information desired by the hon. member. It does not matter that the question be within the province of the Post Office Department or the Department of Trade and Commerce, I will acquaint whom it may concern with the result of the inquiry that will be made and then ask that the necessary action be taken.

Mr. CASGRAIN: I take good note of the favourable remarks and good intentions of the Acting Postmaster General, but I must say to the House that when I introduced this resolution some two months ago, the right hon. minister of Trade and Commerce (Sir George Foster) answered in exactly the same way as the hon. minister has done to-night. He said: This matter is not at all within the province of the Department of Trade and Commerce. When I went and knocked at the door of the hon. minister of Marine and Fisheries (Mr. Ballantyne) and make him acquainted with the facts, his answer was: This does not concern my department, it concerns the Post Office Department. I would like to know if I will thus be sent from pillar to post for a long time before I obtain justice. When we ask something very reasonable from the Minister of Trade and Commerce, he gives the following answer: I can't do it; go and see the Postmaster Gen-

eral. As soon as we address ourselves to the hon. Postmaster General, he says: Go to the other department. When we apply to the Minister of Marine, his answer is: That matter does not concern me, others will see to it. Under the circumstances, the best thing to do I think is to send all the ministers back home and bring a change of government.

Mr. LANCTOT: (Translation.) Mr. Chairman, it is past three o'clock in the morning now, we have been here since eleven o'clock yesterday morning, that is to say practically thirteen hours continually. The last sitting also lasted more than thirteen hours. And why are the members of Parliament compelled to spend whole nights in this chamber? It is the fault of this Government which has spent the greater part of this session discussing European affairs that don't concern us at all, at least much less than our own affairs, the League of Nations, the Court of Arbitration for the League and I don't know what else. To-night, they introduce the Estimates of the Post Office Department which have not yet been discussed. We have as the head of this department a minister who is not a member of this House. We had a lot of inquiries to make but there is nobody here in position to answer them. However, it is absolutely necessary, they say, to close the session to-day. I want to register my protest against that state of things, because it is unreasonable to sit here night and day for weeks and this only in order to meet one purpose: allow the Prime Minister (Hon. Mr. Meighen) to start for London the 7th instant. Is it not a fact, Mr. Chairman, that during the four or five past years, the hon. member for Kings (Sir Robert Borden), the predecessor in office of the present Prime Minister, spent nearly 90 per cent of the session time abroad since the war? Would not it be fair and reasonable that the Prime Minister, if he wants to leave, should delegate his authority to the Hon. Minister of Trade and Commerce (Sir George Foster) for example, as that hon. gentleman filled very ably the position of acting Prime Minister under the administration of Sir Robert Borden so that he would be still able to easily take the place of the present Prime Minister for two or three days, that is from now on till the end of the session? Do you believe, Mr. Chairman, that the people will be satisfied to find that hundreds of millions have been voted by the handful of members who are here to-night when the great number of those, who spend their

time shouting "carried," don't know even the item in discussion? I don't want to witness such scenes as those that are staged here to-night without registering my most emphatic protest against it.

Now, I am told, and it is stated in the papers, that the leader of the Government and the leader of the Opposition have met lately and that it was agreed between them that the session should end to-night. I object to such an arrangement, if it is a fact that it exists. The leader of the Opposition has no right to bind the House any more than the Prime Minister has, and I say that we should mind our own business before mixing in those of Europe. I do not wish to detain you any longer, because it is too late, and I move that we rise and that the Committee report progress.

Mr. LAVIGUEUR (Translation): Mr. Chairman, I am paired—

Mr. CHAIRMAN: There is no pairing in committee. Therefore no member has the right to state with whom he is paired.

Mr. CANNON (Translation): Mr. Chairman, before this item is passed, I do not wish to retain very long the attention of the committee, but I wish to protest against the fact that the Government has submitted to the committee, the Post Office Estimates at a very late date. Those Estimates should have been discussed much earlier, and for many reasons. In the first place, the Post Office Department is at the present time directed, or rather seemingly directed by Mr. Blondin. Mr. Blondin is the French minister of the province of Quebec. He represents himself as the exponent of the feelings of that province. He is wrong in doing this, because that province gives overwhelming majorities against him at every opportunity they have.

The second reason is that there are now important changes in that department, and those changes, in view of their nature, should have received more attention from the committee.

The third reason is that the Estimates are for amounts greater than those of other departments and consequently we should have had more time to consider them.

Mr. Chairman, I hope it is the last time that the Government introduces the Estimates of the Post Office Department at such a late date and that at the next session those Estimates will be introduced much earlier in order that a more thorough dis-

cussion may take place. To-night the hon. Minister of Justice represents the Postmaster General for his Estimates. I do not blame him; he is one of the representatives of our province; but unfortunately, on almost every question he puts forward opinions contrary to those of the majority of the people of our province. The minister in the speeches which he made since the discussion of the Estimates began has given pretty long explanations, but they do not give satisfaction to the committee. For all that, they show that the hon. Minister of Justice is anxious to represent his colleague of the Post Office Department with as much fairness and competency as possible.

Upon the whole, I must say this, the Estimates came too late, the Postmaster General is a minister who represents nothing at all and the changes in his department are so important that we should have a more thorough discussion; but, under the circumstances, I will limit myself to the few remarks that I have made to-night to the committee.

Soldiers' Civil Re-establishment—Outside Service: Operating expenses and working capital—cost of administration, stores, printing, stationery, transportation and travelling; financing training and treatment of Imperial and Allied Soldiers in Canada and other unforeseen items, \$1,500,000.

Mr. EULER: Is it necessary, Mr. Chairman, for us to rush these items through with such haste?

Hon. Mr. REID: It was understood between the leader of the Opposition and the Prime Minister that the item would be passed this evening, with the exception of Labour, and that to-morrow, if any hon. member wished he could discuss any item in regard to which he desired to have information.

Mr. EULER: Then, any of the items passed to-night will be subject to criticism to-morrow?

Hon. Mr. REID: If any hon. member wishes to discuss any item, he can bring it up to-morrow.

Mr. EULER: Well, what is the object of running them through with such rapidity to-night?

Hon. Mr. REID: There was an agreement between the leader of the Opposition and the Prime Minister that we should put them through.

Mr. EULER: I am not a party to that.

[Mr. Cannon.]

Mr. SINCLAIR (Queen's): There is a point I desire to bring up in connection with this item. Orders have gone out to close the offices in Charlottetown and Halifax and concentrate in the St. John office, the work in the Maritime Provinces of the Soldier Settlement Board. I want to ask the minister in charge of these Estimates if it is the policy of the Department of Soldiers' Civil Re-establishment to carry that out as I have described it. I might point out to the minister that the carrying out of this plan makes it rather inconvenient for the administration in the province of Prince Edward Island. I pointed out to-night to the right hon. gentleman, when the Post Office Estimates were up, that the practice is getting too common of concentrating authority in one centre in the Maritime Provinces. No province in Canada has responded so generously to the plans and efforts of the Soldier Settlement Board as Prince Edward Island, and I think they are at least entitled to have the field work and all work pertaining to that province administered from the office in Charlottetown. I make this request at this time simply to bring it before the Government, and I know that the minister who is in charge of these Estimates will bring the matter to the attention of his colleague, the minister at the head of the Soldiers' Civil Re-establishment Department. We are proud of our provincial entity and we do not appreciate the fact that we are joined to a centre in another province and have to report through St. John or any other port. We wish to be directly connected with Ottawa, as we have been in the past.

Hon. Mr. REID: I understand there is a head office of the Soldier Settlement Board, located at St. John, but there will be an official also in Nova Scotia and one in Prince Edward Island for the purpose of giving information, and so forth. This plan is being carried out on the recommendation of the Soldier Settlement Board, and I will send to the hon. member a full report of that so that he will have the information.

Mr. SINCLAIR: The hon. minister said there would be one man left in charge in Prince Edward Island.

Mr. REID: Yes.

Mr. SINCLAIR (Queen's): Is he known as a field man, or will the field men still remain there as they are now?

Hon. Mr. REID: The new arrangement makes a saving of thirty thousand dollars per annum, and there will be one man left in Prince Edward Island and one in Nova Scotia to keep in touch with the centres. I cannot say if these will be field men, or what their titles will be, but they will fully understand the situation and give information to all in those provinces.

Mr. SINCLAIR (Queen's): I do not know whether I understand the hon. the minister aright or not. Up to the present time there has been a man in charge on Prince Edward Island. He had an office in Charlottetown where he directed all the work of that province. I understand that office is to be taken away. I think he is used in another capacity by the department in other places. Under him there were three field men in direct touch with settlers. Do I understand the three field men are to be reduced in number?

Hon. Mr. REID: Yes, one in Nova Scotia and one in Prince Edward Island, on the recommendation of the Soldier Settlement Board.

Mr. SINCLAIR (Queen's): And that one man is responsible to Ottawa?

Hon. Mr. REID: No, through the head office at St. John.

Mr. SINCLAIR (Queen's): I want to repeat what I have already said, that we do not think it is dealing fairly, and it is not maintaining the spirit of Confederation, to be concentrating the Maritime Provinces in that way, and on behalf of Prince Edward Island, I want to protest against being joined down to St. John, or any place else. I have said that already, and I want the hon. minister to convey that to the Department of Soldiers' Civil Re-establishment.

Item agreed to.

Expenses under the Canada Temperance Act (Revote), \$500,000.

Mr. EULER: Is that for all the provinces?

Hon. Mr. REID: Yes.

Item agreed to.

To provide for purchase of 650 copies, of the Parliamentary Guide, \$1,950.

Mr. DECHENE: How much of that money was spent last year?

Hon. Mr. REID: The same amount.

Item agreed to.

Public Archives, \$68,250.

Mr. LEMIEUX: Has any decision been come to in regard to a new building for the Archives?

Hon. Mr. REID: It is not to be built this year.

Canadian Press Limited, \$50,000.

Mr. EULER: Before that item carries, I would like an explanation in regard to it. Is that a contribution to the funds of the Canadian Press Limited?

Hon. Mr. REID: That is the annual subsidy given the Canadian Press Limited. It is a straight subsidy vote. If I remember rightly there is an arrangement with them for service right through to the coast.

Mr. EULER: Is it not really a subsidy for the benefit of the western newspapers?

Hon. Mr. REID: It is mostly for that purpose.

Mr. DECHENE: Why are there two items, to the Canadian Press, one of \$50,000 and the other of \$8,000?

Hon. Mr. REID: The \$50,000 is to help the West on that long line between here and Vancouver. The \$8,000 used to be given to the Associated Press.

Mr. EULER: What is the principle upon which these subsidies are given? Newspapers are business propositions.

Hon. Mr. REID: I know, but the telegraph service to the West was very expensive and an arrangement was made to give them a subsidy of \$50,000 to assist the newspapers out there.

Item agreed to.

To provide for the administration of the Business Profits War Tax Act, 1916, and the Income War Tax Act, 1917, and amendments. Appointments for the purpose may be made without reference to the provisions of the Civil Service Act, \$2,000,000.

Mr. LEMIEUX: How do you explain the increase of \$800,000?

Sir HENRY DRAYTON: The increased number of employees in connection with the Income Tax Act. We will have to increase the salaries; they have not been reclassified yet.

Mr. EULER: The Business Profits War Tax is now abolished.

Sir HENRY DRAYTON: But the hon. gentleman knows we have to collect from last year's profits yet; we cannot stop at

the end of the last fiscal year. At the end of this fiscal year I hope we can effect a reduction.

Mr. LEMIEUX: Who selects the officers?

Sir HENRY DRAYTON: They are appointed by the department.

Item agreed to.

Contribution towards fighting the typhus epidemic in Europe, (revote), \$200,000.

Mr. BELAND: Does the Government persist in spending \$200,000 for that purpose?

Mr. LEMIEUX: When this amount was asked for last year by the late president of the Privy Council (Mr. Rowell) there was really a typhus epidemic in Central Europe.

Sir HENRY DRAYTON: The item has been put down as a revote. It ought not to be, because the money has been paid.

Item dropped.

The CHAIRMAN: I might point out to the committee that item 316 is also withdrawn and replaced later by another item, No. 538½.

Chief electoral officer—salaries and contingencies of office, \$15,640.

Mr. LEMIEUX: Personally, I have the fullest confidence in Mr. Biggar, but we have just passed through a by-election in the county of Yamaska, and I noticed that in several polls ballots were missing, and at some places the polling did not begin until eleven o'clock in the morning. I am informed that unless the chief electoral officer exercises a close personal scrutiny as to the manner in which the machinery of the Elections Act is to be put in motion we shall have many troubles at the next general election. My hon. friend from Vaudreuil is here and can testify that in the Yamaska by-election the arrangements made prior to and during the day of polling were certainly very deficient. Undoubtedly the chief electoral officer has a big job ahead of him if he would avoid for the candidates any protests after the next general election.

Hon. Mr. REID: We all have the greatest confidence in Mr. Biggar. As far as I know him he is a very reliable man. Of course, a great deal depends on the returning officers. However, the hon. member has brought the matter to the attention of the committee; I shall look into it and see what the trouble was in order that it may not occur again.

[Sir Henry Drayton.]

Demobilization—Secretary of State, \$50,000.

Mr. McMASTER: How does demobilization affect the Department of the Secretary of State?

Sir HENRY DRAYTON: It has to do with expenses in connection with enemy debts.

Mr. LEMIEUX: At the beginning of the winter I called at the department accompanied by two gentlemen from Montreal, Mr. Emilien Daoust, of La Compagnie Beauchemin Limité, and Colonel Migneault, who both have claims against the German Government. La Compagnie Beauchemin Limité had some contracts in Belgium at the time of the invasion of that country and books which were printed for them were destroyed by the invaders. Colonel Migneault had an establishment in Brussels and as a result of the occupation his books were destroyed, he lost his business and was subjected to all sorts of indignities. It

was after seeing the Prime Minister that I accompanied him to the department and I was practically told by officials of the department on that occasion that no claims could be expected to be settled in favour of Canadians; that the bulk of the indemnity would go to the Mother Country and to the Allied nations, only a small fraction of the percentage going to Canada and to the other dominions. Can my hon. friend explain why the claims of the Dominions do not go *pari passu* with the claims put in by the Mother Country? It seems to me that all who took part in the war should be treated alike.

Sir HENRY DRAYTON: We certainly shall not lose anything by not having asked for it. As a matter of fact, Mr. Mulvey is leaving for England on the very mission of pressing our claim; we find that it will be better to have somebody on the spot. With regard to this particular item, it is for a clearing office for Canada established under the provisions of the Treaty of Peace Act, 1919.

Item agreed to.

Provisional bonus allowance to the Inside and Outside Service of the Civil Service, to be paid to such persons and classes of persons in such amounts and at such times as the Governor in Council shall determine, \$9,375,000.

Mr. DECHENE: How much was paid last year?

Sir HENRY DRAYTON: My recollection is that it was about \$10,500,000.

Mr. DECHENE: If there is a decrease of 25 per cent this year, why are we voting \$9,000,000?

Sir HENRY DRAYTON: We take the decrease of 25 per cent off the total vote of last year and the bonus payments are made under the regulations of the Civil Service Commission. I hope that we shall have the same saving out of the vote this year that we had last year.

Mr. DECHENE: There is a decrease in the vote, but as the amount of the vote is practically what was paid out last year, how is it that employees are really suffering a decrease of 25 per cent in their bonus payments?

Sir HENRY DRAYTON: They will.

Mr. DECHENE: Not only will they; many of them have already done so. If there is to be a decrease of 25 per cent it would seem that we ought to be voting \$7,000,000 instead of \$9,000,000.

Item agreed to.

Labour—emergency relief—Governor General's warrant January 24, 1921, \$500,000.

Mr. LEMIEUX: What was this emergency relief?

Sir HENRY DRAYTON: This was in connection with unemployment. The unemployment relief was distributed by the municipalities, the Dominion paying its share.

Mr. LEMIEUX: Was it all spent?

Sir HENRY DRAYTON: I think so.

Item agreed to.

Grant to Navy League of Canada towards expenses connected with the exhibition of naval pictures in Canada, \$5,000.

Mr. DUFF: What is this item?

Hon. Mr. REID: This is in connection with the exhibition of naval pictures in Ottawa and different parts of Canada.

Mr. PEDLOW: What pictures were exhibited by the Navy League, and what benefit was received from this exhibition?

Hon. Mr. REID: I can hardly tell what the pictures were. Perhaps, to-morrow the question could be asked again.

Mr. CANNON: Is the Navy League controlled by the Government?

Sir HENRY DRAYTON: No.

Hon. Mr. REID: It is an independent patriotic organization.

Mr. CANNON: What guarantee or security has the Government that the Navy League is patriotic?

Item agreed to.

To cover unprovided items, 1919-20, as per Auditor General's report, part B, page 3, 1919-20, \$1,250,303.73.

Mr. PEDLOW: What is the explanation of this item which is two years old?

Sir HENRY DRAYTON: It covers items of expenditure which the Auditor General finds have not been properly covered by votes. It is merely ratification; it involves nothing so far as money is concerned.

Mr. McMASTER: It involves a reflection that they should have been covered by votes, and that this was not done owing to an oversight on the part of the Government.

Sir HENRY DRAYTON: This might have been due to a lack of prescience on the part of the Government in prophesying what money would be required.

Mr. McKENZIE: I always understood that when an account was presented to the Auditor General, he must see where the money was before he passed it. It is strange that the Auditor General would pass an account and two years afterwards ask for authority to pay it. I am afraid the public has not the safeguard that they think they have in the Auditor General.

Item agreed to.

Department of Public Works—contingencies—printing—further amount required, \$2,600.

Mr. CANNON: Would the minister explain how much has been spent on printing already in his department?

Mr. McCURDY: This item is required for printing departmental reports. Heretofore these reports have been printed by Parliament.

Mr. CANNON: I think it extraordinary that the minister should have an item in the Supplementary Estimates for that. This expenditure should have been foreseen.

Item agreed to.

Parliamentary restaurant—further amount required, \$10,000.

Mr. McMASTER: Why is the extra \$10,000 required for the restaurant?

Hon. Mr. REID: That is the loss on the restaurant.

Mr. CANNON: I hope there will be a whole lot of improvement in the restaurant next session. It has been altogether unsatisfactory. I do not wish to be over-critical, because this is the first session we have had the organization, but I hope that those who were managing the restaurant this year have taken due note of the defects and short-comings in the management, and that next year we will have a much better service.

Harbours and rivers—Port Arthur and Fort William — harbour improvements — further amount required, \$100,000.

Mr. DUFF: What is that for?

Mr. McCURDY: This vote is asked for towards the construction of the Fort William breakwater. As hon. members know, it has been under construction for some years. None of these Supplementary votes are being asked for in connection with new works.

Item agreed to.

Public Works—Quebec—Anse St. Jean—wharf reconstruction, \$2,000.

Mr. CASGRAIN: I gave the Minister of Public Works a list of certain improvements which were necessary in the county I represent, but I have not seen any provision for them.

Mr. McCURDY: There is a general appropriation for urgent repairs to a limited extent, and any sums necessary for the purpose mentioned by my hon. friend can be taken out of that vote. It is in the Main Estimates.

Mr. LAVIGUEUR: I have been asking the department for some time now to repair an important wharf in my constituency. This wharf was built by the Government but was destroyed by the flood of 1918. So far no action has been taken in the matter.

Mr. McCURDY: As I stated in answer to the hon. member for Charlevoix (Mr. Casgrain), there is a general vote for urgent repairs under which this matter can be taken care of. I will look into the matter.

Pembroke—Repairs and wharf replacement, \$60,000.

Mr. PEDLOW: Is this item for a new wharf at Pembroke or for repairs to an old construction?

Mr. McCURDY: The engineers report that it is obvious that the present decayed [Mr. McMaster.]

structure will not serve the traffic for very long, and the proposed reconstruction should not be postponed. The wharf is used for the Oiseau, which operates between Pembroke and Des Joachims, a distance of 40 miles, making four return trips weekly during the season between May 1 and November 15. The Oiseau accommodates 5,700 passengers for the season and carries some 600 tons of freight. The wharf also accommodates a ferry boat, three alligators belong to the Upper Ottawa Improvement Company, and numerous launches. The \$60,000 is required for urgent repairs and reconstruction work, the wharf having almost ceased to be of any use.

Mr. PEDLOW: Is this wharf to be constructed of cement or timber?

Mr. McCURDY: It is a combination wharf, partly cement and partly wood.

Mr. PEDLOW: Is the work in progress?

Mr. McCURDY: Yes. Temporary repairs must be made for this summer's traffic and reconstruction will probably be begun this autumn and carried on largely during the winter and into next year.

Mr. PEDLOW: What is the cost of the repairs being carried on at the present time?

Mr. McCURDY: The cost of the present repairs will approximate twelve to fifteen thousand dollars, and a part of the timbers which are being used for these repairs will be used again in the reconstruction of the permanent wharf.

Mr. PEDLOW: I would like to know if tenders were called for the performance of this work?

Mr. McCURDY: No, it is being done by the department itself. Tenders were called for the material.

Mr. PEDLOW: Would the minister let me have the names of those who tendered for the timbers used in the repair?

Mr. McCURDY: Yes, I will send the information to my hon. friend to-morrow. It is not in the statement furnished me.

Mr. PEDLOW: Could the hon. gentleman let me know how many firms tendered for the material used in the construction of the wharf?

Mr. McCURDY: Ten or twelve.

Mr. PEDLOW: Was the contract awarded to the lowest tenderer?

Mr. McCURDY: Yes.

Mr. PEDLOW: I have to accept the information given me by the minister, but I am told an Ottawa firm tendered for the material used in the wharf, that their tender was the lowest, but that the contract was awarded two firms in Pembroke, and the quantity of material required was divided between these two firms. Is that correct?

Mr. McCURDY: No, the firm to which my hon. friend refers tendered for a different kind of wood altogether. They tendered for hemlock for the flooring of the wharf. The engineers did not think that hemlock was suitable for that purpose, and recommended against it, both before tenders were called for and after. Pine was purchased for the flooring and the contract was awarded to the firms in Pembroke.

Mr. PEDLOW: At a higher price than the tender of the Ottawa firm?

Mr. McCURDY: I do not suppose you would expect to buy pine at the price you would pay for hemlock.

Mr. PEDLOW: Did the specification call for pine? It is strange that they tendered for hemlock if the specification called for pine.

Mr. McCURDY: Yes, they specified pine.

Mr. PEDLOW: And the Ottawa firm tendered for hemlock, knowing pine was required?

Mr. McCURDY: Yes.

Mr. PEDLOW: There are one or two items in connection with this I would like to know about.

Hon. MEMBERS: Carried.

Mr. PEDLOW: Not just yet. It is early still and we are all fresh. I find an item of \$7,900 for repairs for reconstruction of wharf at Petawawa. Is there a great deal of traffic at this point?

Mr. McCURDY: Yes, a large traffic.

Mr. PEDLOW: To what extent? I am informed it is nothing more than pleasure boats. Is it not near the military camp?

Mr. McCURDY: My hon. friend knows this place is situated on the Ottawa river four miles from the Petawawa railway station. The memo. I have in regard to it reads as follows:

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The traffic on the wharf is most extensive from June to September, during which period the steamboat operating between Pembroke and Des Joachims calls twice daily. It is used also to a considerable extent by pleasure launches and the tow boats, tugs and alligators engaged in lumbering operations on the Ottawa River. The traffic over the wharf, in addition to passengers, consists chiefly of baggage, camping equipment and provisions for the people who summer in the locality. The vehicular traffic on the wharf has been limited during the last two or three years, in all probability due to its condition.

The description goes on to say the wharf is in an unsafe condition and dangerous for pedestrians. The Militia Department also requests that this wharf be repaired.

Mr. PEDLOW: The story about freight and traffic in connection with this wharf is an interesting one. No doubt the resort that has been located on Calumet Island is responsible for the large proportion of traffic that passes over the wharf at Pembroke. I am sorry the minister has not made a special note of that particular item. I was informed by the gentleman who built this wharf at Petawawa in the first instance that the entire cost was less than half the amount named in the estimate to-day for reconstruction. That seems hardly reasonable, even though labour and material have increased quite a bit. It was constructed in the first instance by Mr. Moffat of Pembroke for less than half the estimate.

Mr. McCURDY: Are you speaking of the Pembroke wharf?

Mr. PEDLOW: I am speaking of the Petawawa wharf.

Mr. McCURDY: The total cost of the Petawawa wharf, as shown by the Militia Department, to March 31, 1920, was \$14,000.18.

Mr. PEDLOW: How many years does that cover?

Mr. McCURDY: Fifteen years.

Mr. PEDLOW: That does not alter the fact that the information that I have received is correct. The gentleman who had the contract for this construction in the first place made the statement to me yesterday that the price received by him for building the wharf entirely new in the first instance was less than half the amount being charged now.

Mr. McCURDY: What is his name?

Mr. PEDLOW: Mr. Moffat of Pembroke.

Mr. McCURDY: I may tell the committee that, of course, repairs have taken

place on the wharf during the fifteen years, to the amount of \$2,560.14, but the construction work on the ground amounted to \$11,140.04. I am bound, of course, to take the figures that I find in the book of the Department of Public Works. I cannot be expected to take the story that comes from outside in opposition to the figures I find in the department. With regard to the commercial necessity for the work, I have told the committee what the departmental engineers have advised me. My hon. friend from North Renfrew is doubtless familiar with the commercial necessity for the work, and if my hon. friend from South Renfrew desires fuller information with regard to the matter, I am sure my hon. friend from North Renfrew will be glad to give him the information which is not covered by the information I have given.

Mr. PEDLOW: I have not disputed the commercial necessity of the work, but I am discussing the relative cost of the repairs, and the original cost of construction. The figure quoted by the minister of the cost up to date of this particular wharf at Petawawa has no bearing on the original cost of construction. We are told that the cost of fixing the wharf at Pembroke will be in the neighbourhood of \$15,000. That seems an extravagant outlay on a temporary piece of work. In my judgment this \$15,000 might have been saved.

Mr. McCURDY: Does not my hon. friend know that the wharf is 1,342 feet long?

Mr. PEDLOW: I had no intention to question the length, breadth, or thickness of the structure. I am discussing the enormous expense on a temporary structure.

The CHAIRMAN: I must point out to hon. members that an agreement was arrived at between the two leaders to the effect that contentious items would be held over for discussion until to-morrow.

Mr. DUFF: No.

Mr. DECHENE: To-day.

The CHAIRMAN: I refer to the next sitting of the House. The hon. member for South Renfrew is absolutely in order in discussing this item, and the Chair could take no exception to the course he is pursuing, but under this agreement, if the item is contentious, as it appears to be, it should be held over until to-morrow.

[Mr. McCurdy.]

Mr. PEDLOW: I decline to be governed by any rules or regulations made by anybody independent of consultation with me. I am here as the representative of South Renfrew, and as such I have a right to discuss matters of general interest or of special interest to my constituents. But if the agreement which has been made between the leaders must hold good, of course I submit to the ruling of the Chair, but I contend that I should be allowed to continue.

The CHAIRMAN: I do not want in any way to deprive the hon. member of his rights. The item will be held over, and to-morrow he will have full opportunity to discuss it unless the hon. member can complete his remarks in a few moments.

Mr. PEDLOW: I think it will be better to finish this discussion now we have gone so far. During last year I made a request of the then Acting Minister of Public Works (Hon. Mr. Reid) for a grant on behalf of the post office of the town of Renfrew. I was told by him that it would be impossible to make any grant on account of the financial state of the country. As a member of the Opposition and taking the stand we do, I approved of his attitude. But I was astonished to find later during the session when the Supplementary Estimates came down an item of \$5,000 to build an ornamental tower on the Pembroke post office and instal a new clock. The grant was made in the north riding of Renfrew, whereas no grant could be obtained for absolutely necessary expenditure in the south riding. I find the same condition prevailing to-day. I made application this year to the present Minister of Public Works for a small grant for a wharf at the town of Arnprior to make it available for traffic. Last year I succeeded in having a small amount expended, but it was not sufficient for the purpose required. This year, at the request of the mayor of Arnprior, I repeated my application on behalf of the town for further consideration. The amount required would be between \$900 and \$1,000. I was informed that this was work which the town itself should perform. But it seems rather strange to-day in the face of these items of \$60,000 for repairs and replacement to the wharf at Pembroke and of \$7,900 for repairs and reconstruction of the wharf at Petawawa—the latter I am informed is about as much needed where it is placed as the fifth wheel on a wagon—I say it seems rather strange to note the different policy

pursued by the department in respect to other public works, and I want hon. members and the people to understand the underlying principle that governs grants of this kind. I need only call attention to the fact that the north riding is represented by my genial friend who is a supporter of the Government, while the south riding is unfortunately represented,—

Some hon. MEMBERS: Hear, hear.

Mr. PEDLOW:—so far as I am concerned, by a member of the Opposition. I use the word “unfortunately” advisedly in this connection, because it is an undisputed fact that under existing conditions it is impossible for a member of the Opposition to obtain any consideration whatever for his constituency, no matter how pressing the need may be.

Mr. MACKIE (North Renfrew): I think it is due to the minister as well as to myself to reply to my hon. friend's statement. He did me the courtesy to tell me last night that he was going to refer to this. The crux of the whole matter was reached in the last few words of his speech—he is peeved that North Renfrew has some public works that South Renfrew has not. The Pembroke dock was built of lumber seventeen years ago, and well built, by the Laurier Administration. With very little repair work we have succeeded in holding it fit for traffic, but to-day it is a risky proposition to cross it and go out to the landing pier. There is a sign to-day on the dock, placed there by the department, reading as follows: “This dock is dangerous. Parties using it do so at their own risk.” A short time ago another communication was received by the wharfinger instructing him that proceedings were about to be taken to close this wharf. It serves the island of Calumet and the mainland of Pontiac county in Quebec, and the weekly traffic on the ferry alone is 1,400 passengers. But for that service eight to ten thousand people would be shut off from their market at Pembroke. We have also the liner running daily to Des Joachim; it accommodates yearly over 10,000 passengers. The work which at present is being done to the dock is the refacing of it; every foot of this lumber will be used in the reconstruction that will be carried on this winter. The only cost will be the time of the workmen and the spikes that will be used. It is an interprovincial operation and as such is of more benefit to the residents of Pontiac than to the merchants of Pembroke.

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Mr. PEDLOW: Will my hon. friend say what kind of business is carried on on Alumette island?

Mr. MACKIE (Renfrew): I suggest that the hon. gentleman study his geography so that he may know the difference between Alumette island and the island called Calumet, 40 or 50 miles further off.

Mr. PEDLOW: Well, it makes no difference; the question applies just the same.

Mr. MACKIE (Renfrew): Undoubtedly my hon. friend's constituents find Portage du Fort as conveniently situated in respect to Renfrew as Desjardinsville is to Pembroke. The hon. gentleman refers, I may say, to the liquor traffic. The Petawawa wharf was constructed by Mr. Moffatt and it proved to be of faulty design; the large river drives could not pass under it and very extensive alterations had to be made. In the provision for reconstruction this also will be included. The traffic on this wharf is very considerable, but to-day there is a fence across it which prevents the passing of any traffic. A good deal has been said about the post office clock, and I would like to make a brief reference to it while I am on this subject. We had a splendid clock suspended from our post office building, but in 1914 and 1915 it was frequently so heavily laden with recruiting signs that finally it tumbled down. The department offered to replace it at once but I asked them not to replace it until peace was declared. In due course the matter was taken up and I asked the department instead of installing a suspended clock to go about \$1,200 or \$1,500 further

5 a.m. and give us a tower there. I wish also to make a comparison

between the Arnprior wharf and the wharf in North Renfrew. The Arnprior wharf structure cost \$35,000, and as the hon. member for South Renfrew knows, not a passenger boat lands at that wharf. In fact, on the lake they have only one ferry and it is miles removed from Arnprior. They have a solitary tow-boat which last year was tied up to the wharf in North Renfrew for six Saturday and Sunday nights during the season. Now, we ask for repairs to that wharf in order to restore the necessary facilities. There are other matters which I would like to deal with, Mr. Chairman, but the hour is late so I shall not proceed further at this time.

Telegraph and telephone lines—Quebec county telephone lines—general repairs, \$3,000.

Mr. LAVIGUEUR: What repairs are intended to be made here?

Mr. McCURDY: These repair works are recommended by the superintendent as being necessary to put the sections now operated in thoroughly good condition. He says that the sum of \$2,850 will be sufficient to provide a substantial line and that it will be an advantage to have the work done at once.

Mr. LAVIGUEUR: The line between Loretteville and St. Gerard needs to be completely renewed, and I hope that the minister will make the necessary provision for this work.

Mr. CASGRAIN: I would like to ask the minister if a demand has been made on behalf of the people of Isle aux Coudres for the extension of the telephone line a distance of about two miles. I have taken this matter up with the minister by correspondence and with the officials of his department and I have not received a favourable answer.

Mr. McCURDY: This matter is now under investigation by the officials in charge of the telegraph service, and as soon as I have their report I shall be pleased to forward it to my hon. friend. I sincerely trust that it will be of such a character that we can extend the line in accordance with his request.

Mr. CASGRAIN: But some amount will have to be provided for in case it is decided to proceed with the work. It should not cost more than \$1,000.

Mr. LAVIGUEUR: I wish again to impress upon the minister the necessity of seeing that this line from Loretteville to St. Gerard is repaired. This work has been requested for quite a long time but nothing has been done.

Mr. McCURDY: Suppose we let this item pass in any case. We can make more progress with \$3,000 than we can with nothing.

Mr. LAVIGUEUR: If it is intended to go ahead with the work that I have mentioned will the necessary money be available?

Mr. McCURDY: This is a general vote; it can be applied to any part of the telegraph system.

Mr. COPP: I wish to mention a matter which was brought to my attention by an officer of the Archives Department, and who gave me to understand that he had seen the Minister of Public Works and that an item of \$10,000 would be placed in the

[Mr. Lavigueur.]

Supplementary Estimates to care for the historic spots known as Fort Cumberland and Fort Moncton near the town of Amherst. I am sure that my hon. friend has a resolution from the town council of Amherst as well as other communications with regard to this matter. As my hon. friend knows, it is desirable that these places shall be preserved and cared for as historic sites. I am sure my hon. friend has visited those places which are going to destruction very rapidly. A small amount should be placed in the Estimates to have the sites, if not completely restored, at least kept in the condition that they are in now. I notice other items in the Estimate for the preservation of historic spots.

Mr. McCURDY: I concur most heartily in the suggestion put forward by these different bodies in the neighbourhood of these old forts and embodied in resolutions as referred to by my hon. friend. I had a conversation with the gentleman connected with the Archives Branch, and my suggestion was that the scope of the National Battlefields Commission be enlarged and that the care of those historic sites be placed under that commission. That commission reports to my colleague the Minister of Finance (Sir Henry Drayton). I am taking the question up with him, and while sufficient time has not elapsed for it to receive the consideration which it deserves, I am hopeful that he will see his way clear to provide an extension of the National Battlefields Commission Act, so that that commission can take these sites under their direction.

Mr. EULER: We have passed fifty or a hundred million dollars of Estimates without very much consideration, and I would like to move that the committee rise.

Hon. Mr. REID: Only a few more items are left in the Supplementaries.

Mr. BELAND: If it is understood that all contentious items will stand over until the next sitting of the House, I am willing that we go on.

Hon. Mr. REID: Yes.

Mr. BELAND: When an item is contentious, why should the minister not immediately move that it stand over? That will be the end of it; otherwise we have been sitting here for almost eighteen hours continuously without any necessity.

Hon. Mr. REID: That is what we have been doing right along.

Mr. BELAND: The minister never moved that an item stand over.

Hon. Mr. REID: We have been doing that.

Item agreed to.

Public Works, chargeable to capital, Marine Department—River St. Lawrence ship channel, maintenance and operating dredging fleet—further amount required, \$85,000.

Mr. LEMIEUX: Will the Minister of Marine and Fisheries (Mr. Ballantyne) kindly lay on the Table, at the opening of the House in the morning, the Order in Council passed by the Government at his instigation cancelling the contract with the Dominion Steel Company for plates?

Mr. BALLANTYNE: I shall be glad to do that.

Item agreed to.

To provide for increases in salaries due to the application of the re-classification of the Civil Service, both Inside and Outside Services, for years 1919-20, 1920-21 and 1921-22, and to provide for the permanent status of employees under Order in Council P.C. 2958 dated December 16, 1920, and the salaries and increases resulting therefrom, and to provide for increases in salaries of employees on return to Civil duty from Military Service, notwithstanding anything to the contrary in the Civil Service Act, the whole to be determined by the Civil Service Commission and approved by the Governor in Council, \$1,500,000.

Mr. POWER: Is there any intention on the part of the Government to increase the pensions of retired civil servants?

Sir HENRY DRAYTON: The matter has been considered and there is no present intention of increasing them.

Mr. DECHENE: Nearly all the civil servants thought that the reclassification was for the purpose of increasing their salaries, but as a matter of fact they are complaining that their salaries have been diminished. I wonder which it is. I do not think this item is justified.

Item agreed to.

Resolutions reported.

#### SUPPLY—CONCURRENCE

The House proceeded to consider certain resolutions reported from Committee of Supply.

Resolutions concurred in.

On motion of the Hon. Mr. REID, the House adjourned at 5.20 a.m. Saturday.

Saturday, June 4, 1921.

The House met at Eleven o'clock.

#### REPORTS AND PAPERS

Annual report showing the Trade of Canada for the year ending March 31, 1920.—Sir George Foster.

Statement signed by Messrs. Cook and Lynch of the Editorial Committee, in reference to the destruction of Printing Bureau documents.—Sir George Foster.

Report of Mail Steamship subventions.—Sir George Foster.

#### THE GOVERNOR GENERALSHIP

##### APPOINTMENT OF LORD BYNG OF VIMY

On the Orders of the Day:

Hon. CHARLES MURPHY (Russell): I would like to ask the Prime Minister three brief questions: First, has Lord Byng been appointed Governor General of Canada? Second, if so, was the Government officially advised of the fact before the press despatches announcing the appointment were received; Third, if Lord Byng has been appointed, is the right hon. gentleman able to tell us whether His Lordship has had any political or parliamentary experience apart from his military experience?

Right Hon. ARTHUR MEIGHEN (Prime Minister): Answering the first question—as to the appointment; I duly received information that His Majesty had been pleased to approve of the appointment of Lord Byng as Governor General of Canada and that the announcement would be made in the press this morning. The answer to the second question is, "Yes". In answer to the third question, there is every reason to believe that Lord Byng has all the qualifications, including a knowledge of political matters, required for the office.

#### THE MANDATE FOR NAURU

On the Orders of the Day:

Hon. W. L. MACKENZIE KING (leader of the Opposition): I asked the Minister of Justice a day or two ago a question in regard to the disposition to be made of the reserves of high-grade phosphates on the Island of Nauru, and he promised to let me know if there was any agreement, to which Canada was a party, under the provisions of the mandate assumed by the British Empire in respect of that island.

Hon. C. J. DOHERTY (Minister of Justice): It is quite true. The hon. gentleman did make an inquiry as to whether there had been any agreement on the part of Canada with regard to the mandate for the island of Nauru. I then said my very strong impression was there had been no agreement on the subject, and in looking into the matter I find that that impression was correct—there was no agreement to which Canada was a party, with regard to the mandate for Nauru. The mandates were conferred by the principal allied and associated powers. That for Nauru was conferred upon His Majesty, designated in the mandate as His Britannic Majesty, who has undertaken to exercise it on behalf of the League of Nations. The mandate so conferred in so far as it may be considered to be conferred upon a country, is, as I understand it, conferred upon Great Britain. Canada expressed no desire to be granted a mandate for any of the countries for which mandatories were appointed.

Mr. MACKENZIE KING: I do not think my right hon. friend has quite covered the point that I had particularly in mind. I believe it is quite true that the mandate was conferred as he says. I am not so sure, however, that it has been conferred in the name of Great Britain for the British Empire.

Mr. DOHERTY: Upon His Britannic Majesty.

Mr. MACKENZIE KING: If I may be permitted for a minute, I would like to give a quotation from the British Hansard which may throw some light on the situation.

Mr. SPEAKER: I have no doubt the House will give unanimous consent, at this late stage of the session, so as to enable the hon. member to give the reference he wishes.

Mr. MACKENZIE KING: The point I have in mind is this. A question was asked in the British House in reference to this matter and the Right Hon. Mr. Asquith, speaking on June 16, 1920, in reference to Article 10 of the agreement in reference to the Nauru Island mandate is reported in that day's proceedings as recorded in the Hansard of the United Kingdom as having expressed himself as follows:

We find that the commissioners who are to carry it out, and who are to represent these three constituent but not exhaustive members of our Empire,

"shall not . . . sell or supply any phosphates to, or for shipment to, any country or place other than the United Kingdom, Australia, or New Zealand."

[Mr. Mackenzie King.]

This is the latest form of preference! Here is a mandate given to the British Empire, confined as far as its practical operation is concerned to three of its constituent members, and, what is much more important, when you come to hand over the phosphates, they are to go to three selected parts of the Empire, and not to the rest.

I think South Africa and Canada are as much entitled as any other part of the Empire to have a voice in the matter.

Elsewhere in the course of the debate, Right Hon. Mr. Bonar Law, leader of the House, is reported as having replied to Mr. Asquith as follows:

The mandate is to be given to the British Empire, which does not consist of the three parts of it concerned in this agreement; and my right hon. friend assumed that all this had been done without any knowledge on the part of the other portions of the British Empire. He is entirely mistaken. I was myself in Paris when the British Empire Delegation considered this subject, and it was a very difficult subject to deal with. The use of these phosphates, which had always gone to New Zealand and Australia, was vital to this country. These Dominions were vitally interested in them, and it was difficult to get any agreement which would satisfy everybody. It was, therefore, discussed in the British Empire Delegation, at which all the Dominions were present, and an agreement of this kind was come to as the best method in all the circumstances of the case.

Right Hon. Sir ROBERT BORDEN (King's): The hon. gentleman is quite mistaken. The matter stands in such a position that if it ever became one of practical importance Canada could have her share of these phosphates as well as the other portions of the British Empire to which allusion has been made. Difficulty arose in the first place by reason of the action of New Zealand, but the controversy was settled by giving a mandate for the British Empire to the United Kingdom. The arrangement then made is being carried out. I have not heard of any demand from this country for the purchase of phosphates from Nauru. If the question should become one of practical importance I have no doubt it can be regulated so as to meet any demands from this country.

#### PRIVILEGE—MR. LAPOINTE

On the Orders of the Day:

Mr. ERNEST LAPOINTE (Quebec East): My attention has been drawn to the report of some remarks I made on May 31, on the Bill to Amend the Dominion Elections Act, as to the power of a Judge to appoint a substitute. I am reported in Hansard as having said:

There has been an election quite recently in the province from which I come. The judge happened to be sitting for the judicial district in

which the constituency was situated and he appointed a certain gentleman as revising officer. Now, I do not say anything against him. I know him very well; he was a colleague of mine in this House, and was a member of this Government after 1911.

That is one statement. Now, I am reported to have said further:

He was a candidate at the last election, in 1917; he was the mover of the resolution which nominated one of the candidates at a convention of this party.

In order to remove any misapprehension which might arise I wish to explain that the first part of my remarks applies to the Judge in question and the latter part to the substitute.

#### SUB-ARCTIC REGIONS— MUSK OX AND REINDEER

On the Orders of the Day:

Mr. J. A. CAMPBELL (Nelson): Some time ago the Prime Minister laid on the Table the report of the Royal Commission appointed to investigate the possibility of breeding musk ox and reindeer in the sub-arctic regions of Canada. Certain recommendations were made in that report, and I would now like to ask the right hon. gentleman if the Government proposes to carry out those recommendations in the near future?

Right Hon. Mr. MEIGHEN (Prime Minister): The report, with the evidence supporting it, forms a very voluminous and very valuable document, highly creditable to the chairman and members of the commission and indicating that the utmost possible care and the highest possible thought have been exercised by them in the investigation. On account of its size, however, and the fact that it has only been in our hands for a few days, the Government has not come to any conclusion as to whether those recommendations will be followed, and if so, when. I would have liked, myself, if they could be followed in the time contemplated by the report. One recommendation has already been followed—in regard to the utilization of certain lands. The matter is receiving consideration through the Minister of the Interior.

#### EMBARGO AGAINST CANADIAN CATTLE

On the Orders of the Day:

Mr. PIUS MICHAUD (Restigouche): I would like to ask the leader of the Government if the Minister of Agriculture (Mr. Tolmie) will accompany him to London, and if so whether the question of the em-

bargo on Canadian cattle will be taken up by the British Government?

Right Hon. ARTHUR MEIGHEN: The answer to both questions is "Yes". His purpose, and I believe his chief purpose in going, is to seek to advance the interests of Canada in the matter.

#### DISTRICT ENGINEER'S OFFICES— EDMONTON

On the Orders of the Day:

Mr. MICHAEL CLARK (Red Deer): I would like to ask the Government if it is the case that the district engineer's office in the Department of Public Works at Edmonton has been closed, while three similar offices are being kept open in British Columbia. The closing of the Edmonton office would mean that all works of that nature would have to be referred to Winnipeg. If it is the case, does not the Government think that is rather a discrimination against the province of Alberta?

Hon. Mr. MEIGHEN: I cannot answer the question direct—

Mr. CLARK (Red Deer): I should be very glad of an assurance from my right hon. friend that he will look into the matter?

Hon. Mr. MEIGHEN: Yes. I can say this: There has been a reduction in the number of engineering offices with a view to saving expense, and if the Edmonton office is one of those closed it is in pursuance of that policy. Even though the Edmonton office were closed I apprehend there would be one open at Calgary. However, the matter will be carefully looked into.

Mr. CLARK (Red Deer): Will my right hon. friend give me the assurance that he will look into the matter of discrimination by reason of there being three offices in British Columbia?

Hon. Mr. MEIGHEN: Yes.

#### PARLIAMENT BUILDINGS INSCRIPTIONS ON THE TOWER

On the Orders of the Day:

Hon. CHARLES MARCIL (Bonaventure): I desire to ask the Prime Minister if he does not think that one of the three inscriptions on the tower of this building should be in French, seeing that French is one of the official languages of this country?

Right Hon. ARTHUR MEIGHEN (Prime Minister): I may say that my knowledge

of this matter of the inscriptions on the tower is meagre. In fact I did not know that there were to be any inscriptions until I found some difficulty in reading one. I will bring the matter to the attention of the minister (Mr. McCurdy) again. I think it deserves consideration.

Mr. SPEAKER: I am informed that the Building Committee have ordered these inscriptions be removed.

Mr. LAPOINTE: That would be the best thing to do.

#### RETIREMENT OF CIVIL SERVANTS

Consideration of the amendments made by the Senate to Bill 107 to amend the Act to provide for the retirement of certain members of the public service.

Mr. MEIGHEN: The Senate amendment is to Section 2 of the Bill which reads as follows:

Paragraph b of section 1 of the said Act is repealed, and the following substituted therefor:—

(b) "officer" means any officer, clerk, or employee who is employed in the public service and who receives a stated annual salary, and any officer, clerk or employee in the said service who has been continuously employed from year to year for a period of not less than an average of six months in each year—

And so forth. The Senate have changed the last words to read "for a portion of each year." I beg to move concurrence in the amendment.

Motion agreed to.

#### PATENT ACT AMENDMENT

Consideration of amendment made by the Senate to Bill No. 140 to amend the Patent Act.

Sir GEORGE FOSTER: The amendment consists of an addition to section 5 to this effect:

The privileges set forth in this section, in so far as regards payment of fees on patents already obtained and lapsed by reason of non-payment of such fees are hereby granted only in favour of nationals and residents of Canada, but the Governor in Council may extend the same favour to citizens or subjects of all countries which have extended, or which now extend, or which within the period of six months from the passage of this Act shall extend substantially reciprocal privileges to citizens and nationals of Canada.

The Minister of Justice and the Commissioner of Patents have agreed to this amendment and I now propose that it be accepted.

Motion agreed to.

[Mr. Meighen.]

#### SUPPLY—DEPARTMENT OF LABOUR

On the motion of Sir Henry Drayton the House again went into Committee of Supply, Mr. Boivin in the Chair.

The CHAIRMAN: Items 252, 253, 254, 255, 256, 257, 258 and 259 were held over last night by special request.

Mr. LAPOINTE: I had intended making some remarks about the administration of the Department of Labour, but it is now very late in the session, and to-day being Saturday I could not make those remarks before the Speaker left the Chair. I will therefore confine myself to registering a protest against the Minister of Labour—

Mr. MEIGHEN: The hon. gentleman is in error. The Speaker leaves the Chair on Saturday just as on Monday, Tuesday and Wednesday—on motion.

Mr. LAPOINTE: I thought the order on Saturday was the same as on Friday.

Mr. MEIGHEN: Yes, but the rule does not apply. Mr. Speaker put the motion.

Mr. LAPOINTE: My misconception of the procedure will result in shortening the remarks I had intended to offer. I will now confine myself to registering a protest against the Department of Labour being administered by a gentleman who sits in the Senate. The Minister of Labour should be a member of the House of Commons. He represents labour, he represents democracy; he should be elected by the people. To my mind it is a piece of nonsense that the Minister of Labour should be a member of the Senate. I do not think that in Great Britain anybody would think of the representative of labour in the Government being seated in the House of Lords. When you remember the fact, that one of the planks in the platform of the Trades and Labour Congress of Canada—which according to the Minister of Labour himself is the only channel through which the opinions of labour should be expressed—is the abolition of the Senate the presence of the Minister of Labour in the Upper Chamber becomes a joke and would appear to be an insult to Canadian labour men.

This is the theoretical side of the question. In practice it leads to many inconveniences and abuses. Questions regarding labour and the industrial peace of this country, and the relations between employers and employees are perhaps the most important problems which the Minister of Labour has

to face to-day; and surely it is of the utmost importance that he should be a member of this House in order to discuss those questions with the representatives of the people. This gentleman is going about the country electioneering and, at times, misrepresenting members of this House, and I for one would like to have him face me in this chamber that I might have the opportunity to discuss with him here questions relating to Canadian labour. I content myself now with simply registering this protest, and I hope that before long the labour men of the Dominion will have their representative in this House, for to this they, as well as the public at large, are entitled.

Mr. MEIGHEN: I need only say at first that I do not think the labour people of Canada will feel very keenly about the subject so long as the present Minister of Labour is at the head of the department, even though he is a member of the Senate. I know he represents labour, I know he represents democracy, and I know that democracy is chiefly answerable to the House of Commons; but everybody is entitled to be represented here just as much as labour, or any other section of democracy. If there is any special reason why the Minister of Labour should be a member of this House, it is much more than overcome by the special qualifications of the present incumbent of the office. I do not think, however, that it is fair to him to say that he goes about the country misrepresenting members of the House. I do not know a public man who is more careful of his acts and utterances than the Minister of Labour, or one who—to quote the language I used yesterday—is more temperate and moderate in his statements.

Mr. MACKENZIE KING: I would like to ask my right hon. friend a question regarding the administration of the fair wages branch of the Department of Labour. What I wish to ascertain is whether the Department of Labour is receiving from the other departments of Government that have to do with construction work, requests for the insertion of the fair-wages schedule in the different contracts that are entered into from time to time—particularly by the Department of Public Works, the Department of Marine and Fisheries, the Post Office Department, and the Militia Department. It has been understood for a number of years that these different departments should consult with the Department of Labour and have the fair-wages officer of the latter department prepare the schedules

in question for insertion in the several contracts. I am informed that that practice has been departed from to a certain extent in the case of some departments, and that such departments now have their own officers preparing these schedules and ignoring the officers of the Department of Labour. I would like to know whether that is correct or not.

Mr. MEIGHEN: The Department of Labour still performs exactly the same functions in that regard as before. That is to say, the fair-wage officers make a report upon the request of every department where the question of fair wages arises in respect to the work of that department, and those departments do not act except upon the advice of the Department of Labour. I would not like to say that there has never been any friction—I do not think government departments ever exist without a little; some times I know it has occurred where there has been a little complaint that too much has been assumed by other departments—but that is some time ago. I want to assure my hon. friend that the Department of Labour has the full responsibility in that regard that it always has had, and that the intention is that it shall exercise that responsibility without interruption in the future.

Mr. MACKENZIE KING: Is my right hon. friend prepared to give us an absolute assurance that in most of the contracts—I will say ninety per cent of the contracts—that have been awarded during this last year, the Department of Labour, or its officers, have been called upon to prepare fair-wage schedules? Take, for example, the building of the Canadian Government Merchant Marine. Some \$70,000,000 has been spent in that connection, and I think the Department of Labour has not been called upon in a single instance to prepare a fair-wage schedule for insertion in the contracts in connection with the expenditure of that vast sum of money. Then, I would like to ask my right hon. friend whether the practice in question is adopted in regard to contracts awarded by the Department of Railways and Canals, or by the Railway Board that has to do with the administration of the National railways.

Mr. MEIGHEN: There is no ground for the hon. gentleman's attitude as to the relationship which exists between the Department of Public Works and the Department of Labour. I give him the assurance that this question of wages has been uniformly referred to the Department of

Labour. There is a clear existing understanding that that will always be done, and no difficulty has been experienced in that regard at all. The ships to which my hon. friend refers were built by the Department of Marine and not by the Department of Labour. In one particular instance there was certain friction in that regard, but it was adjusted quite satisfactorily. Those ships were built in a manner rather different from that of public works construction, and the question arose over the difference in the contractual methods of construction; but there will be no difficulty there in the future either—the Department of Labour will function fully, as it should.

Mr. MACKENZIE KING: Of course my right hon. friend recollects that the fair-wages branch of the Government service was formed in pursuance of a resolution adopted by this House, which provided that all Government contracts should contain this provision, a provision designed to protect labour against injustice in the matter of either wages or hours. I would like to ask my right hon. friend whether the present board, which administers the National Railways system, calls upon the Department of Labour to prepare any schedules at all for insertion in contracts entered into for railway construction work?

Mr. MEIGHEN: In that respect it is just in the same position as the Canadian Pacific and other railways.

Mr. MACKENZIE KING: I would like to point out what seems to be a very great injustice occasioned throughout the Dominion in consequence of the Government having taken over the administration of the national railways. Before this departure of creating what I might call a phantom board was resorted to, and which relieves the Government of all responsibility for the administration of the railways the Department of Railways was obliged to call upon the Department of Labour—just as the Department of Public Works was obliged to do when any construction work was to be undertaken—to insert in the contracts for construction work, schedules providing for the rate of wages to be paid to the men thus engaged. Now the work of railway construction involves, perhaps, the greatest expenditure of any department in the whole Government service, and this change of policy in railway administration has left labour wholly without protection in connection with this large outlay of public money. The same thing is true, I think, in regard to all expenditures

[Mr. Meighen.]

incurred by the board that has been created in connection with the Government Merchant Marine. Therefore I want to protest very strongly, on behalf of labour in this country, against Canadian labour being left without any protection whatever, in the matter of its wages and working conditions, in the contracts involving such large expenditures, entered into by these two boards.

Mr. MEIGHEN: I have given an assurance which meets the case fully as to all the other departments of the Government. As to the railways I do not think it should be urged, or that it could be exacted by this House—not even by the other side—that we should impose upon the management of the Canadian Government Railways, the Canadian Northern, and all the rest, obligations that would permit a Government department to dictate to them what they should pay their men and how many hours those men should work. Such a suggestion might have some value for oratorical purposes, but, really, I could conceive of nothing which would be so wholly inconsistent with real business management as putting the Canadian Government Railways in a position which would prevent them from competing on fair terms with the other great systems, or indeed anything which would be more subversive of efficiency generally.

Mr. MACKENZIE KING: I would like to point out to my right hon. friend that during the régime of Sir Wilfrid Laurier it was always the custom in connection with the Intercolonial Railway—for example, when a station was to be constructed or a road to be built, or when any railroad was being built under government subsidy; because the resolution of this House relates to subsidies given for railway construction as well as to work being carried on directly under the Government—it was always the custom for the Department of Labour to be called upon to frame a schedule of the current rate of wages to be inserted in the contracts for the construction of these works; and labour on railways, where the work was being carried on under public expenditure, was precisely in the same position as labour always has been in the case of public works. Now the action of the Government is a complete departure from that policy—a policy which was laid down by unanimous resolution of this House for the protection of labour.

Mr. MEIGHEN: I should say that as regards the railways there is in existence

a Railway Adjustment Board, upon which also labour is represented. This is a sort of appeal board where all labour difficulties are threshed out and decided, and as far as I know—I think I am safe in saying—decided satisfactorily to all workmen or labour affected. I think that system has worked very satisfactorily indeed, and I do not think it would be desirable, even in the interest of labour itself, that we should interfere with that most satisfactory arrangement.

Mr. MACKENZIE KING: I would point out to my right hon. friend that the Railway Board does not intervene until after some dispute has arisen. The object of the Laurier administration in providing for this fair-wages regulation was to ensure that the man seeking a Government contract should pay the proper rate of wages and that the prices fixed in his tender should not be fixed at the expense of any persons he might have in his employ. I do not think this Railway Board to which my right hon. friend has referred meets in any way what is essential in regard to the protection of labour on these contracts.

Mr. MEIGHEN: The hon. gentleman should recollect that what he refers to as having been subject to the fair-wage clause was merely construction work on the Inter-colonial and no change has been made from past practice; the fair-wage policy applies to all railways in the matter of construction work. I had reference to the wage relationship which exists between the men and their employer. The present arrangement takes care of everything—of all labour matters, right down the line; in so far, that is, as concerns the leading Brotherhoods. Surely that is much more comprehensive and much more useful in a practical way. It has proven so, and I can conceive of no better arrangement which could be made.

Mr. EULER: I would like to ask the Prime Minister what attitude the Government is taking with regard to its obligations in labour matters as expressed in the Covenant of the League of Nations. I think there were certain principles laid down in that covenant in the matter of labour obligations, and in the advocacy of those principles the former Prime Minister was very active.

Mr. MEIGHEN: A complete and comprehensive statement was laid on the Table a few days ago in answer to the questions of the hon. member.

Mr. EULER: I am not quite sure that it was a complete answer because I was going to ask another question. Following the meeting of the League of Nations, certain industrial international conferences were held. I think one was held at Washington in 1919, and certain recommendations were made there, some of which are held, I think, by the Minister of Justice, to come under provincial jurisdiction, but others to come under control of the Dominion. One of these, the question of unemployment insurance, was referred to in the speech from the Throne, but nothing whatever has been done in regard to that. There is one further principle which, I think, has been enunciated at Washington, as well as by the League of Nations, and has reference to overtime work on the part of women. I think that in the declaration in question it is pretty definitely laid down that women should not be called upon to work at all hours of the night. But this Parliament has violated that principle consistently this session. We have violated that principle repeatedly ourselves, by keeping members of the staff, including the women members of that staff, working practically all night, and especially of late. Now, it seems to me that if Canada was sincere in what it advocated at the League of Nations, as well as by her course in taking part in the various subsequent conferences, we ought to make some definite effort to live up to our professions.

Mr. MEIGHEN: The first answer I gave the hon. member was correct, even having regard to his second question. On November 6, 1920, a report to council dealing with these matters was approved by His Excellency the Governor General. The approval of this report, as well as much other material covering the entire question, is the carrying out by this country of the obligations imposed by the Covenant of the League in relation to labour.

Mr. FIELDING: What about the women who are working so late?

Mr. MEIGHEN: It is all right to say that, but it is unfair to suggest we could have a law in this country as to hours that would be universally applicable to women workers, and that we should adjourn Parliament at such an hour of the night as or even of the day would meet the provisions of that law. We must have some regard for circumstances in this world. I presume we could meet the case by employing only men. I know of no other way as regards this House.

Mr. EULER: In other words, the law is only to be considered as a theoretical measure.

Mr. MEIGHEN: As regards long hours in factories that is a very different thing. Long hours for men and women workers in factories are one thing, but the objections here relate to quite another matter. It is not good for women to be out too late at night—whether correcting the speeches of hon. members or dancing in a ballroom. At the same time neither of these is in the same category with the case which requires the intervention of the State with respect to too long and laborious hours for women, or for young girls and young boys, in workshops.

Mr. FIELDING: There is a material distinction between the two cases. The hours of labour in factories is probably a matter within provincial jurisdiction and we cannot deal with it. Here the matter is within our own jurisdiction and we refuse to deal with it.

Mr. MACKENZIE KING: May I ask my right hon. friend why the Department of Labour issued a pamphlet on Bolshevism? Is Canada in danger from that particular philosophy?

Mr. MEIGHEN: Very many letters have been received highly complimenting the department on the usefulness, sanity, and indeed necessity, of the pamphlet.

Mr. LAPOINTE: Hear, hear.

Mr. MACKENZIE KING: May I ask how much that pamphlet cost the country?

Mr. MEIGHEN: The deputy minister advised me that he has not the exact figures, but the sum amounts to just a few hundred dollars.

Mr. MACKENZIE KING: How many copies were circulated and to whom were they sent?

Mr. MEIGHEN: I am advised there were 70,000 copies circulated. I have not the list with me, but many thousands were sent to those who wrote directly for them.

Mr. MACKENZIE KING: Did the department get many thousands of requests for copies of the pamphlet?

Mr. MEIGHEN: The deputy told me many thousands. I think he will correct that and change it to many hundreds if the hon. member wishes.

[Mr. Meighen.]

Mr. MACKENZIE KING: I think the requests must have been due to the speeches of my hon. friend—

Mr. MEIGHEN: Perhaps.

Mr. MACKENZIE KING:—in which he spoke about the menace to Canada of Bolshevism. It seems to me this pamphlet was in the nature of propaganda for government purposes rather than in the nature of information of value to the Canadian public. I would like to know from my right hon. friend whether he thinks Canada is in great danger from any Bolshevik movement at the present time, and if so in what parts of the Dominion?

Mr. MEIGHEN: I think the sane, common sense of the country is now pretty well aroused in regard to the matter. I do not think there is any very great danger now, and we intend to take care that there shall be none.

Mr. MACKENZIE KING: My right hon. friend has lost all his fears.

Mr. MEIGHEN: What the deputy minister meant when he said "thousands" is that thousands of copies went out in response to requests, but many asked for large number of copies that they might distribute them.

Mr. FIELDING: In making up a list of persons to whom these copies were to be sent, were they supposed to be sent to persons suspected of Bolshevism, or to those whose views were perfectly sound and wholesome? There is a maxim "they that are whole need not a physician, only they that are sick".

Mr. MEIGHEN: They were sent to secretaries of trade unions, to employers and to employees—to persons coming into contact with the public generally. Large numbers went to school teachers, but the Department was unable to meet the demand from this last class. I think it is quite possible to treat this question too lightly. I do not mind being castigated a little for having this pamphlet sent out, because I have been castigated a great deal for not having more copies sent out. That castigation has come from prominent persons and from those not prominent—from good, honourable Canadian citizens, especially those who have come in contact with this very menace, who have attended meetings and who know the strength of that menace in localities. It is easy to make light of the matter here in our isolation in this House, but I have received

so much censure for not doing more along this line, that I rather welcome criticism for what I have done.

Mr. FIELDING: I hope my hon. friend does not entertain the idea that I was attempting to castigate him for what he has done, I do not even complain of it. If the sentiment of the country was aroused to any possible danger by the course which has been pursued, well and good. As far as I am concerned I have no objection to it.

Item agreed to.

National Industrial Conference, and Commissions arising from 1919 Conference, \$40,000.

Mr. LAPOINTE: Is it the intention of the department to call a new National Industrial Conference?

Mr. MEIGHEN: The hon. member asked that question some time ago, did he not? I got the answer then, and perhaps I had better read it. On the occasion referred to my hon. friend asked:

On page 54, item 258, there is provision for \$40,000 for a "National Industrial Conference and Commissions arising from 1919 conference." Is it the intention of the Government to call another National Industrial Conference this year?

The answer is:

No decision has yet been reached as to the holding of a National Industrial Conference this year. A very successful one was held in 1919, upon the recommendation of the National Commission on Industrial Relations. None was held in 1920.

A national conference of employers and workmen in the building industry—called upon the joint request of their respective organizations—is to be held in Ottawa next month. Whether or not a general conference will be held this year depends quite largely upon what representations are made to the Government by those directly interested.

This answer was prepared some time ago and the latter part has no application now, but I may say no decision has been arrived at.

Mr. LAPOINTE: May I ask my right hon. friend whether, in the event of there being another National Industrial Conference all labour unions lawfully constituted and organized will be invited to take part?

Mr. MEIGHEN: The Deputy Minister of Labour informs me that no decision has been reached as to whether there will be a conference or not, nor has there been any as to what the nature of the conference will be if it be decided to call it, or under what circumstances it will be held. As to my hon. friend's question, certainly there could be nothing in the way of discrimina-

tion. It is not the intention of the department that there should be any. It would, however, depend upon the circumstances that require the conference to be held as to just who would be invited. I am sorry that I have not had time to discuss that matter, otherwise I would have gone over it fully with the Minister of Labour. I know it is important, but no decision has been arrived at yet as to the holding of the conference or what the nature of it will be.

Mr. EULER: I notice the item "Industrial Disputes Investigation Act, \$35,000." How many investigations were held in the past year, and has the report dealing with those investigations been issued?

Mr. MEIGHEN: There were 37 boards established during the past year.

Mr. EULER: Were the boards successful in settling the disputes in question?

Mr. MEIGHEN: There were nearly seventy applications for boards. In those cases in which no board was appointed the strike was adjusted, thus doing away with the necessity of a board. In every case but five in which a board was appointed the strike was prevented.

Mr. EULER: Does the department issue a printed report dealing with these investigations?

Mr. MEIGHEN: Yes. Copies can be obtained on application to the department. I have one copy here.

Mr. MACKENZIE KING: Has my right hon. friend any information as to the extent of unemployment in Canada at the present time?

Mr. MEIGHEN: The Deputy Minister of Labour informs me that the total number of unemployed in Canada runs to approximately 200,000, but the situation is improving and the number of unemployed is gradually getting less.

Mr. FIELDING: I have noticed within the last day or two a rather startling statement in the press that in the city of Montreal there are cases of actual starvation arising from unemployment. I know the tendency sometimes on the part of newspapers to magnify things, but the gravity of such a statement as that certainly demands attention.

Mr. MEIGHEN: I cannot say that there is anybody hungry in Montreal.

Mr. FIELDING: I was not making any complaint, the Government have probably

been pursuing the right course in a general way.

Mr. MEIGHEN: I would like to take occasion to say that the Government adopted the policy this year as regards general unemployment, irrespective wholly of disabled men, of contributing one-third of the actual amount paid out in relief by municipalities, providing the municipality created the organization and that the province and the municipality each contributed one-third as well. Under that provision, the city of Montreal could have called, and can yet call upon the Government to contribute one-third towards this local general unemployment. As a matter of fact the municipality has only done sufficient to enable the Government to pay \$3,811.03, so that would indicate that the total amount expended in that city for the relief of general unemployment would be under \$12,000. That is up to to-day, so it would not appear that the local authorities there regard the situation as critical or pressing. On the other hand, for relief in Hamilton we have paid out \$30,938, which would indicate a disbursement there of over \$90,000; and in Vancouver, \$56,754, indicating a total disbursement on account of general unemployment of about \$168,000; in Toronto \$134,127.94 has been paid, indicating that the total there will aggregate \$400,000, as against \$12,000 in Montreal.

Mr. FIELDING: I do not wish for a single moment to reflect on the Government in the matter; there are emergencies when we are forced to assist, and if there is starvation in any city in Canada I would justify the Government in doing anything in their wisdom to correct the situation. The statement has appeared more than once in the newspapers, that there is in the city of Montreal at the present moment an actual state of starvation. This may well cause alarm from the point of view of the reputation of Canada. I have nothing to suggest except that if the Government got in touch with the municipality of Montreal and did anything they could to alleviate that condition I would justify them in that course. Beyond that I do not know that I could suggest what should be done, because I realize the problem is one of great difficulty.

Mr. VERVILLE: I am glad this subject has been brought up. The Prime Minister states that the Government have only been called upon to pay some \$3,000 odd by reason of unemployment in the city of

[Mr. Fielding.]

Montreal. The city, however, will have a bigger claim than that to present to the Government. I suppose the unemployment in Montreal has cost the city since last winter from seventy to seventy-two thousand dollars and the Government will be called upon to pay one-third of that amount. If the bill has not yet been presented to the Government it is because the organization for the relief of unemployment was carried on with practically no overhead charges at all. My opinion is that in Toronto and other cities the overhead charges were heavy, whereas in Montreal they were very light, due to the fact that a large part of the organization work was carried out by volunteers, and very little expense was incurred on that account. Practically all the money that was expended in Montreal was paid out for actual relief work. However, a precedent was established last winter and although the situation then was bad, I am inclined to think that next winter the burden will be a great deal heavier. I think it will be found that a number of people who did not ask for relief last winter will do so during the coming winter. I have no doubt, therefore, that the expenditure in the months to come will be on a much larger scale than it has so far been. I am informed that there are just as many unemployed in Montreal at present as there were last winter. If, therefore, there is such a considerable degree of unemployment in large cities it is due to the fact that the erection of buildings and work of that kind has not been proceeded with as is ordinarily the case. I shall not discuss at this stage the matter of housing; I can do that on another item which is to come before the committee, but I should like to say here that we must prepare now for next winter, and it would seem advisable that large cities which have such great overhead expenses should take this matter up so that they may not have to spend money for purposes of relief instead of for wages.

Mr. MEIGHEN: The hon. gentleman is evidently under the impression that in the city of Montreal the municipal authorities have got rid of all overhead charges, and rather complains of other cities having permitted the carrying of heavy overhead charges. But this Government has no interest in either of these conditions because we contribute nothing to overhead charges anywhere. If Toronto has heavy overhead charges the city has to pay these charges. The hon. member says that

in Montreal relief has been extended, to the amount of about \$70,000. I cannot say that I consider that at all excessive—in fact, it is light—and I hope the hon. member is entitled to some credit for keeping it down and distributing it properly. It is advisable that the bills come in as quickly as possible, because they should be included in last year's appropriation, not this year's.

Mr. VERVILLE: I happen to know exactly how much we paid out, because I am one of those who vote the money to pay the bills. We are, as I have said, paying out \$70,000 on that account. It has taken a little time to get in the bills because every item is carefully scrutinized, even if it is only a pound of sugar. They want to be sure that everything is in order.

Mr. BELAND: In the case of municipalities like Montreal, for instance, which have been in the habit of contributing two-thirds of the relief money, is the because every item is carefully scrutiny of one-third on the part of the province waived?

Mr. MEIGHEN: We have paid our third. The municipality has to get the other two-thirds, and I do not think we would care whether they paid it all themselves or whether the province contributed its proportion. I do not think, though, that any such case has arisen. My information on the subject of unemployment is this—and it comes from the deputy minister, who is, I think, the very best authority on the subject in this country. The unemployment in many countries of Europe is worse than that of Great Britain and the United States—and the conditions in both Great Britain and the United States are much worse per capita, in Great Britain far worse, than they are in Canada.

Mr. MACKENZIE KING: The Government, I think, have received numerous representations with respect to the existence of combines in connection with commodities which are the necessaries of life—agreements in restraint of trade and arrangements having the effect of enhancing prices. Of course, there is a report which has been presented to the Government by Mr. Murdock and other members of the Board of Commerce. I would like to ask my right hon. friend whether the Department of Labour has taken any steps to investigate the existence of any alleged combines, or has done anything to bring relief to consumers in that respect?

Mr. MEIGHEN: The deputy minister informs me that the hon. member is quite mistaken; instead of having many complaints as to combines enhancing the cost of the necessaries of life, the Department has received none at all, consequently there has been no cause for special investigation. This has been a problem incident to the cost of living on an ascending market; on the descending market that now prevails it shrinks into comparatively insignificant proportions.

Mr. MACKENZIE KING: Am I to understand from my right hon. friend that the Government has received no complaints? I am not speaking now of one department in particular; I assume that the Department of Labour, acting in the interests of labour throughout the whole country, would have referred to it complaints with respect to conditions affecting the great mass of the working classes. Do I understand that the Government has not looked into this question of the cost of living in the interest of the consumer?

Mr. MEIGHEN: The cost of living is looking into itself pretty well; it is coming down rapidly. I do not know of any complaints; certainly I know of no formal complaints being presented to the Government, nor have any been presented to me verbally. I did hear it complained of that the price of cement was being held unjustifiably high—that was in private conversation. Beyond that I must tell my hon. friend frankly that we have had no complaint formally as to that and we have had no complaint as to anything else in that connection, even informally.

Mr. MACKENZIE KING: I do not wish to appear to be prying into secret party matters, but would the right hon. gentleman say whether the report is correct which appeared in the press at the beginning of this session that he advised his followers at one of their meetings that the Government would bring down this session some legislation to deal with combines and monopolies because he thought it necessary that something of that kind should be done?

Mr. MEIGHEN: I think that is one of many rumours which find their origin elsewhere than in the "followers" themselves.

Mr. MACKENZIE KING: Will my right hon. friend say that he made no such representation to his following, or that he approved of no such suggestion?

Mr. MEIGHEN: I made no statement to that effect—and I undertake not to ask my hon. friend what he says to his following in caucus.

Mr. MACKENZIE KING: I am not asking the right hon. gentleman to do anything like that. Just one further question: is labour in Canada satisfied with the operation of the Industrial Disputes Investigation Act? Is organized labour prepared to endorse the principle of the Act and the method of its administration?

Mr. MEIGHEN: The Act is being operated, I think, satisfactorily, and is in some respects more active than ever. The only alteration is in respect of railway labour, which is referred largely to another body and is being taken care of in that way with satisfaction to labour. The Trades and Labour Congress of Canada have asked that the Act be extended to such labour classes as police forces, municipal labour and commission labour—such as the Hydro-Electric—but it has been pointed out to them that we have not power to do that. I think the Act is as wide as it can be made, though I do not feel quite safe in stating that definitely.

Mr. BELAND: The Act could be amended.

Mr. MEIGHEN: I think the Act provides now that it can be with their consent, but we cannot amend it to go any further—we have not the power.

Mr. MACKENZIE KING: Am I right in assuming, then, that organized labour not only endorses the principle of the Act but so cordially approves of it that it would like to have it still further extended to other trades?

Mr. MEIGHEN: I think I should frankly say to the hon. gentleman that that is my understanding.

Mr. PROULX: My right hon. friend said that the price of cement had not come down. Does he believe that there is a combine in cement?

Mr. MEIGHEN: I have not expressed an opinion on it. I have no reason, myself, to think so.

Miscellaneous—loan to Provincial Governments to encourage the erection of dwelling houses, on the terms and conditions set forth in the Order in Council of the 3rd of December, 1918, and amendments thereto from time to time made—provided that the amount of loan to any province shall not, when added to the loans for the same purpose already made such province, exceed the proportion of a total of

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\$31,250,000 which the population of such province bears to the population of the Dominion as determined by the last federal census—substituted for Vote No. 316 of Main Estimates 1921-1922 (Revote \$10,456,800), \$12,000,000.

Mr. BELAND: Is this loan made with a view of carrying out the recommendation made by the Pension Committee to relieve the unemployment of returned men?

Mr. MEIGHEN: Yes.

Mr. BELAND: Is there any provision to compel the provinces to use a share of this vote exclusively for returned men?

Mr. MEIGHEN: There is not. This appropriation is voted on the condition set out in the Order in Council, which was ratified by statute two years ago and which has been again ratified.

Mr. BELAND: The soldiers enjoy no preference?

Mr. MEIGHEN: They do not. However, as will be seen from the report of the Committee of Re-establishment, in British Columbia, if not in one or two other provinces, all the money, went for soldiers' homes, and in the other provinces up to 80 per cent. So that, in effect, it is almost totally for the advantage of soldiers in providing them with homes.

Mr. VERVILLE: While this law may apply and be effective in some parts of the different provinces, we must bear in mind that, in its application in a large city, the building by-laws and rules and regulations of that city must be complied with. My right hon. friend will remember that last year in Montreal we found that it was impossible to put this in operation under the building by-laws of that city. A request was made to the Provincial Government to make some amendments; those amendments were referred to the Federal Government, and the Federal Government refused to make them. I have made a thorough study of this matter in connection with the city of Montreal, and I want to bring this question up, because it has been found impossible to put the law, as it stands at present, into operation in that city. The method of subdivision of lots and the building rules and regulations are not alike in all cities. There are in a number of large cities men who, in the better days, have bought lots which they have paid for over a period of years intending to use them for building purposes. If I understand the law as it was passed, it was intended to assist men receiv-

ing salaries or wages amounting to \$1,200 or \$1,500 a year. I do not believe that it was ever intended, to any large extent, for men receiving high salaries. But in a large city like Montreal, the law has worked out in this way, that those who are taking advantage of it are men receiving salaries from \$2,000 up, with steady positions. We asked that the law be amended so as to permit the owner of a lot to put up a house comprising two flats, as is the custom in our city, but the Federal Government refused to accept such an amendment. From the study that I made of this question in Montreal, I found out that it was impossible for a man to take advantage of the \$4,500 scheme unless he was receiving a salary of at least \$2,000 a year and sure of receiving at least that every year for twenty years. Under the other plan he had to be receiving a salary of over \$1,500 a year and to be sure that he would not lose a day's work. It was impossible for any who were earning less to take advantage of the law. A man who had bought a lot on the outskirts, but within the city limits, for the purpose of building, could not afford to borrow money from outside sources at 6 or 7 per cent; but if it had been possible for him to put up a two-storey house and to rent one flat, that would have helped him to pay the local improvement taxes, interest, amortization fund, and so forth. While this law may be effectively applied in small cities which have not such severe regulations as there must be in large cities on account of the danger of fire, and where taxes are lower, I do not believe that, in large cities, people can afford to put up a house of the kind mentioned under the present regulations. Suppose we take the \$4,500 scheme. The land is worth, we will say, \$500 and the house, \$4,000. One is able to borrow that amount less 20 per cent, or \$3,600. The average interest for 20 years on the capital would be \$94 per annum. The man has to pay the whole amount back, and that means that he has to pay back or pay into a sinking fund \$180 per annum. That makes a total of \$274. Now, I take the municipal taxes in Montreal because I know of them: On a valuation of \$3,500, the municipal taxes would be \$73.50; local improvements would cost \$20.03; sewerage would amount to \$10.02; sidewalks, \$4.89, snow-cleaning, \$2.50. That makes a total of \$111.14. I suppose the man would have insurance on his house, and on a valuation of \$3,000 for insurance purposes, the premium would

amount to \$15 per annum. The man has to keep his house in repair and so forth, and the upkeep would amount to \$60 per annum. That makes a total altogether of \$460.14 per annum or \$38.34 per month. I am citing these figures to show the Prime Minister the impossibility of effectively working out this scheme in a large city. Let us consider that the amount paid for rent is 25 per cent of one's income. That would mean that a man must have an income of say \$1,993.68 per annum or \$166.14 per month. I am not speaking of a man who has a permanent position at so much per annum, because this law was not supposed to be for those working on a yearly salary. Three hundred days is the maximum number of days a man can work in a year, so that if a man was paid by the day for three hundred days, that would mean that he would have to receive \$6.64 per day. That is a very big wage, and I do not believe at the present time, or even a couple of years ago, many of this class of men were receiving \$2,000 a year. I have often heard it mentioned in the House that certain men are receiving ninety cents or a dollar an hour, but we do not want to lay too much stress on that, if we come to figure up the number of hours they work in a year. A man may get that much per hour, but he cannot be compared with the man earning, say, \$3,000 a year. I admit that the regulations of the Government forbid speculation. They will not allow a man to build a house of two flats and rent one of them at \$18 or \$20 a month; they say that would be speculation. Yet the Government will allow a large corporation to organize themselves and they will loan them money, provided it works on a basis of six per cent. I do not think that is fair. If a man can borrow money to put up a house for himself, I think he should be able to borrow money to put up a house of two flats, and rent one. That is no worse than a large corporation borrowing money and putting up a large number of houses to rent or sell. There are thousands of men in our city who have bought lots, and who are anxious to build. It is true that in some cities the lots are 50 feet, but it happens that in our city, whether rightly or wrongly, the divisions are only 25 feet, but on a lot 25 by 100 feet you can put up a house that will meet all the requirements of the regulations as to light, air space, and so on. I have had plans made myself, and I know it can be done. It is true that the cost of building material has come down; it came down again on June 1. But until better times return we are going

to have a very large amount of unemployment in our cities. Now construction is the fundamental basis of good times; whenever there is lots of construction, times are good. It shows, in the first place, that the population are increasing and that people are coming into the large cities from outside, necessitating more housing accommodation. I am not going to discuss the propriety of people flocking to the cities, but I say that it is not right for any one to exact an exorbitant rental. The cost of living is supposed to have come down, but if you increase the rental, that sends it up again. The cost of coal in Montreal is \$17.50 a ton, and a house which it would have been fair to rent for \$16 or \$17 a month is now renting at \$30 and more, because people cannot buy the materials to build their own houses at present prices. Nobody is going to put up houses when he will only get a return of one or two per cent, because bonds and other investments will give him a much higher income. It is only that class who are drawing a pretty good salary who are putting up houses, either for rent or sale at a good price.

As I said at the outset, I think the law should allow the construction of buildings of two flats, and allow the owner to rent one. We should not penalize the labour man who has saved up enough money to buy a lot and is anxious to build. I do not think we should look upon the rental of a flat as speculating at all. We all know that the more owners of property you have in a city the better it is, because it gives them a real and substantial interest in their city. I believe that the intention of the legislation, in the first place, was to encourage construction, and we should remove any restrictions that prevent that purpose from being carried out.

Take the case of a building costing \$3,000, on a lot costing \$500. That is \$3,500. Deduct 20 per cent, and you get \$2,800 as the price. That would amount to \$355.57 per year, or \$29.58 per month—roughly speaking \$30 a month. Now there is not a single labouring man or professional man who can pay more than one-quarter of his wages for rent and meet his other obligations, unless he has some other source of revenue. So, if you are paying \$25 a month rent, you will require an income of \$100 a month. To show the committee how impossible it is for any person to put up a building of any kind under the present law, I would point out that there are other charges besides in-

[Mr. Verville.]

terest, and some of them more onerous. There are municipal taxes—sewerage, local improvements, sidewalks, and the like of that. A man does not want to go on paying rent all his life. He wants to have a house of his own, or otherwise after a number of years he is just where he was before. I repeat, no man can afford to pay more than one-quarter of his wages for rent. Some people do, I know, but they are the kind that move during the night when the proprietor is away, and you have to hunt for them next day.

Mr. MEIGHEN: I think the hon. member knows more about some phases of this question than I do. Is it our regulations or the provincial regulations that prevent the application of any of this money to the construction of a two-flat house? Is that forbidden by our regulations?

Mr. VERVILLE: In Montreal last year we asked the Provincial Government to change the regulations, and they did so, but the change had to be sanctioned by the Federal Government, and they would not permit it, so we are up against the same proposition as before.

Mr. MEIGHEN: Was that this last winter?

Mr. VERVILLE: The action was taken the session before last at Quebec. We could have a lot more construction than we have at the present time but for this restriction. I have had four or five hundred applications from working men who would like to build but cannot do so owing to the regulations.

Mr. MEIGHEN: The loan was administered by the former president of the Privy Council, Hon. Mr. Rowell. It was made to the provinces and the provinces made regulations, which had to be satisfactory to the Governor in Council, as to the conditions upon which they would loan the money for housing. The object was, just as the hon. member (Mr. Verville) says, to provide housing for those in receipt of small salaries and wages, and not for those with larger incomes. I remember a difficulty having arisen—although I cannot recall its having come before the Government, but I remember having seen it stated in the press—that in Montreal, for the reasons stated by my hon. friend, the most economical way of building houses was to erect two-flat houses. I thought it was the semi-detached house that was mentioned, but I am informed that it was the other kind. I did not know before, however, that there

was any objection to building a two-flat house, but the question did arise. I must say that I am quite impressed with what the hon. member says, and his figures seem to me to be very conservative and convincing. I do not think that any change in the law is required. I do not like to commit myself definitely in the matter, because we shall have to review the situation very thoroughly; but if we decide that the hon. member's wish can be met—and personally I should like to see it materialize—all that would be necessary is to change the regulations.

Mr. VERVILLE: The Prime Minister knows the kind of house I mean; on the first floor there are five or six rooms for a family, and on the next floor is exactly the same. Mr. Adams said that in such a building the proprietor could live in one part and rent the other. He claimed that this would be speculating and said that the law should prevent such speculation. I grant that, in a way, it is speculation, but I do not see how a man would pay for his house within the specified time if he were not at liberty to rent part of it.

Item agreed to.

For the establishment, construction and equipment of the Canadian National Research Institute, \$150,000.

Mr. LEMIEUX: I objected to this item at the last sitting of the House which ended this morning. The legislation establishing the National Research Bureau was defeated in the Senate, and has not been revived in the healthy atmosphere of the House of Commons, so I do not think that this item can be justified.

Mr. MEIGHEN: We shall have to do some work, and the Government does not intend to give up its programme in this regard. Very much time can be saved by carrying on some work during the present year. I do not know of any action of the Senate that has appeared so wholly unjustifiable as their conduct in this matter.

Mr. LAPOINTE: Let us do away with the Senate, if their decisions carry no weight.

Mr. MEIGHEN: If my hon. friend will take the lead in his province there may be some substance to the movement.

Mr. LAPOINTE: We may discuss that together.

Mr. BELAND: As soon as we are in power we will reform it.

Mr. MEIGHEN: The Government is anxious to have the appropriation to make provision for the work to be carried on, because it is the intention that no time shall be lost.

Mr. LEMIEUX: Could you not reduce it?

Mr. MEIGHEN: We have already reduced it from \$300,000 to \$100,000.

Mr. LEMIEUX: This vote is for \$150,000.

Mr. MEIGHEN: Then we may reduce it to \$100,000. Not more than that sum will be spent.

To provide for the reorganization of the Departments at Ottawa—further amount required, \$50,000.

Mr. LEMIEUX: The minister will kindly explain this item. I understand that this is to be applied to the work of Griffenhagen and Company. If that is so I object to the item, because Parliament was given to understand that the services of this firm had been dispensed with, and besides, we have a Civil Service Commission. Griffenhagen and Company have been employed by the Government for many months now, and there is much objection to their continuing in the employ of the country.

Sir GEORGE FOSTER: There was a contract with Griffenhagen and Company that could be determined on two months' notice. That notice was given and the contract expired on April 3, last, and there has been no contract with them since. The preliminary work which had been done up to that time in conjunction with the authorities of the two departments, Customs and Inland Revenue, and the Post Office, and which was of a very extensive character, laid the foundation for a system of reorganization, and it was absolutely necessary, if that work was to be carried to its fulfilment in these two departments, that the services of some of the men who had laid the plans in co-operation with the department and the sub-committee on reorganization, should be retained. The Government, therefore, has arranged for the services of individuals of the firm of Griffenhagen, and it is their services which are being engaged at the present time. After having given the matter the most careful consideration I cannot see that we can do anything but retain some of these gentlemen.

Mr. LEMIEUX: Is this the last amount to be applied?

Sir GEORGE FOSTER: Yes, but that \$50,000 is not for the Griffenhagen Company as a company, neither is it necessary that the whole of it should be applied to these officers who have brought the system up to its present state and are now engaged in carrying it through. Any number of these men at any time may be dispensed with, and if we can get those who are qualified to do the work within the departments themselves, they shall be employed.

Mr. LEMIEUX: I am not satisfied with the explanation given by my right hon. friend. I regret, in a sense, that he was not here early this morning.

Sir GEORGE FOSTER: I was up too late the day before.

Mr. LEMIEUX: But I cannot blame him, because at his time of life he is better at home than in the House at four o'clock in the morning. With regard to the Post Office Department, I am informed that the staff of Griffenhagen is still at work and functioning at full speed. I would ask my right hon. friend, on account of his many years of experience, and his fairness, to closely scrutinize the conclusions of the report which has been made by that firm. I do not know the members of the firm personally, I am only speaking from the report I have read. I had some experience in the Post Office Department. It was then fairly well managed, but I notice of late that several of the old and trusted officials of that department, if the conclusions of that report are carried out, will be practically shelved. I have special reference to men like Mr. Sydney Smith, men like Mr. Troop, Mr. Anderson, Colonel Verret, Mr. Lemaire, and Mr. Moon—old and trusted employees, real servants of the Crown, who day in and day out will devote their time and energy and what is best in them to the service of the public. According to that report a regular sabotage is going to take place in the department, or if the expression is too strong, a complete transformation will take place. I appeal to my hon. friend and ask him—because I know that the Post Office Department is under his tutelage at the present moment,—as president of that sub-committee of the Privy Council, he sees that the conclusions of that report are carried out. I would ask him before coming to any final decision, to investigate by himself the case of

[Sir George Foster.]

each of those officials. They constitute the elite of the department, and the moment those old officials go by the board, well, the Post Office Department may perhaps be in deeper trouble than it is at the present moment.

Mr. BELAND: Quite right, hear, hear.

Mr. LEMIEUX: The right hon. gentleman who has been in this House for nearly forty years knows that the old officials were men of ability, men of devotion to the public service. Let us not accept, as realities, the fancies of newcomers, who know nothing of our traditions. Men like Mr. Anderson or Mr. Sydney Smith have grown up with the service. They know the ins and outs of that department. They are accessible at any time of the day. They are in touch with the public in Canada. Some people believe that they should be dispensed with. Why should those Americans who are investigating the department, be allowed to shelve them under the pretext of reorganization? The department was in a good state of health ten years ago, and I am afraid that the so-called cure will be worse than the so-called disease. Once more I ask my right hon. friend to be fair and just in the appreciation of the report that is before him. Let not those foreigners revolutionize that department, lest you create a feeling of injustice amongst old and faithful employees.

Sir GEORGE FOSTER: I quite recognize the importance of the matter in regard to the reorganization of the different departments. First let me correct an error: I say that the staff which is employed by the reorganization committee, the sub-committee of council, has nothing to do at all with the allocation of officers. They simply have to prepare a plan of organization of re-arrangement of business from the investigations which have been made. That is not simply a plan which is made by them, but that is a plan which, when it comes to the sub-committee, has already been gone into by the officers of the department—the deputy minister and the heads of the branches; and where changes have been made, they are made and agreed upon between the two. Then after the conferences carried on in that way, comes the recommendation. That goes to the committee on reorganization. That committee takes up those reports and very carefully goes into them, confers with its own staff and confers with the staff of the department which is interested, or with

both of them together, until we come to a conclusion as to what is best to be done. Afterwards that is reported to council and comes under the view of council, and then the result must go according to the decision which will be made by the council. There is no desire at all on the part of the sub-committee, as my hon. friend right well knows, to do anything else but to secure the greatest efficiency with the greatest economy, and that is steadily kept in mind. It is impossible for me, even with all the knowledge I have, to discuss particular instances in a reorganization which has not yet been fully carried out. My hon. friend has mentioned certain things. They are for the sub-committee, and I can assure my hon. friend that any decision which is made will be arrived at after thorough examination, not only from a report given by our own staff, but a report which is digested thoroughly by the department themselves. Afterwards, when it comes to a re-arrangement of the officers, neither the sub-committee nor the staff do that. That is the business of the Civil Service Commission. They take that work up then and do the rest of it.

Mr. LEMIEUX: My right hon. friend knows what we have in universities and schools, the captain's team work. In all branches of the Post Office Department there are old and trusted employees who have been an inspiration to their branches. There is in operation at the present time, not only here, but all over the world, a levelling process. My right hon. friend should remember that men vested with authority are needed in all departments, I would say be fair to the old officials who have enjoyed the respect whilst exercising their authority over their subordinates. I am afraid of the levelling process. Men of authority are needed here and there to inspire, and guide the others. It looks as if there is only one in authority in the Department—perhaps two—and that other officials are discarded, I believe in authority; I believe in superior direction, especially when it is exercised by men of experience, men of integrity, and men who possess the respect and confidence of the public. I will trust the right hon. gentlemen in the final reorganization of the Department.

Civil Government.—Department of the Secretary of State—  
Contingencies—  
Administration of the Companies Act—Further amount required \$7,000

Editorial Committee on Government

Publications—	
Salaries—	
One chairman . . . . .	4,500
One secretary . . . . .	1,890
One clerk-stenographer . . . . .	960
One junior clerk-stenographer . . . . .	600
One messenger clerk . . . . .	600
Contingencies . . . . .	1,500

Mr. LEMIEUX: After several enquiries, interpellations and motions, at last the Prime Minister tabled yesterday evening the Snider report. I have read it; I regret, Mr. Chairman, that it is not in your hands—it has found some other way this morning and is not at present available. The conclusions, however, have been published in the press. Here, we have an instance of what a hasty creation may give rise to in the public service. The Editorial Committee was appointed some two or three years ago with a view to economy and retrenchment. The committee went to work—and as a result we have the Snider report. I quite understand why the Government was not anxious to lay that report on the Table: it is a clear condemnation of that Editorial Committee or of part of its personnel. The country was staggered last fall when the news went out that thousands of books and documents had wantonly been destroyed under the direction of this committee. Early in the session I brought the matter up in the House, and I was told that an investigation would take place. The investigation has taken place and the conclusions of the report of Mr. Justice Snider justify the severe comments which I then made. It is almost unbelievable, Sir, that there should be in Canada employees of the Government, or rather vandals, who would deliberately order the destruction of documents, books and archives as has been done in this instance. It appears that a firm in this city, A. L. Florence & Son, have a contract with the Government under which they remove waste paper from the various Departments. The action taken in this case is not the result of inadvertance; it was coolly plotted—that appears clearly by the report. It was deliberately planned to destroy 60,000 or 70,000 documents and blue books—I have not the exact figures before me—even including some antedating Confederation. I wish to read, Mr. Chairman, the conclusions set forth in that report.

If the publications which were discarded or destroyed, or any of them, should not have been discarded or destroyed, the Editorial Committee, and particularly Mr. Fred Cook, its per-

manent chairman, is responsible for it, because the discarding was done according to what both Mr. Bailey and Mr. Normandin in their evidence and in their notes made at the meeting on the 11th August say, was then directed by Mr. Cook and concurred in by Mr. Lynch.

If Mr. Bailey and Mr. Normandin misunderstood the directions then given them, this fact is due to gross neglect of duty by the Editorial Committee and its chairman in not doing anything to make sure the directions given were properly understood and that the notes taken were correct, and in entirely neglecting in any way to supervise the discarding which Mr. Cook and Mr. Lynch knew was about to take place. Mr. Cook, the permanent chairman, paid not the slightest attention to it.

There is also this to be found in the report:

The evidence of Mr. Normandin and Mr. Bailey on this point was in direct contradiction to that of Mr. Cook, and the commissioner says that their copy of the inventory supports their statements that all the volumes of sessional papers, debates and journals should be discarded with the exception of five each which were to be retained. Mr. Bailey's evidence was to the effect that, in addition to the decisions reached on the subject of the volumes referred to, it was further decided to "destroy all before Confederation".

Canada, therefore, is here advertised as a country of vandals. What must be thought of a public officer directing minor officers to destroy valuable blue books, documents, archives? Mr. Chairman, this would be unbelievable if it were not set out as the truth and the whole truth in Mr. Justice Snider's report. Under the circumstances, Mr. Chairman, the least the Government can do, the least the right hon. gentleman can do, is to declare that this committee will be disbanded and that men of greater wisdom, of more regard for public decency will be appointed on it. I would not feel that I was fulfilling my duty if I did not say that when I brought this question before the House I did so not only to protest against the destruction of French documents, because I was informed that English documents were also destroyed. Under these circumstances I move that this item be struck out.

Mr. MEIGHEN: I have not read with great care, but I did go through, the interim report which is all that has yet been received from Judge Snider as the result of the investigation. I do not think the report read by the hon. member is a fair summary of it.

Mr. LEMIEUX: It is not a summary; I gave the conclusions. The conclusions are verbatim.

Mr. MEIGHEN: I do not wish to comment on the report except in a word or

[Mr. Lemieux.]

two. My first statement is this: It is true that the hon. member brought the subject to the attention of the House. But the inference to be gathered from my hon. friend's remarks, that it was as the result of his doing so that the investigation was ordered is, of course, not correct. In fact the investigation was under way long before the hon. member mentioned it; Judge Snider had been appointed and had been given full authority to look into the

matter. The Government, then, 1 p.m. had itself taken action long before the hon. member brought the matter to the attention of the House. But I want to say this: Judge Snider has come to this opinion; he has investigated the matter on the ground and consequently we should not dispute it. But in justice to the Editorial Committee and Mr. Cook I want to say first of all, that, curiously enough, the matter first came to the attention of the Government on the report of Mr. Cook himself. I think it came to the attention of the Government before I became Prime Minister. Anyway, I do know that there was handed to me a document signed by Mr. Cook in which he protested most vigorously against the destruction of these documents. He called our attention to it and asked the Government to look into the matter. It was more at the request of Mr. Cook than any one else that the matter was taken up vigorously on the part of the Government, and that ultimately an investigation into the subject was ordered. It seems rather the irony of fate that the judge investigating the matter should now report that this gentleman was chiefly responsible for the destruction. As I know quite well that Mr. Cook was the man who brought the matter to our attention, I cannot see how those circumstances are consistent with the fact that he was really a party to the deliberate destruction. It may be possible that there was some neglect on his part that justifies the report that he must be held accountable, I am not disputing that, it would require very close study. But it seems incredible to me that Mr. Cook could have been a party to anything in the nature of deliberate destruction. I may say that there was laid on the table of the House to-day a statement by Mr. Cook, in which his two associates joined, in which most vigorous exception is taken to the finding of Judge Snider. It is only fair to him that hon. members should read that statement. But as regards the Editorial Committee, if a mistake was made in this case on the part

of Mr. Cook or on their part, no one could impeach the integrity of Mr. Cook, Mr. Lynch or Mr. O'Hara. They are not getting anything as members of the Editorial Committee. They are officers who have been in the service for a long time. Mr. O'Hara and Mr. Lynch have been in the service for 15 or 20 years, if not more. They undertook that work; they have saved this country hundreds of thousands of dollars in that work. Although it is most regrettable that any documents of value—and while they were of substantial value, there is no doubt their value has been very much exaggerated—should have been destroyed; nevertheless the loss in that connection is very small as compared with the tremendous value the Editorial Committee has been to the country. Of that there is no room for question or doubt.

I do not want my words to be taken as meaning that I am absolving Mr. Cook or the Editorial Committee in this regard in any way whatever. If they are answerable for deliberate destruction, that is a very serious matter. If they are answerable for destruction arising out of neglect, that is serious enough too; but at the same time we must not impeach their character, and we must give them credit for the good work that they have done.

Mr. LEMIEUX: I do not wish to delay the committee. My right hon. friend says that we must not impeach the integrity of the Editorial Committee. I am not doing that. I am simply taking the conclusions of the report of Mr. Justice Snider who was appointed by the Government to investigate this matter. Mr. Justice Snider had no other interest in this matter than the interest of justice. If my right hon. friend will read the report, the following facts will be disclosed to him. There is a contract given to the firm of Florence & Son in Ottawa. A sum of \$11,000 a year is paid by that firm to the Receiver General, and that firm has exclusive control of all the waste paper in the various departments. This is a paying business for all we know. It is evident that the firm of Florence & Son is interested in getting as large a quantity as possible of waste paper. I do not impugn the integrity of any one; but when my right hon. friend, with his keen legal sense, reads that report, he will ask himself if some one was not interested in making the heap of waste paper as large as possible. Unfortunately the archives of the country went on the heap; public documents, blue books, pre-Confederation papers went there.

That is what I find, and that is what I describe as pure vandalism. In one sense it may have been a crime, but if it is not a crime, it is a case where I might repeat the words of Talleyrand: "C'est plus qu'un crime, c'est une faute." "It is worse than a crime, it is a blunder." The men who were guilty of crime, if crime were committed, or guilty of blunder, should not be in the pay of the Government. I maintain my motion. This item should be struck out.

Sir GEORGE FOSTER: I do not want to prolong the controversy, but I wish to say a word or two to expedite the matter if possible. The Editorial Committee—

Mr. LEMIEUX: I know the good work they have done.

Sir GEORGE FOSTER: The Editorial Committee got their authority by a certain Order in Council, dated October 4, 1917, which I want to read. I was the minister who made the recommendation:

The minister recommends that a committee of three members of the Civil Service be appointed to consider the suggestions of the Joint Committee on Printing—

I want my hon. friend to listen to their powers as given:

—and take such action as may contribute to the better co-ordination in the preparation for and printing of public documents and subsequent distribution—

That is, after printing.

—so that the greatest possible economy may be attained, consistent with the public interest, and that three members of the Government be constituted a committee to advise and co-operate with the said Editorial Committee, and whose approval shall be obtained to all measures recommended by that committee before they are put into execution.

That is the primary duty which was put on the Editorial Committee, to co-operate with the Committee on Printing and to see that those economies were practised, both in the printing and in the subsequent distribution of documents that were printed. That remained their sole duty until the Order in Council of June 29, 1920, which in part stated that to them should be given:

Authority to determine the proper disposition of obsolete and surplus publications in store in the various Government departments, as well as in the Distribution Office of the Department of Public Printing and Stationery, and supervise their disposition.

That was an added and late duty which was placed upon them and which they undertook, of course, much later than their primary duties. In the execution of

their primary duties, such as are stated in the first Order in Council, the Editorial Committee have done work which is apparent to Parliament. If the members of the House will get the reports of the two years' work of the Editorial Committee, they will see that they have done splendid work, and that very fine results in the way of economy have come therefrom.

With reference to the action of the Editorial Committee in connection with the matter now before this committee, I am not going to review here Judge Snider's report, and I want my hon. friend and other hon. members, in taking Judge Snider's report into consideration, also to take into consideration the document which I placed on the table of the House this morning as a statement by Mr. Fred Cook and Mr. Lynch, two members of the Editorial Committee, who had the conference at which it was proposed to do certain things with certain of those documents that were super-numerary. Mr. Boudreau and Mr. O'Hara, members of the Editorial Committee, were not in town at the time, and they had nothing to do with that conference. There was a misunderstanding, apparent to anyone who will read the reports, with reference to the conclusions come to by a conference held between Mr. Cook, Mr. Lynch and employees of the Printing and Distribution Department. They have different ideas and make different statements as to the conclusions that were reached. My own view of the matter is that there is not the first item which can be cited to show that there was malice prepense, or that there was any desire to do anything other than was proper and right, and the ultimate result was almost entirely due, I think, to the misunderstanding as to the conclusions come to in that conference: Whether it was from blunder or negligence, or from whatever other cause, I want hon. members, before they make up their minds, to read not only Judge Snider's report, but also the statement I placed on the Table this morning. I think the whole thing is soluble on the ground, not of a desire to do anything wrong or inconsistent with a desire to do everything right, but owing very largely to misunderstandings and maybe to a little negligence and perhaps oversight. I rose to make that little explanation, so that fairness may be had on all sides when both documents are before hon. members for review.

Mr. LEMIEUX: "Little" explanation?

[Sir George Foster.]

Mr. SINCLAIR (Guysborough): I have no remarks to make about the Snider report, but I would like to say that economy may be carried too far by the Editorial Committee. Members are confined to receiving only three free copies of the Hansard. That is not enough. I represent thirty thousand people in this Parliament, and I am constantly getting letters from people saying that a certain debate is of interest to them and that they would like to have a copy of the Hansard containing it, but when I go to the Distribution Office for a copy of it, I am told that I have already received my three copies. That is a kind of economy that I do not think is advisable. There are difficulties of the same kind with reference to other publications, which, I suppose, are accounted for on the ground of economy.

Sir GEORGE FOSTER: If my hon. friend will allow me, it is the Printing Committee, and not the Editorial Committee, that controls that.

Mr. SINCLAIR (Guysborough): I have a remark to make about the Editorial Committee. I have drawn my hon. friend's attention once before to the fact that they have eliminated from the blue book known as Public Accounts that very important part which gives a comparative statement of the expenditures in each department of Government for each year since Confederation. It was one of the most interesting parts of that publication, but those pages have been cut out for the present year. I hope they will be restored next year.

Sir GEORGE FOSTER: The Editorial Committee had no more to do with that than my hon. friend.

Mr. SINCLAIR (Guysborough): Who does it?

Sir HENRY DRAYTON: I am afraid I am entirely responsible for that.

Mr. COPP: Don't do it again.

Amendment negatived.

Mr. LEMIEUX: Too many cooks spoil the broth.

Item agreed to.

At One o'clock the committee took recess.

### After Recess

The committee resumed at 2.30 p.m.

The CHAIRMAN: When the committee rose at one o'clock, three Estimates remained for consideration, Nos. 111, 555, and 557. Item No. 111, Railways, Canadian Government, \$4,117,999 had been allowed to stand at the request of the member for Westmoreland (Mr. Copp).

Mr. COPP: Being a representative of New Brunswick, one of the three Maritime Provinces, I feel it my duty, not only to my constituents in particular but also to the people of the whole province from which I come, to say a few words in regard to the Canadian National railways, especially that portion which is known as the old Intercolonial railway, from Montreal to Sydney, Halifax and St. John. The feeling of the people of New Brunswick in regard to Canadian National Railway affairs is very pronounced, and I am tempted to address the committee today because of a statement made to the Special Committee on Railways and Shipping a few weeks ago by the chairman of the Board of Management, to the effect that the whole criticism of the Canadian National Railway system began and ended in the eastern section of the railway. There has been considerable criticism as well as a very strong feeling, in regard to the railway situation, on the part of the Maritime Provinces, and matters are becoming graver from month to month since the operation of the road has been practically taken over by the Board of Directors of the Canadian National railways. I am bound to reply to the statements of Mr. Hanna, and I shall do so in no spirit of resentment. That gentleman declared that the criticism from that section of the country was of a small and petty character. Well, I want to tell the Minister of Railways that the delegation of some fifty gentlemen who are interested in industry, in commerce, and in the professions, and who journeyed from that part of Canada to Ottawa to lay their case before the Government, did not come to the Capital for the purpose of indulging in captious or carping criticism. They did not come here to plead a few isolated cases. They came, fifty strong, representing the very best interests of the Maritime Provinces, to lay their grievances clearly before the Government, and I should be derelict in my duty if I did not take this opportunity to

re-affirm and substantiate the arguments which they laid before the Government the other day. It has been felt in the Maritime Provinces that we were in a most unfortunate position because of the fact that we had no representatives from that section of the country in the Dominion Cabinet to represent us in the councils of the Government; and while I want to give the right hon. the Prime Minister (Mr. Meighen) due credit for having brought into his Government some hon. gentlemen from the Maritime Provinces, I must say that I had hoped that those hon. gentlemen would endeavour to exercise whatever influence they had with the Government to the end that, if all the demands of the Maritime Provinces could not be met, at least some consideration would be given them at the present time. Now, I do not purpose to deal with this matter at any great length, because, if I attempted to argue the case from all its angles, I am afraid I should consume a great deal of time; and during my short term in Parliament, I have, on different occasions, argued this question to a greater or less extent. Those who have preceded me as representatives of the section from which I come, have also placed our case on Hansard, and therefore I need not go over the whole matter in any exhaustive detail.

The Intercolonial railway, the people of the Maritime Provinces properly think, was built for the purpose of implementing the agreement which was made at the time of Confederation as the sole inducement for the Maritime Provinces, who were reluctant to enter the Union, to join forces with the rest of Canada. The statesmen of the Maritime Provinces at that time were very reluctant about entering Confederation, and the strongest argument that was advanced to induce the Maritime Provinces to come in was the undertaking that a railway would be constructed from those provinces to connect up with the commercial centres of Upper Canada, providing a reasonably cheap rail transportation. Our natural market at that time was found in the New England States, but when the Maritime Provinces entered Confederation, they were, of course, bound by such fiscal arrangements as might be made between Canada as a whole and the United States, and, therefore, the New England markets were closed to us. They were handy markets, the water transportation being comparatively cheap. When that market was

closed to us, as was pointed out the other day by certain hon. gentlemen, it was obvious that unless we had a reasonably cheap transportation service from the Maritime Provinces to Montreal, Toronto, and the great western provinces that would be founded, the Maritime Provinces would be prejudicially affected, beyond peradventure, in entering into the Confederation of Canada. Now I want to say to the Minister of Railways that the freight rates which have been placed upon the commodities of the Maritime Provinces are absolutely paralyzing the trade of those provinces, and, unless some remedial action is taken in this matter, the business interests of our part of this great Dominion stand to be seriously impaired. By the industry, the energy, the pluck, and the perseverance which have characterized the business men of the Maritime Provinces during the last fifty years, an important trade has been built up in Eastern Canada, and these unduly high rates of transportation, I fear, will only drive these men out of business, and cripple industrial effort. These high freight rates are unfair not only to the Maritime Provinces, but to the whole Dominion, because, as surely as the sun rises in the east and sets in the west, if the interests of one part of the country are injured, this injury will react on other sections. Unless we can have a reasonably cheap transportation service, our business cannot grow, our trade will be stagnant, and our younger population will naturally seek new fields for their enterprise. Mr Hanna, when before the committee, criticised not only members of Parliament, but apparently every one else who had anything adverse to say in respect of the Canadian National Railways. Let me say to him, in a spirit of friendliness, that instead of criticising those who rightly find fault with the railways, it would be more to the point if he and his colleagues on the Board of Directors would endeavour to popularize this system of railways by providing the people with a more satisfactory service. After all, it is a business proposition: The Canadian National Railways have passenger and freight transportation space to sell, and unless they can offer adequate inducements, the people are not going to use the system. Their facilities must be equal to those that are to be found on any other well-organized road.

In regard to the men who came here the other day and laid their case before the Government, I may say they came here, not

[Mr. Copp.]

representing any class of political party, but representing the whole people of the Maritime Provinces. I bespeak on behalf of those people the careful and deliberate consideration of the claims made by them. As I said a moment ago, I associated myself with them. They come to the Government, not in a threatening attitude, or even a warning attitude, but with a direct appeal to the Government as the guardians of the people of the whole Dominion of Canada. The Government are just as much the guardians of the people in the Maritime Provinces as of the people in any other section of the Dominion of Canada. We find our Canadian National Railways Board of Directors, talking in a rather resentful way about criticisms coming from the Maritime Provinces. I say that criticism is well deserved. In addition to studying the question of freight rates for transportation from the Maritime Provinces, and deciding upon the rates, the delegates also asked the Government to consider—and I again place myself on record as agreeing with them—whether or not it would be in the interest, not only of the people of the Maritime Provinces, of the whole Dominion of Canada, if the old Intercolonial was operated as a separate unit with headquarters in the city of Moncton, where its headquarters have always been from Confederation down to two or three years ago, when the general management of that railway was practically moved from the city of Moncton, partially to the city of Montreal and more particularly to Toronto. Formerly the people of the Maritime Provinces, had the opportunity of meeting individually the directors and managers of that system, could come to them, and seek redress, and arrange their business, without having to go beyond the confines of our own province. The authority that was given to the management of the road at that time, has been removed from the Maritime Provinces. If we desire the slightest information or have the slightest business to transact, we cannot do it through the officials of that railway at Moncton, but have to go to Toronto. There is not a man with authority to-day in Moncton who has authority to sell a carload of ashes, but he must refer it to the city of Toronto. I say that does not make for the good operation of that portion of the national railways known as the Intercolonial. Referring to the official staff, if you may dignify them by that name, which is supposed to have some control of that section of the railway, very few of those individuals are men

trained on the Intercolonial. We have men who spent many years, some practically their whole lives in working up the interest of the road and who have had experience on that section of the railway, and to-day hardly one of those men holds any position of authority or standing on that road. I have no criticism to make of the personnel of the staff, but I say it is manned and officered by railway men who have been brought from Toronto or the Canadian Northern Railway system, and placed in charge of that section of the Intercolonial. They do not understand the situation and they do not understand the people. I say it would be very much better for the minister to use his influence with the board of directors, if he has any, to see that the men who from the inception of their railway experience worked on the Intercolonial should be retained with adequate power and responsibility. These men advanced step by step from the time they went into the work on that system until they got into a position where they would have made splendid railway men, but they have been removed, and men brought from outside to fill their places. I do not say that these men who were trained on the Intercolonial were not taken care of in some other way, but it would have been much better for that section of the Canadian National railway if these men had been given positions to carry on the work on the road where they had been trained and had had experience.

There is another small matter which I brought to the attention of my hon. friend last year—the operation and use of private cars on that section of the railway. I told him then, and repeat now, that it is not necessary to have as many private cars in operation on the section of the Intercolonial as are in use to-day. We have superintendents and assistant superintendents brought in from outside, and it seems to be the whole aim to get men in the shops to build private cars, and put private cars on every passenger train running to St. John, Newcastle, Campbellton or Montreal. I do not know what it costs the country every time they draw a private car from Moncton to Montreal, but I know it is a large figure. I am not narrow or small in regard to private cars. I readily understand that managers of railways, men who have to do their business along the railway, naturally will take their clerks and stenographers with them, and naturally require private cars to do that business; but I can say to my

hon. friend that this is not the time to add to the number of private cars which are being carried over this road and this for two or three reasons. One reason is that we are not in position to stand the excessive cost of extravagant operation. Secondly I would say to my hon. friend that his Board of Directors have found it necessary to retire 500 or 600 men from the workshops of the Intercolonial railway. I have been getting daily advice from that district and I find these men are walking the streets, not earning a single dollar, and their families, if they are not in actual want, soon will be. It does not add to the idea of restful conditions in this country which we would all like to see. These men, standing on the platform at Moncton, will see a private car hooked on the rear of a train which is to carry one or two individuals going to St. John, when surely a Pullman would be quite good enough for them. I am not envious of the man who can ride in a private car if he has the money to pay for it, but the people of this country should not be called upon to put their hands in their pockets to pay for the expensive operation of private cars to gratify the vanity of the superintendents, assistant superintendents, mechanical foremen and other petty officials whose sole ambition, as I said a few minutes ago, appears to be to ride around in private cars at the public expense. Pullman reservations to-day cost three times as much as a few years ago. For instance, you cannot get a drawing room from Moncton to Montreal for less than \$24. Yet, Sir, many of these petty railway officials, if they cannot gratify their ambition with a private car, take up Pullman reservations at the expense of the country, though many of them if travelling on their own account would not incur the expense. Another ground of complaint is that these private cars are drawn at the end of our trains and ordinary passengers are unable to enjoy from the rear the beautiful section of country they may be passing through. When I brought this to the attention of my hon. friend last year he not only promised to have the practice discontinued, but he told me that it was against the rule. The practice is still continued, and if it is against the regulations somebody must be responsible. I again appeal to my hon. friend to see to it that the railway officials do something to try and popularize the road instead of riding through the country on all occasions in private cars.

I know, Sir, and readily admit, that this is not an opportune time to build or buy railways, but in fairness to the province of New Brunswick I think the Government should take over the St. John and Quebec Railway running from Centreville to the city of St. John. That is the only road in that section of the country not owned by the Federal Government. During the last two or three years we have taken over practically every railway in the Dominion with the exception of the Canadian Pacific, and in doing so have relieved practically all the other provinces of their liability on the railway bonds which they had guaranteed, a liability representing millions of dollars. If it is the policy of the Government to relieve all the other provinces in this way, then I say the province of New Brunswick should be accorded similar treatment, and this railway should be taken over and operated as part of our national system. I have no doubt that my hon. friend has received from the government of the province of New Brunswick a resolution moved by the Premier and seconded by the leader of the Opposition at the last session of the legislature, and passed unanimously, to the effect that it was the duty of the Dominion Government to assume the burden of the St. John and Quebec Railway as they have assumed the burden of other railways in the Dominion.

I want also to draw to the attention of the Minister of Railways a matter that I have no doubt has already been brought to his attention by petitions from a very large section of people in my county who are desirous of railway accommodation from Shediac to Cape Tormentine. A charter was granted some years ago for what is known as the Shediac and Cape Tormentine railway. The people of that locality are particularly anxious to have the line constructed, and I trust my hon. friend will give their request favourable consideration.

I omitted to say, when discussing the railway situation in the province of New Brunswick, that a study of the railway statistics will show that less public money has been expended on railways in New Brunswick per capita than in any other province. Therefore, I submit that my province is peculiarly entitled to the most favourable consideration of my hon. friend in regard to railway facilities.

I promised that I would not detain the committee long, and therefore I have spoken very briefly on these very important

[Mr. Copp.]

matters, but they are worthy of, in fact they demand, deliberate and sympathetic consideration by the Government, and I sincerely trust that I will have the active support of all other members from the Maritime Provinces in regard to what I have laid before my hon. friend. We are very proud of the Maritime Provinces which we may consider as one of the three great sections of the Dominion, the others being the two important provinces of Quebec and Ontario in the centre, and in the West the vast Prairie Provinces.

Their business interests are similar in many respects, but at the same time they are easily divisible into three separate districts, and the only way we can make Canada prosperous is to keep these three sections working together in harmony and in the best interests of all. I trust that something will be done by the Government or by the Board of Management to alleviate at once the conditions which prevail in the Maritime Provinces with regard to railway matters; otherwise our business interests may be paralyzed. I again appeal to the Minister of Railways; I appeal to those who come from the Maritime Provinces to support the just claims of the people of that part of the country—not because I advance them, but because they are the views put forward by the delegation, fifty strong, which interviewed the Government the other day in regard to this matter, with which views I have the honour to associate myself. I trust that the Government will take this matter up and not only give it consideration, but see that proper relief is afforded to the Maritime Provinces in this regard.

Mr. McISAAC: I wish to bring to the attention of the Minister of Railways certain grievances, certain handicaps or disabilities, under which the people of the province which I have the honour to represent are suffering. In the first place, there is at Georgetown a wharf which has not been used for some time. It is a valuable property; there is a valuable warehouse on it, but it is out of commission and the people are very anxious that the necessary expenditure should be made in order to keep it in a good state of repair, because while it has not of late been used very much it may be required in the near future. Then, they have some grievances with regard to the early closing of the stations at Montague, Cardigan and Georgetown. Passing from this, I wish to point out another hardship from which the people are suffering. I have received

numerous telegrams and letters with regard to the summer time-tables which have been put into force on the eastern section of the Prince Edward Island Railway, from Charlottetown to Souris and Georgetown. Freight trains are run between these points only tri-weekly, whereas they have hitherto always had in summer a daily freight service. A number of merchants of Georgetown, Souris and Montague have sent me telegrams pointing out that if this schedule is continued it will practically put them out of business. I suggest that an improvement be made in this regard.

Then, the booking station at Bear River on the eastern line, about half way between St. Peters and Souris, is about to be closed, so it is reported. That station has been there ever since the opening of the road; a prosperous farming community has been built up on both sides of it, and if the station is now closed there may be nothing else for these people to do but to leave there and move somewhere else. It would mean that there would be no booking station between St. Peters and Souris, a distance of some twenty-five miles. On behalf of the people of this district I urge the minister to take this matter into his serious consideration.

But the paramount question with regard to transportation is the standardization of the remaining portions of the Prince Edward Island Railway. These matters have already been brought to the attention of the minister; figures have been placed before him as to what the probable cost would be. The improvement which has resulted in the export trade of the province and in the cultivation of the farms since the inauguration of the car ferry across the straits and the partial broadening of the track is an indication of the benefit which would accrue from the standardization of the remaining portions of the road. The progress and advancement have been so marked that they constitute the greatest possible argument in favour of completing the standardization as soon as possible. It is stated that an annual saving of about \$81,000 would be effected by the completion of this work and the obviating of the necessity for making transfers from the narrow gauge to the broad gauge at Charlottetown, Summerside and Borden. Another consideration is the fact that ties have already been laid on 60 per cent of the road-bed and are ready for the broad-gauge rails. The cost, therefore, of completing the work would not be so very great; it is estimated

—I think fairly correctly—that \$600,000 would finish everything.

Now, Mr. Chairman, these are the principal things that weigh upon the people of Prince Edward Island so far as the matter of transportation facilities is concerned; these are the handicaps and disabilities under which they suffer. The inauguration of the car ferry in 1918 was the first practical step towards the solution of the problem of affording adequate transportation facilities between Prince Edward Island and the mainland. It is urged that an additional car ferry be supplied at an early day. On that phase of the question I am not going to dwell at the moment; if we get the remaining portions of the road standardized we can afford to wait for a time for the additional car ferry. But I believe that the increase in production in the agricultural province of Prince Edward Island would be so great as to fully justify the additional expenditure on a second car ferry.

In addition to what I have already said I desire to present further reasons in order to convince this committee beyond the possibility of doubt that the people for whom it is my privilege to speak and the province which I have the honour to be a representative, are unquestionably entitled to the transportation improvements for which I plead. Prince Edward Island although the smallest province of the Confederation, is the most populous according to area and the wealthiest according to population. It is the garden of the Gulf, the gem of the northern seas. It is a land of peace and plenty where a generous soil under moderate climatic conditions reacts readily and yields abundantly to the activities of industry and intelligence. It is the home of sturdy men and comely women where the visitor receives a welcome and hospitality is dispensed in princely fashion.

In this province there are no gigantic mountains, nor foaming cataracts thundering over lofty architraves but there is spread out on every hand quiet, restful, soothing pastoral scenery. It is a land of pearly brooks and shimmering streams, flowing rivers and winding bays. Here the summer heat is tempered by the brine-laden breezes which are wafted from the foam-flecked St. Lawrence or Strait of Northumberland, and which impart the glow of health to the cheeks of our youths and maidens. If you would see our province at its best, you should visit it in the summer season when you will see the fields

clothed in their richest green, the ripening grain waving in the wind awaiting the sickle's sharp edge and the trees laden with their luscious fruit. Here there is abundant opportunity for rest and recuperation; here the overworked may speedily regain renewed vigour and mental activity.

Not infrequently those seeking health, rest and renewed vigour travel long distances and spend sums of money altogether out of proportion to the benefits received, but here, within easy reach is an elysium where they may at moderate cost benefit to a greater degree than at any resort to which they might travel. Surf bathing, boating, shooting, angling and other forms of recreation of the best kind are available in ample supply. For those who may prefer the later months when the shadows grow longer and the maple leaves assume their autumnal tints will be found attractions equally as agreeable. I am inclined to believe that if my good friend, the Minister of Finance, Sir Henry Drayton, would again visit our province at this particular season and avail himself of the opportunity afforded to investigate the succulent bivalve, his heart would soften and he might be disposed to loosen the federal purse strings and place at the disposal of the Minister of Railways, the money necessary to carry out the transportation improvements that I earnestly plead for.

If the Government will issue bonds to the people of Prince Edward Island and borrow the necessary money from them, I am sure, in twenty-four hours, they will get all that is necessary to carry on this improvement. Therefore, if the Minister of Finance and the Minister of Railways will visit Prince Edward Island, perhaps a little later in the season when the country is at its best, they will be so carried away that the case will be won and we shall not have to plead any more for this essentially necessary improvement in our transportation facilities.

Mr. SINCLAIR (Queen's, P.E.I.): I regret that this item did not come up earlier in the session in order that questions which affect transportation in the East could be more fully put before the committee. I do not wish at this time to take up any of the time of the committee unnecessarily by going into details. I rise at this time just to support what has been said by the hon. member for Westmoreland (Mr. Copp) and the hon. member for King's (Mr. McIsaac), to bring to the notice of the Government conditions that exist in eastern Canada, and more especially

[Mr. McIsaac.]

in Prince Edward Island in connection with our transportation system. I am not going to repeat what has been said in previous debates during the session. The matter has been placed clearly before the minister by delegations of boards of trade and also by hon. members of this House. In a previous discussion I had an opportunity of placing a statement on Hansard myself. I simply ask the minister to give these matters consideration and to put into effect, during the coming year, the request to finish the standardization of the railway.

In carrying on the argument, I wish also to say that the delay in doing this work is delaying development in Prince Edward Island. In 1909-10, as the hon. member for Shelburne and Queen's (Mr. Fielding) will remember, development in railways in Prince Edward Island was undertaken. A branch was built to Murray Harbour. This was to be followed by, and a contract was let for, a branch railway to the New London section. Those are our best and largest sections which are distant from railway facilities. When the standardization of the railway was undertaken, this work of development was stopped until the railway would be built to the standard gauge. These sections expect that work to be done. I had the honour a year ago, to present a petition, from another section to the Minister of Railways through the Governor in Council, asking for a change in the present facilities along the branch that runs from Mount Stewart to Georgetown. Under present arrangements that train is brought in on the north side of the river in a very roundabout way, duplicating the train that runs to Souris. It is requested by the people—and I think it is an economical proposition for the railroad—to divert that line at Birt's crossing, build about twenty miles of new road through a level and good farming section to Mount Herbert and come in across the bridge to Charlottetown over the Murray Harbour railway. This will be a saving in distance for the people who are served by that line; it will enable the operation of the railway to give the service in a shorter time; it will be a saving of time, and also a saving in cost of operation. It will be economical from the standpoint of operation. It will also be a great help in developing one of the finest sections in Eastern Canada, namely, through the Montague, Fort Augustus and Lot 48, section of Prince Edward Island. I commend this to the attention of the minister. The development that is being demanded by our people in that way is held back on account

of the standardization not being completed. I know that we have the sympathy of the Minister of Railways in our demands; I know that he is ready to carry on the work, and I think, with a little co-operation with the Minister of Finance, we can expect results during the coming summer. I leave the matter with the minister to carry out.

Mr. SINCLAIR (Guysborough): I have not forgotten, sir, your admonition that our time is short, so that any remarks that I may make on this question will be very brief. I wish to associate myself with the speeches of other gentlemen made here this afternoon, as regards the claims of the Maritime Provinces for better transportation facilities than we have at the present time. A large delegation of business men from the Maritime Provinces came before the Government a few days ago pressing those claims. This matter is of vital importance at the present time to the Maritime Provinces. I submit, Sir, that some concession should be given to the people of the Maritime provinces, as regards especially the heavy articles of traffic. The history of the Intercolonial was pressed upon the Government by that delegation. It was pointed out that it was built to carry out the terms of Confederation; that at the time of Confederation the Maritime Provinces were trading with the New England States; that geography was against the proposed trade with the central parts of the Upper Provinces, and that the Intercolonial railway was built for the purpose of enabling the Maritime Provinces to carry on business with the other parts of the Dominion of Canada. But, if freight rates are to be placed so high that it is impossible for these people to move their coal, steel, lumber and fish, which are the great staples, to the centres of population in the Upper Provinces, of course the benefit of the Intercolonial railway as regards the trade of the Maritime Provinces is largely lost. I wish, therefore, to associate myself with what has been said on that question, and to press upon the Government the vital necessity of giving this matter their best consideration with as little delay as possible.

I also wish to draw attention to the fact that we are proposing in this item to vote \$4,117,994 for construction and betterments. We are not told where this money is to be spent. I desire in that connection again to press the claims of my own constituency for a branch railway. The Minister of Railways is familiar with the conditions in that part of the country. I have

frequently brought this matter to his attention. A branch railway in that locality would serve two purposes: it would relieve the congestion on the Intercolonial in Eastern Nova Scotia, and at the same time open up a very important district in the county of Guysborough and the eastern part of the county of Pictou. Ten years ago the claims of that part of Canada were admitted by everybody. My right hon. friend the member for King's (Sir Robert Borden) did us the honor, shortly before he became Prime Minister, of visiting my constituency, and his friends who welcomed him on that occasion understood him to say that if he was returned to power he would construct that branch railway. The claims of that locality, I say, were admitted at that time. The Government surveyed and located a branch line and Parliament voted \$1,000,000 to start the work. The Government purchased, at a cost of \$100,000, twelve miles of railway already constructed to form part of the branch. But at that point the project stopped. Ten years have now passed and nothing further has been done. I submit that there is no case so urgent as this in the whole Dominion of Canada. There are some 40,000 people interested in the construction of this branch. It is one of the oldest sections of Canada. Canso is one of the oldest towns in Canada. When Halifax was a forest, the seat of Government was at Canso. The people of that locality have contributed their fair share towards the development of this Dominion for the last half century, but they are still, at this late date, isolated from railway communication. The only transportation that it is possible for them to have is a branch of the Intercolonial. I would not ask for the expenditure of a large sum of money at the present time, with the country's finances as they are, except that the Government is proposing to vote this \$4,000,000 for construction and betterments in any case. I do not know where the Government propose to construct these new branches, but I want to say that if there is any branch railway to be made in any part of Canada, there is no more urgent case than that of the constituency I have the honour to represent. For several years past our representations in regard to this proposal have been disregarded; fair play and justice have been disregarded. The money, as I said before, was voted by Parliament; but, not for business reasons, not for the sake of economy, but largely for party and political reasons, the proposal was abandoned. The Minister

of Railways is a friend of mine and I want to appeal to him. When he sits at the Council board to decide what shall be done with this \$4,000,000, I appeal to him to submit the dire necessities of the people of Guysborough county, and to press their claims upon the Government. He knows the situation well. He well knows that what I claim is only a matter of cold justice. I wish to say again and to say it most emphatically, that if any expenditure is to be made for the construction of railway branches anywhere in Canada this branch in Guysborough county ought to come first.

Mr. TURGEON: Mr. Chairman, as I have already on many occasions expressed views and made suggestions similar to those just expressed by the hon. members who have just spoken on this important question of the Intercolonial Railway and its requirements, I will merely say at present that I endorse all their statements and suggestions.

The hon. Minister of Railways has already acceded to some important requests of mine for my county, and as I wish him to leave a good name somewhere in Canada when he retires from office, I say to him that the Maritime Provinces is a land of gratitude as well as solicitude, and anything he does for it will be highly appreciated.

Hon. Mr. REID: Just a word in reply to the several members who have spoken. With reference to the remarks of the hon. member for Westmoreland (Mr. Copp), I was present in the Committee when President Hanna made the statement that the only criticism of the Canadian National Railways came from east of Montreal. I was sorry that he made the statement; I think it would have been better if it had not been made, because it does not promote good feeling to make remarks of that kind. I was also present when the very large and influential delegation were here a few days ago in connection with the Intercolonial Railway. The hon. member will recollect that among other things they objected to the head office of the Canadian National Railways being in Toronto, or at all events, they objected that complaints had to be taken to Toronto for redress, instead of to Moncton, as in the past. They also complained very much about the high freight rates, and about not having a manager at Moncton, as in the past. They also objected to the Railway Commission having control over rates, as they have of course, over all

[Mr. J. H. Sinclair.]

the other railways. They also brought up the question of the Government taking over the St. John Valley railway. Several other matters also came up. I must say that I was very much impressed by the statements made by several members of that delegation. The Prime Minister also stated that he was very much impressed with the representations that had been made, and that the matters asked for by the delegation would be considered by the Government in the near future. I think the hon. member, therefore, will not expect me to say anything further on these matters to-day, but I can assure him that the several requests of the delegation will be considered by the Government at the earliest possible moment.

Now I wish to refer to what the hon. members from Prince Edward Island have said with regard to the closing of Bear River station, the daily service on that line being changed, and one part of the line being served with a tri-weekly service, instead of a weekly service, as those are matters of operation I shall bring them to the attention of the management immediately, with the request that they look into the matter and, if possible, reconsider the action that has been taken or is about to be taken.

With reference to the narrow gauge, I am sorry that this year the Government could not see its way clear to make the change from the narrow to the standard gauge system, but it was felt that financial conditions were such that we could not undertake that this year. However, next year when we are considering the estimates we will take that matter up and deal with it then. I hope that we may be able to consider it favourably and proceed, if not with all the work, with part of it.

In conclusion, I would say that these matters will be looked into and given the attention of my department and of the Government at the earliest possible moment.

Mr. SINCLAIR (Guysborough): What about the Guysborough branch?

Hon. Mr. REID: I am sorry there is nothing in the estimates for that this year. I should have liked to be able to put it in for the hon. member, but I think he will have to leave that over until next session.

Mr. ROBB: The Canadian National Railway Board, in 1918, for purposes of defence, decided to transfer a certain mileage of Canadian rails over to France. How many miles of rails were transferred to France, and has the Canadian Government been paid for them?

Hon. Mr. REID: Five hundred miles of railway track was lifted, of which three hundred came from the Transcontinental, between Moncton and Winnipeg, and two hundred from the Grand Trunk Pacific in the mountain section. These rails were shipped to France, and the British Government has paid all out-of-pocket expenses. The balance due is under investigation; we have not yet received settlement.

Mr. ROBB: What does the minister mean by out-of-pocket expenses? Does he mean cost of transportation, apart from the cost of the material?

Mr. REID: The material has not yet been paid for.

Mr. FIELDING: Will the minister inform me what has been done in regard to certain fire claims in the county of Shelburne which I have brought to his attention?

Hon. Mr. REID: This is a claim for damages caused by fire, and is made by a Mr. MacMillan. The claim has not yet been paid. The file shows that correspondence was had up to May 7, of this year. The management take the ground that the evidence is not sufficient to justify their paying the claim. They say that the evidence is only circumstantial, and their solicitor, so far, has not felt that they would be justified in settling the claim. However, I do not feel that I should say more than that at the present time.

Mr. FIELDING: My impression of the matter was that the claim had not been denied, but that the railway company—because the theory is that it is still a company—could not pay more than \$5,000. I think it was represented to me that they are prepared to pay \$5,000 into court, and leave the matter to the judgment of the court. Of course, I quite realize that at this moment we cannot go very much into the details of the matter. I should like to ask the minister also concerning a matter that was brought up at the close of last session regarding the purchase of the Lotbinière and Megantic railway. It was stated that the Government had agreed to pay \$330,000. The minister informed me that the money had not been paid, and that before it was paid, he would see that a proper inquiry was made to ascertain whether the Government would be justified in paying the money. What report has the minister had on the subject?

Hon. Mr. REID: My deputy was here when the matter was first brought up,  
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and I gave him instructions to look into it. He assured me that we were justified in paying the amount, which was accepted as a fair value.

Mr. FIELDING: The money has been paid?

Hon. Mr. REID: Yes.

Mr. FIELDING: There was no judgment of the Exchequer Court?

Hon. Mr. REID: No.

Mr. FIELDING: And evidently there was no report from officials of the department. One wonders—if there is any longer room for wonder—on what basis it was decided that the price was fair.

Mr. MORPHY: I would call the attention of the minister to the lack of train connection at Toronto on the arrival of the train leaving Ottawa at night for Toronto on the Canadian National railway. The Grand Trunk trains for western Ontario leave a short time before the arrival of the Canadian National Railway train from Ottawa. In this way passengers for western Ontario lose a day which they would save if arrangements for connection were made. I trust that the mention of this matter in Hansard will reach the management of the Canadian National railways and that these complaints will be considered and some remedy provided.

Mr. McKENZIE: Reports come to me from that section of the Intercolonial between Point Tupper and Sydney in regard to the condition of fences. It is said that the railway fences in this 90 miles of line have been allowed to fall into a bad state, and the farmers are in danger of having their cattle killed. I trust that the minister will bring this matter to the attention of the proper authorities for necessary action.

Hon. Mr. REID: I will look into it.

Mr. MACKENZIE KING: I notice, in looking through Hansard, that last night the minister is reported as having said, in reference to some of these items, that there was an agreement between the Prime Minister and myself that they would pass. My hon. friend must have been misinformed. At no time did the Prime Minister speak to me in regard to the Estimates, nor did I speak to him. There was no understanding of any kind between us.

Hon. Mr. REID: I understood from the Prime Minister that the non-contentious items were to be passed, and it was my impression that there was an agreement

to that effect with the leader of the Opposition. However, I must accept my hon. friend's statement. The error was mine, and I apologize to him for having made the statement.

Sir GEORGE FOSTER: You got the items through.

Mr. DECHENE: A few days ago my attention was called to the fact that freight trains at Montmagny, going east and west, are obliged to stay at the station on the main line for three or four hours, owing to lack of shed accommodation. The freight shed is located on the main line, and every time a passenger train passes the freight train has to get off the main line on to a siding, and after the passenger train has gone, the freight train comes back again on the main line. This involves considerable delay, sometimes of three or four hours. The Department of Railways, two years ago, bought a piece of land on which to build a freight shed on the side line so that freight trains could unload there. The Montmagny Farm Machinery Company ships, on an average, eight or ten cars of freight a day, and also receives a considerable amount of freight. There is, therefore, urgent need of proper accommodation, and if the shed on this siding were built this summer, it would mean a great saving in both time and money on that line. A great deal of money is lost through the detention of freight trains in the way I have described. I draw the attention of the minister to this, and I hope he will take it up.

Hon. Mr. REID: I will take it up.

Item agreed to.

Amount required to pay the Park St. Charles Company, Limited, for land occupied by the Quebec Harbour Commission, as per verdict of Arbitrator, which verdict was later sustained by the Superior Court, in favour of the Plaintiff Company, \$60,000.

Mr. LEMIEUX: I object to the passing of this item. This is another land grab absolutely unjustifiable. It is a scandalous affair, and in the interest of my hon. friend the Minister of Finance I would ask him not to insist on the passing of this item. I remember the saying of an old cynic who was prominent in public life many years ago, that if at times he did purchase votes, at least he had the satisfaction of purchasing those votes with the people's money. This item is to make good the promises that were made during an election which has just taken place. The men who are interested in this land

[Mr. J. D. Reid.]

grab were most prominent in the election held in the county of Yamaska. Some years ago you will remember that I gave the Government a chance to reconsider an item of a similar nature. You will remember that the Minister of Public Works (Mr. Carvell) came before Parliament with an item of \$223,000 for a land grab in the very neighbourhood of this park. I immediately called the attention of the Minister of Finance and Mr. Carvell to the incongruity of that demand, or that inroad on the public treasury, and, as a result, Mr. Carvell investigated the matter, and from \$223,000 that he was about to pay, relying on an award, it has been decided by the Supreme Court of Canada that the Canadian exchequer was responsible only for a sum in round figures of \$25,000. So that I make bold to say that I have saved the country, in that transaction, the sum of \$200,000. I now say to the Government—and I warn the Prime Minister and the Minister of Finance—that this is an item which smacks of the very essence of the one I have just mentioned. The committee will remember that there had been a case before the Exchequer Court, and the judge, in making his award, had stated that he felt obliged to grant the sum of \$225,000 in round figures, because he had been unable to find witnesses to contradict the evidence of the valuers. Indeed, a few speculators had clubbed together to make up a case and to get from the Dominion treasury, the sum of \$225,000. I was reminded at the time, because I brought the matter before the House, that it was indeed too bad for a gentleman like Mr. Lemieux to deal with such a small matter as \$225,000, when the Government was ready to pay. Nevertheless as a result of the publicity given to the matter, the Minister of Justice was obliged to refer the case back to the Exchequer Court. New witnesses were heard. The award was reduced from \$225,000 to about \$23,000. That award has been confirmed by the Supreme Court about ten days ago. I say to the Government that it is nothing short of a scandal to come at the last minute of the session with another sum of \$60,000 to hand over to a few speculators. What is the explanation given? It is said that the amount is required to pay the Park St. Charles Company, Limited. Who are they? I am told that they are three or four of the henchmen of the Postmaster-General. They were seen in the last election in the county of Yamaska. They were

the interrupters of my hon. friend from Quebec East at La Baie du Febvre. I repeat that if this amount is voted by Parliament, it is so paid in order to make good the promises given to those gentlemen to help win the election at Yamaska. It is a scandal, and I am surprised that this amount has been put in the Estimates at the very last moment. First of all, how does the Quebec Harbour Commission claim from the Government payment of the land occupied by itself on that Park St. Charles? The Quebec Harbour Commission is a corporation by itself; every year Parliament makes advances to the Quebec Harbour Commission to meet its interest charges. It is not asked to recoup the capital which it has borrowed from the Dominion Government, it does not pay its interest on the capital so borrowed, and now Parliament is asked to pay for the occupation of a certain piece of land to the Park St. Charles Company. I know the whereabouts of Quebec City, and Park St. Charles is to all intents outside Quebec City, beyond St. Charles river. It is not part of the Quebec harbour, and I say that before voting a red cent of that Estimate I will stay here two days if needed.

Mr. BUREAU: Hear, hear; so will we—Sunday and Monday.

Mr. LEMIEUX: Why does the Dominion Government pay this claim against the Quebec Harbour Commission? What justification is there for the treasury to make good the debt of the Quebec Harbour Commission for the occupation of land in Park St. Charles? Secondly, it is said there was an arbitration. Who were the parties appointed to that arbitration? Was the Government a party to it? Was the Government represented by its counsel? There was a judgment by the Superior Court. Is that a court of last resort?

Mr. DOHERTY: The judgment was one by the Superior Court, confirmed by the Court of Appeal and confirmed by the Supreme Court.

Mr. LEMIEUX: There is something very mysterious about it. This item reads:

"Amount required to pay the Park St. Charles Company, Limited, for land occupied by the Quebec Harbour Commission, as per verdict of arbitrator, which verdict was later sustained by the Superior Court in favour of the Plaintiff Company."

It is not stated that it was sustained by the Appeal Court and by the Supreme

Court, and at all events we have a right to know if the tax-payers of Canada were represented before all the courts. When was that judgment rendered by the Supreme court?

Mr. DOHERTY: On June 21, 1920.

Mr. LEMIEUX: Was an appeal lodged by the Department of Justice from that judgment?

Mr. DOHERTY: No. We were advised by most eminent counsel not to go to the Supreme court, and then after that court affirmed the judgment we were advised that it was useless to carry the case further. I do not think the hon. gentleman has—

Mr. LEMIEUX: My right hon. friend will allow me. He says the department was advised that the Government should not appeal from that judgment. He will remember that in the Bélanger case, which I cited a moment ago, the counsel employed by the department advised that the appeal should lie only to the amount of \$20,000 or \$22,000, but the judges of the Supreme court were so appalled by that statement that they stopped the argument and asked my right hon. friend to send Mr. Newcombe to represent the people of Canada before that court. As a result the amount was reduced from \$225,000 to \$25,000. I appeal to the good sense, aye, to the patriotism of members on both sides of the House. The claimants can afford to wait a few months. Parliament will sit again, and when the whole facts are made clear to Parliament, we will be in a position to judge between the Government and the claimants. But I say there is something mysterious in this case and something scandalous according to my information.

Now, Mr. Chairman, let me read this as a reminder to my right hon. friend the Prime Minister. It is an extract from a magazine article headed "The Squandering of Money," and it applies with peculiar force to the present expenditure, for we have voted millions of money in the last few days, and there must be a limit to the tax-paying capacity of the people. The article reads:

The next uprising of the public will unquestionably be against reckless expenditures of public money and the consequent crushing taxation levies. War breeds contempt for economy. Billions are spent without thought for the pockets of those who have to provide the money. America was spending more money per day than any other belligerent when the war ended. Something akin to pride was felt over the magnitude of the sums we poured out. Taxes of un-

precedented severity were paid by the public without demur or protest.

But the time has come to call a halt to reckless expenditure of the people's money. Those who have access to the federal treasury must sober up. The patriotic fervor created by war has subsided. We are entering the cold, gray dawn of the morning after. The cost of living is being found most burdensome. On top of this, grievously heavy taxes have to be met. The politicians, as a rule, have little regard for saving but a weakness for grandiose spending. The larger the "pork barrel," the happier they are. The public temper is rising to the point where it will boil over unless it is demonstrated convincingly that those in charge of our public affairs are striving with might and main to do away with wasteful methods and to curtail taxation to the lowest possible minimum. The necessities of life would not be so impossibly dear as they are to-day were the exactions imposed in the form of taxes less onerous. Every billion of governmental expenditures means the imposition of an additional cost of a billion on the doing of business of some form or another.—Forbes Magazine.

I assert, Mr. Chairman, that this amount is not due. I know the value of land around that park, and it is an imposition on the good faith of the supporters of the Government to come before them with this demand in the dying hours of the session. The truth of the matter is that the country is being asked to pay the debts incurred in the Yamaska bye-election, because the men who are at the bottom of this land graft are the men who were sent into the constituency to interrupt my hon. friend from Quebec East and who canvassed the county in automobiles. Even if I have to stay here, I will not stand for this land graft, for it is a land graft. Ordinarily I support the city of Quebec, but as a taxpayer and as a representative of the people, I protest against any highway robbery from whatever quarter it comes.

Mr. DOHERTY: Mr. Chairman, I do not propose to take up the time of the committee discussing whether there would be any advantage in not dealing with the case now, but I should like to lay before the committee the simple facts as established by the records of three successive courts, and to point out what is the question involved. I think that when the hon. gentleman has realized that he will appreciate that his discussion about land "graft" is not pertinent to the question as it arises in the position in which the Harbour Commission of Quebec and the Government of Canada now stand.

The history of this case is that the Harbour Commission did—and this is not disputed—take possession of a property belonging to this Park St. Charles Company, or which they claimed to be their property.

[Mr. Lemieux.]

Mr. LEMIEUX: How far is it from the harbour?

Mr. DOHERTY: It is so much in the harbour, as I understand, that it constitutes principally, if not entirely, beach lots. The action was brought by the parties to recover the value of the property taken. After the case had proceeded a formal agreement was entered into to submit the question to arbitration. The arbitrator was Mr. Cyrias Pelletier, a retired judge of the Superior Court.

Mr. LEMIEUX: Were the Government represented before that arbitration?

Mr. DOHERTY: The Harbour Commissioners were represented. The costs of these different proceedings—I think I am correct in this—were paid by the Government. Well, the arbitration proceedings went on; the arbitrator made an award.

Mr. LEMIEUX: One arbitrator?

Mr. DOHERTY: One arbitrator, a retired judge, Mr. Cyrias Pelletier.

Mr. LEMIEUX: The Government was not represented, but the Harbour Commission was represented.

Mr. DOHERTY: The whole proceeding, of course, was conducted in the name of the Harbour Commissioners. However that may be, an attack was made upon the award in an effort to have it set aside, at the instance of the Harbour Commissioners, supported by the Government. The legal officers in our department, and the best qualified of them, looked into the matter from every angle to see if there was not any means by which that award could be set aside.

Mr. LEMIEUX: Who were the counsel for the Government and the Harbour Commissioners?

Mr. DOHERTY: Mr. Eugene Lafleur, K.C., represented them. My impression is that Mr. Gus Stewart represented the Harbour Commission; my hon. friend the Minister of Marine and Fisheries says that is correct.

Mr. BUREAU: Mr. Stewart has been dead three or four years.

Mr. DOHERTY: Well, the case is a pretty old one. It reached the Supreme Court for judgment in 1920.

Mr. BUREAU: Who argued it before the Supreme Court?

Mr. DOHERTY: Mr. Lafleur was the leading counsel.

Mr. BUREAU: Did he argue the case?

Mr. DOHERTY: Really, I have no doubt he did, but I was not there. Anybody who has any faith in my veracity will be entitled to believe me when I say that there was the most zealous desire on the party of everybody connected with this department and with the department of Marine and Fisheries that no effort should be spared to have the award set aside if the thing could be done.

Mr. LEMIEUX: But what use was made of the land? What was the position in that regard?

Mr. DOHERTY: It was embodied right into the harbour, as I have said.

Mr. BUREAU: On the bed of the river?

Mr. DOHERTY: Yes.

Mr. BUREAU: And in that respect they could not assert their right.

Mr. DOHERTY: If my hon. friend will allow me, I will come to that question. This case happened to come under my personal observation, and I endeavoured to look into it so far as I was able. The award was attacked; we invoked every ground that we thought could be invoked. The ground that seemed to us to be the strongest to justify any expectation of the award being set aside was that originally in filing their claim the plaintiffs had described their property as containing a certain number of thousands of feet, and pending the proceeding they applied to the court to increase the number of feet for which their claim was made. That was resisted, but the court allowed the amendment, and when the matter came before the arbitrator strong objection was taken to his considering any more than the original number of feet claimed. He ruled, however, that he was entitled to take into consideration the larger number. The case went before the Superior Court and judgment was rendered by Mr. Justice Dorion—as eminent a judge, it would be superfluous to say, as we have in the province. Up to the time that I read the judgment by Mr. Justice Dorion I was personally confident as to the issue, but I have to confess that that confidence was dashed when I read his judgment. However, we carried the matter to the Court of Appeals of the province and they unanimously confirmed the judgment rendered by Mr. Jus-

tice Dorion. We were persistent, and—in the teeth, I may say, of the advice of Mr. Eugene Lafleur, K.C., that we were on a hopeless quest—we carried the matter to the Supreme Court of Canada, but only to get the same result.

Mr. LEMIEUX: Exactly the same proceedings as in the Belanger case.

Mr. DOHERTY: I will point out the distinction between the two cases. In the Belanger case it was still open to the courts to consider the question of amount. The difficulty here is that there having been an award, unless we can find some illegality or some irregularity to set that award aside it is not possible for us to go into the question of value; all the courts have held that we cannot do that. We took advice as to making a further appeal to the Privy Council, but we were advised against taking that course. There is the position in which we find ourselves. I do not want to discuss these statements about the Yamaska election; I know nothing about them. In fact, all this was before anybody was thinking about a Yamaska election; the final judgment was rendered in 1920 before the sitting member died.

Mr. LEMIEUX: But the item comes now.

Mr. DOHERTY: I will tell the hon. gentleman why there has been delay. The reason of the delay—and in this I am speaking of my personal knowledge—is that I felt there should be a most careful examination whether there was open to us any possible method, by means of some other proceeding, to get behind that arbitration. The hon. gentleman spoke about having no participation. I had the question, notwithstanding the decision of the arbitration, of the possibility of our attacking the title with any reasonable hope of success, most carefully gone into by the law officers of the Crown. Their report to me—and their explanation, with which they accompanied that report, seems to me to sustain it—is that there is no reason for—

Mr. MACKENZIE KING: What is the date of the report?

Mr. DOHERTY: There are different reports at different dates.

Mr. MACKENZIE KING: What is the latest?

Mr. DOHERTY: I think I have it here.

Mr. MACKENZIE KING: If there is nothing to be concealed about this trans-

action if it is perfectly open and bona fide. why was this item not put into the Main Estimates when they were brought down weeks ago? Why was it not put into the Supplementary Estimates which were brought down two or three days ago? Why is it the very last item presented to Parliament but twenty-four hours before prorogation?

Mr. DOHERTY: So far as I am concerned, if any importance is attached to the time at which this item came down and if any hon. gentleman considers that, by reason of that, any useful purpose can be served by not proceeding now—of course, this is not my item; I intervene in this only because of the nature of the discussion that has arisen and only for the purpose of putting certain facts before this House in view of statements that have been made. I do not question that they are made in good faith, but I feel very strongly that they were made without adequate information.

Mr. LEMIEUX: Time is the essence of this.

Mr. DOHERTY: That is a question properly to be determined by the minister whose item it is. But I think the House and the hon. gentleman himself will agree with me that, whether this item is proceeded with to-day or not, in view of the case as it has been put before the House—as I say, I have not the slightest doubt, in perfect good faith—it was nothing short of a duty to put the facts as they are before the House and the people who are responsible for action.

Mr. LEMIEUX: My hon. friend who appeals to my good faith in the matter, will remember, no doubt, the Belanger case. He will remember that a sum of \$223,000 was about to be paid. He will remember that I sounded the alarm bell; the Government took notice, and since then the amount has been reduced by the court. Let my right hon. friend, whom I am not charging with any participation in this grab—that is far from my mind—follow my candid advice to-day. Let him postpone this until next session. Meanwhile, if I do not establish to the satisfaction of any fair-minded gentleman of this House that this is a scandalous grab, I shall abjectly apologize to the claimants in the first instance. Is that a fair proposition?

Mr. DOHERTY: If the hon. gentleman can, in any delay which may elapse by reason of a postponement of this item, find

[Mr. Mackenzie King.]

a ground upon which we can be relieved of responsibility, he will find what I and my officers, the officers of the Marine and Fisheries Department, and, I have reason to believe, the officers of the Harbour Commissioners of Quebec, have been seeking in vain for months. As I have said, the reason why this comes late is because, until we had exhausted the investigation of every possible field that might offer hope of getting free from the results of this arbitration, I and my colleagues with me certainly did not feel that we ought to put in an Estimate or ask for payment of this claim. On the other hand, when every effort was exhausted, we did not feel that we were justified in further prolonging the delay in making payment to parties who, after all, we have to remember, whatever may have been their share in the Yamaska election, have in their favour the judgments of all of the courts of this country, and some respect is due to judgments of the courts. After we have done our best to ascertain whether there is means of demonstrating error in those judgments, I do not think it can be questioned that the only open course is to submit to them. Having, however, put the situation before the committee, I want to repeat that, so far as it is in my control to say whether this item should be proceeded with to-day or deferred to be proceeded with later, I have no objection to enter, in the slightest, to the fullest possible time for examination on the part of anyone who has a reasonable belief that that examination would result in the finding of a means by which this judgment might be set aside.

Mr. MEIGHEN: I have some little knowledge of this item, derived several months ago. I do not remember hearing of it for some length of time. The parties to it then appeared and represented, just as the Minister of Justice has said, that the Quebec Harbour Commission had taken their property as a portion of the harbour. A map of the harbour shows—I speak from memory now, but I do not think I am very far out—that the property in question is under water or mostly under water and is largely across the river from the main harbour; but according to some law of the province of Quebec, the occupants of the harbour are the occupants of that property and must pay for it. I must say that that is not the law of our province, and the law itself I do not pretend to be a judge of; but that this property is absorbed in the harbour is and

has been their claim and, consequently, they claim damages for it. They represented that it was part of the harbour, and they took the question before a Board of Arbitration, one arbitrator being a gentleman who for about twenty odd years had been a judge of the province of Quebec.

Mr. BUREAU: He could not be any longer. That is why he was retired.

Mr. MEIGHEN: Because he was not a good judge?

Mr. BUREAU: I do not say that.

Mr. MEIGHEN: I do not know anything about him. He acted as arbitrator, and he determined that, according to the law of the province of Quebec, this land had been taken by the Harbour Commission and that this land was of the value fixed by the terms of the judgment, whatever it was—I think some \$50,000 odd. Counsel for the Harbour Commission represented that the Government, in the name, of course, of the Harbour Commission, because there was no other way in which we could get a hearing before the court, should appeal from this arbitration award.

Mr. BUREAU: It is a corporation.

Mr. MEIGHEN: Yes, and as a corporation it has to conduct this case. But the Government being responsible in the end is really a party to it, although it has to be represented in the name of the commission. The Government then had counsel appear, and they appealed that award. The appeal came before a judge of the Superior Court of the province of Quebec. That judge sustained the award and sustained the first judge on both counts, that they were owners of the property we had taken, and that the value was so much and we had to pay it.

Mr. LEMIEUX: Before the arbitration who acted for the Government or the Harbour Commission?

Mr. MEIGHEN: My information is that it was Mr. Guss Stewart in the first place. We appealed from that to the Court of Appeal, and the Court of Appeal unanimously sustained the judgment of the court below, which was the judgment of the arbitrator. There were three determinations by judges of the province of Quebec.

Mr. LEMIEUX: Exactly like the Belanger case.

Mr. MEIGHEN: The hon. gentleman spoke long enough and loudly enough; I think he really ought to let me continue

now. I know he likens this to some other case, but that does not change this case. This case is precisely as I am stating it to this committee, and I am stating it in order that the committee may ascertain just what there was behind the vehemence of my hon. friend from Maisonneuve. Not content with that, the claimants represented that the Government had insisted on an appeal to the Supreme Court of Canada, had taken that appeal, and that the Supreme Court of Canada, with Mr. Lafleur acting for the Government, had sustained, without a dissenting voice, the judgment of the Court of Appeal of the province of Quebec on both counts, and that the justice Department had taken the opinion that it would only be a waste of costs to go past the Supreme Court of Canada. They did not represent that, but on inquiry afterwards I found that out. They said to me: How do you justify standing in possession of our property, taking the judgment of three courts unanimously in our favour and setting those aside and refusing to pay us the money? I was powerless in the presentation of a case like that. I submitted the matter to the Department of Marine and I got a report from them to the effect that they still did not want to pay the money, and did not think they ought to pay it, but they set up, naturally, nothing in the way of legal argument in support of their position. However, the attitude of the department was against paying the money. I took it up with the Justice Department and found that the Justice Department was of opinion that there was no use proceeding further; indeed, that the better opinion presented to them before they went to the Supreme Court was that they would not succeed before the Supreme Court. That was the position. I never heard anything more about it, and I did not know that an Estimate would be included, though I should have known that. I did not know the item was in the Estimates. The item has no more to do with the Yamaska election, except in the mind of my hon. friend from Maisonneuve, than it has to do with the election in South Africa, not the slightest. But a solution now is very close at hand.

Mr. LAVIGUEUR: Is the minister aware that the Director of Park St. Charles was in the county of Yamaska at the last election?

Mr. MEIGHEN: I never heard of it. I have heard a lot about the Yamaska election, and the country will hear a lot about

it yet, and if I was hon. gentlemen opposite I would say very little about it. I was not in the county of Yamaska and had nothing at all to do with the election, although I think many hon. gentlemen opposite, including my hon. friend himself, was there.

Mr. LAVIGUEUR: No.

Sir GEORGE FOSTER: He was there in spirit.

Mr. MEIGHEN: He must have been about the only one who was not, because I understand that hon. gentlemen opposite flooded the county in scores, and we have records of some of their speeches.

Mr. BUREAU: You cannot find anything, and you are disappointed.

Mr. MEIGHEN: Not very much that is of value; there was not very much in them, certainly nothing about the Liberal platform, certainly nothing about any issue that is before this House and the country.

Mr. LAPOINTE: Does the Prime Minister want to discuss this matter before prorogation? He is welcome, if he does.

Mr. MEIGHEN: We are not in a bit more hurry than hon. gentlemen opposite. This matter was introduced by my hon. friend. But no matter who was there, what I say is that the Yamaska election has no more to do with this than the election in South Africa. I say a solution is now at hand. The hon. member for Maisonneuve has said that there was fraud, that there was collusion between the parties, and that this is a land grab and a steal, and he will be able to establish it.

Mr. LEMIEUX: Like the Belanger case.

Mr. MEIGHEN: I do not know anything about the Belanger case.

Mr. LEMIEUX: I saved you from it.

Mr. MEIGHEN: I am not saying the hon. gentleman did not. I do not know a thing about it. Let this case stand on its own merits. We will get back to that other one when the hon. gentleman is tired of this one. The hon. gentleman says that there was fraud and collusion. I do not know whether or not we ought to appeal to the Privy Council. The lay officers of the Crown are the best judges of that, but if there is fraud or collusion the Government of Canada will be able to find some way to avoid paying that money. The hon. gentleman has undertaken to show it but I do not know whom he attributes it to—both parties, I assume, and the judges too,

[Mr. Meighen.]

because there could not be fraud and the case come all the way through the arbitration and three courts and no judges find it unless they were parties to it. But wherever it is, if the hon. gentleman establishes fraud and collusion we will find a way out and we will give him an opportunity to establish it. I will ask the Minister of Marine and Fisheries to withdraw the estimate and we will expect the hon. member for Maisonneuve to make good the words he has stated to this House this afternoon. We will expect him to establish the very violent charges he has made, and those who have to do with the transaction, be they the bar or bench, or the parties to the case, will have a right to look to him to make good the allegations he has offered against them. A full opportunity will be given to him, and now it is for him to act.

Mr. LEMIEUX: I will forget the violence of the language of my right hon. friend and tell him that I admire his desire to serve in the present instance the best interests of the country. In dropping that item he has at last done a very useful thing for his country, and when next session comes—perhaps before—I will be in a position to establish to the right hon. gentleman and to Parliament that there has been fraud in this matter from beginning to end.

Mr. MEIGHEN: We will expect the hon. gentleman to do it sooner than that. We would like to know, because if these people are entitled to their money they ought to have it. It is for him to establish by indisputable evidence before the department his charges of fraud and collusion in regard to this matter and we will provide the opportunity for him to do it.

Item withdrawn.

Mr. LEMIEUX: Let me congratulate once more my right hon. friend and the country too.

Resolution reported and concurred in.

## WAYS AND MEANS—THE SUPPLY BILL

On the motion of Sir Henry Drayton (Minister of Finance) the House went into Committee of Ways and Means, Mr. Boivin in the Chair.

Sir HENRY DRAYTON moved:

Resolved, that towards making good the Supply granted to his Majesty, on account of certain expenses of the Public Service for the

financial year ending March 31, 1922, the sum of \$371,044,471.26 be granted out of the Consolidated Revenue Fund of Canada.

Motion agreed to.

Sir HENRY DRAYTON moved:

Resolved, that towards making good the Supply granted to His Majesty, on account of certain expenses of the Public Service for the financial year ending March 31, 1921, the sum of \$14,681,810.14 be granted out of the Consolidated Revenue Fund of Canada.

Motion agreed to.

Resolutions reported and concurred in.

Supply Bill—\$385,726,281.40.

Sir HENRY DRAYTON (Minister of Finance) thereupon moved for leave to introduce Bill No. 220, granting to His Majesty certain sums of money for the public service for the financial year ending March 31, 1922.

Motion agreed to, Bill read the first and second times, considered in committee, and reported.

On the motion for the third reading of the Bill.

Hon. W. S. FIELDING (Shelburne and Queen's): There are many things that might be said on the third reading of this Bill, but I realize that we are now only engaged in a mockery of legislation during these last hours, and so I shall not say anything further about the matter.

Motion agreed to, and Bill read the third time and passed.

#### CIVIL SERVICE ACT AMENDMENT CONSIDERATION OF SENATE AMENDMENT

Right Hon. ARTHUR MEIGHEN (Prime Minister) moved concurrence in the amendment made by the Senate to Bill No. 122, to amend the Civil Service Act, 1918. He said: This is an amendment to section 2, which consists of a repeal and recasting of section 39 of the Act. The amendment adds everything, from the words "if the Commission" onward, in the clause which I shall now read:

The provisions of any statute or regulation prescribing the age limit and physical requirements with respect to any appointment in the Civil Service shall not apply to any person with the military or naval service mentioned in subsections 2 or 3 of this section, if the Commission certifies that he is of such age, and in such satisfactory physical condition, that he is then able to perform the duties of the office and will probably be able to con-

tinue to do so for a reasonable period after his appointment.

Mr. HUME CRONYN (London): I should like to explain this amendment. As those who were present yesterday evening will remember, this point was raised by the hon. member for Quebec South (Mr. Power) and the hon. member for Halifax (Mr. Maclean), and as a result of an interview subsequently held, it was discovered that, through a clerical error, one half of the former section had been dropped from the Bill as drafted. That has been restored by the Senate in the amendment in which concurrence is now asked. I did not rise primarily to make that explanation, although it is perhaps due the House, but to say that in this morning's Gazette, I noticed the statement that two members of the Liberal party raised some objection to the provisions extended to soldiers. When I read that statement, it seemed to me to be an absolute misrepresentation of what happened yesterday afternoon.

Mr. LAPOINTE: Hear, hear.

Mr. CRONYN: I have since been able to read Hansard, and as my hon. friend from Quebec South (Mr. Power) was the member who raised this point, and I think the only Liberal member who spoke on it at the time, it would be quite unfair to him, especially knowing as I do his attitude towards the soldier, to allow him to remain under that imputation.

Mr. LEMIEUX: My hon. friend says that the member for Quebec South was the only Liberal who spoke on the Bill. The hon. gentleman forgets himself.

Motion agreed to.

#### PROROGATION OF PARLIAMENT

Right Hon. Sir GEORGE FOSTER (Minister of Trade and Commerce) read a communication from the Governor General's Secretary announcing that His Excellency would proceed to the Senate Chamber this afternoon at 6.30 o'clock for the purpose of proroguing the present session of Parliament.

At 5.15 p.m. the sitting was suspended until 6.15 this day.

The House resumed at 6.15.

A message was delivered by Lieutenant-Colonel Ernest J. Chambers, Gentleman Usher of the Black Rod, as follows:

Mr. SPEAKER: His Excellency the Governor General desires the immediate attendance

of this Honourable House in the Chamber of the Honourable the Senate.

Accordingly, Mr. Speaker, with the House, went up to the Senate Chamber.

In the Senate Chamber, His Excellency the Governor General was pleased to give, in His Majesty's name, the Royal Assent to the following Bills:

### BILLS ASSENTED TO

- An Act to amend The Migratory Birds Convention Act.
- An Act to amend the Royal Canadian Mounted Police Act.
- An Act to amend The Post Office Act.
- An Act respecting The James MacLaren Company, Limited.
- An Act respecting the Dominion Express Company.
- An Act to incorporate Fidelity Insurance Company of Canada.
- An Act to incorporate Metropolitan Trust Company of Canada.
- An Act respecting the "Crédit Foncier Franco-Canadien."
- An Act to amend the Canada Shipping Act (Public Harbours).
- An Act for the relief of John Edward Kelly.
- An Act for the relief of Annie Belle Westbeare.
- An Act for the relief of Christina Wilson Stephens.
- An Act for the relief of Alice Andrews.
- An Act for the relief of Esther Annie Vanzant.
- An Act for the relief of Werden Grant Parker.
- An Act for the relief of James Edward Nixon.
- An Act for the relief of Joseph Sorton.
- An Act for the relief of Gladys Frances Annie Wheeler Bernard.
- An Act for the relief of William Carr.
- An Act for the relief of Ida Florence Keenan.
- An Act for the relief of Gertrude May Turner.
- An Act for the relief of James Henry Bigrow.
- An Act for the relief of Emelina Dunsmore.
- An Act for the relief of Alfred William Wells.
- An Act for the relief of Elizabeth Gertrude Conner.
- An Act for the relief of Louise Sullivan.
- An Act for the relief of Lily Appleton.
- An Act for the relief of Harry Hirshenbain.
- An Act for the relief of Percy Christopher Paul.
- An Act for the relief of John Graham.
- An Act respecting the Maritime Coal, Railway and Power Company, Limited.
- An Act respecting the Western Dominion Railway Company.
- An Act to amend and consolidate the Acts respecting the Inspection of Gas and Gas Meters.
- An Act to authorize the ratification and carrying into effect of the Protocol of the sixteenth day of December, 1920, accepting the Statute for the Permanent Court of International Justice of the thirteenth day of December, 1920.
- An Act respecting "Les Révérends Pères Oblats de Marie Immaculée des Territoires du Nord-Ouest."
- An Act for the relief of John Wilson.
- An Act for the relief of Albert Harding.
- An Act for the relief of Thomas Furneaux.
- An Act for the relief of Matthew John Scott.
- An Act for the relief of Dora Lucy Bell.
- An Act for the relief of Henry Kropp.
- An Act for the relief of Arthur Daughton.
- An Act for the relief of Annie Maud Bell.
- An Act for the relief of Thomas Henry Foster.
- An Act for the relief of Edward George Taylor.
- An Act for the relief of Margaret Swanston Neville.
- An Act for the relief of Ernest Lillie Montgomery.
- An Act for the relief of Ethel Gordon Wright Ball.
- An Act for the relief of Ivan Ignatius Brazill.
- An Act to amend the Animal Contagious Diseases Act.
- An Act to amend the Prisons and Reformatories Act.
- An Act for the relief of Lily Maude McCormack.
- An Act for the relief of Herbert Henry Brown.
- An Act for the relief of Rose Seigler Schatsburg.
- An Act for the relief of Eudora Edith Webster Perry.
- An Act for the relief of John Howard Ferguson.
- An Act for the relief of Edith Myrtle Barnes.
- An Act for the relief of Sherman Talmage Smith.
- An Act for the relief of John Hurst.
- An Act for the relief of Florence Gibb.
- An Act for the relief of Norah Beatrice McDonald.
- An Act for the relief of Mabel Alice Allport.
- An Act for the relief of Abbie Jane Harris Wigle.
- An Act for the relief of Walter Edwin Sloan.
- An Act for the relief of James Leslie Glover.
- An Act for the relief of William Gordon Gordon.
- An Act for the relief of Anna Elizabeth Walker.
- An Act for the relief of Arthur Wilfred Rigby.
- An Act for the relief of Albert Sidney McPherson.
- An Act for the relief of Ernest Alfred Ballard.
- An Act for the relief of William Gladstone Cook.
- An Act for the relief of Frederick Orford.
- An Act for the relief of John Deluce.
- An Act for the relief of John Samuel Bain.
- An Act for the relief of Addie Irene Gilbert.
- An Act for the relief of Ethel Edna Denning.
- An Act for the relief of Audrey Cleeve Bennett Gibbons.
- An Act for the relief of Laura Newson.
- An Act for the relief of Tom Eccles.
- An Act for the relief of John Chalk.
- An Act respecting The Great West Bank of Canada.
- An Act respecting The Central Railway Company of Canada.
- An Act to incorporate Edmonton and Mackenzie River Railway Company.
- An Act respecting certain Patents of Auto-graphic Register Systems, Limited.
- An Act to incorporate The Fort Smith Railway Company.
- An Act to amend The Bankruptcy Act.
- An Act to amend The Ottawa Improvement Commission Act, 1919.
- An Act to amend The Statistics Act.
- An Act to amend The Canada Evidence Act.
- An Act to amend The Juvenile Delinquents Act.

[Mr. Lemieux.]

- An Act to incorporate Ensign Insurance Company.
- An Act to amend and consolidate the Acts respecting Quebec Steamship Company.
- An Act to repeal The Conservation Act and Amendments.
- An Act to amend The Opium and Narcotic Drug Act.
- An Act for the relief of Agnes Robertson.
- An Act for the relief of Hilda May Freeman.
- An Act for the relief of Sarah Ann King.
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- An Act for the relief of James Charles Allward.
- An Act for the relief of Ernest Joseph Wismer.
- An Act for the relief of Carman Adams.
- An Act respecting Armistice Day.
- An Act to amend the Chinese Immigration Act.
- An Act to amend The Customs Tariff, 1907.
- An Act to amend The Inland Revenue Act.
- An Act to amend The Special War Revenue Act, 1915.
- An Act to amend The Oleomargarine Act, 1919.
- An Act to amend The Dominion Lands Act.
- An Act respecting The Calgary and Fernie Railway Co.
- An Act for the relief of Susan Lee Johnson Bell.
- An Act to amend the Northwest Territories Act.
- An Act respecting the Lake of the Woods and other Waters.
- An Act to amend the Judges Act.
- An Act to amend and consolidate the Law relating to Copyright.
- An Act to amend The Immigration Act.
- An Act to amend the Criminal Code.
- An Act to amend the Inspection and Sale Act (Hay and Straw Inspection).
- An Act to amend the Dominion Elections Act.
- An Act with regard to certain Proceedings under Part IV of the Canada Temperance Act.
- An Act to amend The Income War Tax Act, 1917.
- An Act to amend The Returned Soldiers' Insurance Act.
- An Act to amend The Pension Act.
- An Act to regulate the Grading of Dairy Produce.
- An Act respecting the Department of Customs and Excise.
- An Act to amend an Act to provide for the Retirement of certain members of the Public Service.
- An Act to amend the Patent Act.
- An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively the 31st of March, 1921, and the 31st March, 1922.
- An Act to amend The Civil Service Act, 1918.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:

In His Majesty's name, His Excellency the Governor General doth assent to these Bills.

Then the Honourable the Speaker of the House of Commons addressed His Excellency the Governor General as follows:

May it please Your Excellency:

The Commons of Canada have voted Supplies required to enable the Government to defray certain expenses of the public service.

In the name of the Commons I present to Your Excellency the following Bill:

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1922.

To which Bill I humbly request Your Excellency's assent.

To this Bill the Clerk of the Senate, by command of His Excellency the Governor General, did thereupon say:

In His Majesty's name, His Excellency the Governor General thanks his loyal subjects, accepts their benevolence and assents to these Bills.

After which His Excellency the Governor General was pleased to close the Fifth Session of the Thirteenth Parliament of the Dominion of Canada, with the following speech:

Honourable Gentlemen of the Senate,

Gentlemen of the House of Commons:

I am glad to relieve you from further attendance in Parliament after a Session which has been marked by legislation of an important character.

Steps to increase the trade of the country have been taken by the ratification of commercial agreements with France and the British West Indies. It may be hoped that the latter agreement will also result in strengthening the ties which bind together His Majesty's dominions.

Consequent on Canada's position as a member of the League of Nations, Acts have been passed to define Canadian nationals, and to authorize the ratification and carrying into effect of the Protocol accepting the Statute for the Permanent Court of International Justice.

The attempt to arrange for joint control by the Dominion and the Province of Ontario of the levels and flow of the Lake of the Woods water system having become abortive, by reason of a Bill concurrent to The Lake of the Woods Control Act falling to pass the Legislature of Ontario, legislation has been enacted declaring certain works in that system to be for the general advantage of Canada and providing for control by the Dominion in the public interest of all parts of the country having rights therein.

A Committee on Pensions, Insurance, and Re-establishment has given thorough reconsideration to these problems and their recommendations have been embodied in legislation which will make more adequate the assistance which the country owes to its ex-service men.

A Bill to regulate the grading of dairy produce has become law. This legislation should conduce to the more systematic and satisfactory marketing of a very important Canadian product with better results to both producer and consumer.

The Act to repeal the Conservation Act and to make provision for the carrying on by the appropriate departments of government of the necessary services hitherto conducted under the Commission of Conservation will result in a

reduction of public charges which is so important at the present time.

A further step towards the solution of the problem of the National Railways has been taken in the passage of an Act by virtue of which possession and control of the Grand Trunk Railway System has been acquired and provision made for reviving the arbitration proceedings to ascertain the value of the stocks. A special committee has conducted an enquiry into certain phases of the problem of the operation of these railways.

The proposals as to revenue contained in the Appropriation Act will it is confidently hoped meet the necessities of the year with a minimum of burden on the people and on the conduct of industry.

Gentlemen of the House of Commons:

I thank you for the liberal provision you have made for the public service.

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

This is the last occasion I shall have the honour of addressing you as my term of office will have expired before you meet again.

May I assure you that I shall always retain a very real affection for Canada and its people and I shall watch your progress with the greatest interest in the sure belief that an ever increasing measure of happiness and prosperity will be the lot of the Dominion.

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*Abbreviations.*—1r., 2r., 3r.,=first, second, or third reading. Admn.=Administration. Amdt.=Amendment. Com.=Committee. Dept.=Department. Div.=Division. Govt.=Government. M.=Motion. Neg.=Negatived. Qu.=Question. Ref.=Reference. Rep.=Report. Res.=Resolution. Sec.=Section.

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