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SECOND SESSION—ELEVENTH PARLIAMENT

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ERRATA

VOL. V.

Col. 8029, 4th line and 36th line, from bottom, 'Kapilano,' should read 'Kitsilano.'
Col. 8031, 28th line, from bottom, 'Kapilano' should read, 'Kitsilano.'

House of Commons Debates

SECOND SESSION—ELEVENTH PARLIAMENT

HOUSE OF COMMONS.

TUESDAY, April 19, 1910.

The SPEAKER took the Chair at Eleven o'clock.

NAVAL SERVICE OF CANADA.

House again in Committee on Bill (No. 95) respecting the Naval Service of Canada.

On section 2—interpretation; (b) 'department' means the Department of Marine and Fisheries.

Sir WILFRID LAURIER. I desire to move an amendment to paragraph (b) which will read as follows:

Strike out the words 'Marine and Fisheries' and substitute for the same 'naval service.'

This will give me an opportunity of explaining the resolution which I moved yesterday for the organization of the naval service. In order to understand the amendment which I now suggest to substitute for 'Marine and Fisheries' the word 'naval service,' I propose to explain what the naval service shall be and what it shall consist of. At the present time the Department of Marine and Fisheries is loaded with several public services. There is perhaps no department of the government which exercises so wide a jurisdiction over different matters of public interest as the Department of Marine and Fisheries. It has to deal, according to law, with:

Pilots and pilotage and decayed pilots' fund.

The construction and maintenance of lighthouses, lightships, fog alarms, buoys and beacons.

Ports and harbours, harbour commissioners and harbour masters.

Piers, wharfs and breakwaters, the collection of tolls in connection therewith, and the minor repairs on such properties.

Steamships and vessels belonging to the government of Canada engaged in connection with services administered by the minister.

Sick and distressed seamen, and the establishment, regulation and maintenance of marine and seamen's hospitals.

River and harbour police.

Humane establishments.

Life-boat service, and rewards for saving life.

Inquiries into causes of shipwrecks and casualties and the collection of wreck statistics.

Inspection of steamboats, examination of engineers, and inquiry into accidents to steamers and the conduct of engineers.

Examination of masters and mates.

Registration and measurement of shipping, and preparation of return of registered shipping of Canada.

Meteorological and magnetic service.

Tidal observatioins on the coasts of Canada.

Climatology of Canada.

Inspection of vessels carrying live stock from Canada to Europe.

Shipping of Seamen, shipping masters, and shipping offices.

Winter communication between Prince Edward Island and the mainland by steamer and ice boats.

Hydrographic surveys.

Administration of deck-load law, and the subject of deck and load lines.

Removal of wrecks and other obstructions in navigable waters.

Sea coast and inland fisheries, the management, regulation and protection thereof, and everything relating thereto and the payment of fishing bounties.

Deepening and maintaining the St. Lawrence ship channel from Montreal to the sea.

Administration of Sorel ship yard.

Wireless telegraph service.

These the Department of Marine and Fisheries has assigned to it. In discussing the organization of the department with my hon. friend (Mr. Brodeur) who now presides over it and whose continued absence from the House we still deplore, he thought it advisable, or he had in mind, at all events, to divide the department constituting two departments within the same department. What was obviously too much business for one department might perhaps not have been enough for two, but now that it is proposed to have a navy, it is quite evident that it would not be possible to have the whole of this included in the same department. Therefore, the intention of the government is to create a new department to be called the Department of the Naval Service. Later on, when we come to the proper moment, I will move the following addition:

4a. There shall be a department of the government of Canada which shall be called the Department of the Naval Service, over which the Minister of Marine and Fisheries for the time being shall preside, and he shall be the Minister of the Naval Service.

4b. The Governor in Council may also appoint an officer who shall be called the deputy minister of the naval service, who shall be the deputy head of the department, and may also appoint such other officers and clerks as are requisite for the due administration of the business of the department, each of whom shall hold office during pleasure.

This department shall be charged with the

administration of the navy, but it is the intention of the government to transmute from the Department of Marine and Fisheries to the Navy Department the following services as defined in subsection (i) of the present section 2: The naval service, the fisheries protection service, hydrographic survey, tidal observation, and wireless telegraph service. I hope that I have made myself clearly understood. The department of the naval service will have control of the navy and in addition the protection of the fisheries, the hydrographic survey, the tidal observation and wireless telegraphy. These services in themselves now constitute an important branch of the administration. I shall give some information to the House as to the reasons for placing these different branches of the service, that is the protection of the fisheries, the hydrographic survey, the tidal observation survey and the wireless telegraphy under this department. Under the heading of the protection of fisheries we have one of the most important services of the government. We have engaged in the service at present eight ships, the 'Canada,' the 'Constance,' the 'Federal,' the 'Curlew,' the 'Vigilant,' the 'Kestrel,' the 'Falcon' and the 'Restless.' The 'Canada' is a ship of 580 tons, 200 feet in length, 25 feet beam, with a maximum speed of 17½ knots. The 'Constance' is a ship of 105 tons burden, 161 feet in length, 19 feet beam, with a maximum speed of 10 knots. The 'Kestrel' has a tonnage of 122 tons, is 160 feet long, 22 feet beam and has a maximum speed of 10 knots. These ships are at present, and have been for years, patrolling the waters of Nova Scotia, Prince Edward Island and that part of the gulf, protecting the Canadian fishermen and Canadian fisheries generally.

The 'Curlew' is of a somewhat similar character and is charged with the protection of the fisheries on the waters of the Great Lakes. The 'Vigilant' is on the shores of the Bay of Fundy and the coast of New Brunswick. The 'Kestrel' is on the shores of British Columbia, chiefly Hecate strait. The other two are small vessels, the 'Falcon' and the 'Restless,' connected with the same service.

The hydrographic survey fleet is composed of three ships, the 'Bayfield,' 'La Canadienne' and the 'Lillooet.' The 'Bayfield' is preparing the surveys on Lake Ontario, 'La Canadienne' on the lower St. Lawrence and the 'Lillooet' in British Columbia.

The tidal survey is chiefly in the lower St. Lawrence. We have one ship connected with the survey, the 'Gulnare,' which is constantly at work taking surveys at all times of the day.

In the wireless telegraph service the government now owns 21 stations in Canada. These stations are:

Father Point, River St. Lawrence.
Clarke City, River St. Lawrence.
Fame Point, River St. Lawrence.
Heath Point, Anticosti.
Cape Bear, Prince Edward Island.
Pictou, Nova Scotia.
Cape Race, Newfoundland.
Whittle Rocks, Gulf of St. Lawrence.
Point Armour, Gulf of St. Lawrence.
Belle Isle, Gulf of St. Lawrence.
Point Rich, Gulf of St. Lawrence.
Cape Ray, Newfoundland.
Sydney, Nova Scotia.
Cape Sable, Nova Scotia.
Partridge Island, New Brunswick.
Point Grey, British Columbia.
Victoria, British Columbia.
Pachena, British Columbia.
Estevan, British Columbia.
Cape Lazo, British Columbia.
Prince Rupert, British Columbia.

It is proposed that all these different services shall be transferred from the Department of Marine and Fisheries to the Department of the Naval Service.

Mr. SPROULE. If it is proposed to establish a new department, would not the proper course have been to introduce a Bill to establish the department first?

Sir WILFRID LAURIER. I think the proper place is in connection with the Naval Bill. When we came to look into the matter closely it was found that it would be too much to place under one department. It was decided to have a separate department which would be presided over by the Minister of Marine and Fisheries.

Mr. SPROULE. Is it intended to appoint another deputy minister for that department?

Sir WILFRID LAURIER. Yes.

Mr. R. L. BORDEN. The proposal is to create a new department with a new deputy minister but to have it under the control of one of the existing ministers.

Sir WILFRID LAURIER. Yes. Under the Minister of Marine and Fisheries.

On section 4,

The command in chief of the naval forces is vested in the King, and shall be exercised and administered by His Majesty or by the Governor General as His representative.

Mr. NORTHRUP. Is this section not in direct contravention of the British North America Act, which provides that the authority should continued to be vested in the King? This presumes to direct how that authority should be exercised, and is therefore adding something material to the British North America Act.

Sir WILFRID LAURIER. This has been the law of Canada since confederation.

Mr. R. L. BORDEN. Section 15 of the British North America Act is as follows:

The command in chief of the land and naval militia, and of all naval and military forces, of and in Canada, is hereby declared to continue and be vested in the Queen.

As the hon. member for Hastings has said,

there is a certain qualification to that introduced in section 4 of this Bill, which undertakes to say how that command shall be exercised. There is no such qualification in section 15 of the British North America Act.

Sir WILFRID LAURIER. I think the objection is not at all well taken. This Act is exactly the same as the Militia Act in regard to the power vested in the government of Canada. Here is the clause in the Militia Act:

> The command in chief of the militia is declared to continue and be vested in the King, and shall be exercised and administered by His Majesty, or by the Governor General as His representative.

The clause might perhaps have been improved and made clearer than it is; but since it has received the interpretation of parliament from the earliest days of confederation, we did not think it advisable for us to depart in any way from what has been the settled and well-understood principle of the constitution. Moreover, my hon. friend will find in section 9 of the British North America Act the same language repeated almost identically. I think my hon. friend from Hastings some time ago expressed the opinion that the interpretation of section 15 of the British North America Act was that the command of the forces should be exercised by the Queen and could not be delegated by her to the Governor General. At all events, if he did not exactly express that view, the press has done so. I would simply ask my hon. friend to look at section 9 of the British North America Act, which reads as follows:

> The executive government and authority of and over Canada is hereby declared to continue and be vested in the Queen.

If the correct interpretation of section 15 is that the command of the forces is vested in the Queen and cannot be delegated by her to her representative in this country, it would follow that the executive government of the country, which is also declared by the constitution to be vested in the Queen, could not be delegated to her representative. That interpretation is simply absurd. From the very first day of confederation the executive power over Canada has been conferred by the Queen upon her representative in this country, and we cannot conceive that it would be possible to carry on the government otherwise. We cannot expect that under the constitution of Canada or the constitution of any of the self-governing colonies, the young daughter nations of the empire, the Sovereign himself would exercise authority directly in these countries. He can only do so indirectly by a representative. It has been done, and the action has never been questioned. That is the answer I have to give in regard to the language of this section, which follows identically what has been the custom of the country since confederation.

Mr. W. F. MACLEAN. Is it not, in other words, a guarantee of responsible government that these clauses appear in various places in the constitution?

Mr. NORTHRUP. The right hon. gentleman has evidently misunderstood my contention. I never contended that the King was unable to delegate authority. I quite recognize that he can, but that is a quite different proposition from this section, which undertakes to withdraw his authority from him. The view I advanced to the House was this, that the royal prerogative extended to the navy, whereas under the system in England the royal prerogative had been so whittled down by parliamentary Acts with regard to the army that it was not by virtue of the prerogative that the Crown controlled the army. Parliament in the old country has continually dealt with the army and the Sovereign has been a party to every Act of parliament so dealing with it. He stands in a different position with regard to the navy, and my whole argument was that inasmuch as the authority of the Sovereign over the navy is a matter of prerogative precisely the same power as his power to make treaties, and is not derived from parliament at all, therefore, this House could no more interfere with the Crown's prerogative with regard to the navy than it could interfere with its prerogative touching the treaty-making power.

Sir WILFRID LAURIER. Do I understand my hon. friend to mean that at the present time the navy is still under the prerogative of the Crown in England?

Mr. NORTHRUP. Yes, I contend that the authority over the navy is vested in the Crown by mere prerogative, just the same as the treaty-making power.

Sir WILFRID LAURIER. I do not think, Mr. Chairman, that the hon. member's contention can be substantiated at all by authority. At the present time, the prerogative of the Crown in England whether it concerns the army or whether it concerns the navy, is no longer in existence. The navy and the army of course are under the control of parliament. Up to the early part of the 19th century the Crown made good the right with the Commons and parliament to preserve its prerogative over the army and navy, but I can only recall to my hon. friend that from the last 60 or 80 years, I should say for the last 100 years, the prerogative of the Crown, both with regard to the army and navy, has not existed for the will of the Crown, has been subject to the will of parliament in these matters above all others. George III, I agree with my hon. friend, tried to preserve his authority, but as democratic ideas advanced, he had to give away on this point, and the authorities are that in 1806, under the administration of Lord Grenville, the point was settled for ever. I have only to refer my hon. friend to Todd, who makes the point very clear.

This is what Todd says on page 383 of the first volume, speaking of the prerogative of the Crown:

The term 'prerogative' may be defined as expressing those political yawers which are inherent in the Crown and that have not been conferred by Act of parliament and which accordingly continue within the competency of the Sovereign, except in so far as they have been modified or restrained by positive legislation. For the King's prerogative is a part of the law of the realm and hath bounds set unto it by the laws of England. All that is meant by 'prerogative' nowadays is the practical division which it is necessary to make between the duties of the executive and the duties of the legislative power.

Now upon this very point Todd has given the history of the case. At page 121 my hon. friend will read this:

After the death of Mr. Pitt in 1806, the King was obliged to accept of an administration taken chiefly from the Whig party, in which he had no confidence. The ministry of 'All the Talents,' under the presidency of Lord Grenville and Mr. Fox, was forced by political considerations upon the King. Before the arrangements were completed, a difficulty arose on a point of prerogative. During the negotiations Lord Grenville proposed to His Majesty some changes in the administration of the army by which the question was raised whether the army should be under the immediate control of the Crown through the commander in chief, or be subject to the supervision of the ministers.

The King at once contended that the management of the army rested with the Crown alone; and that he could not permit his ministers to interfere with it, beyond the levying of the troops, their pay and clothing.

Then at page 527, Todd proceeds as follows:

We have already seen that the control of the army and navy was the last of the prerogatives to be surrendered into the custody of responsible ministers. Even of late years there have been those who have contended that the administration of the military and naval forces of the kingdom should remain altogether in the hands of the executive without any interference with the same by either House of Parliament. But sound doctrine forbids a distinction to be drawn between the exercise of the royal authority over the army and navy and over other branches of the public service; upon all alike it is equally competent for either House of Parliament to tender its advice, and there can be nothing done in any department of state for which some minister of the Crown is not accountable to parliament.

Mr. R. L. BORDEN. What page is that?

Sir WILFRID LAURIER. Page 527.

Mr. HUGHES. Is the Prime Minister not confusing parliament with the cabinet? The point I have in view is this. At the time the right of purchase of commissions was done away with in the army, Gladstone completely overruled parliament, claiming that it was the prerogative of the Crown acting on the advice of the minister, not the prerogative of the Crown as represented by the cabinet and the sovereign.

Sir WILFRID LAURIER. My hon. friend will remember that the action of Mr. Gladstone was very severely criticised at the time. I am an admirer of Mr. Gladstone, but even the best men can make mistakes. Mr. Gladstone had been a Tory in his early days, and perhaps he was expressing his Tory ideas on that occasion. At any rate, I well remember that the action of Mr. Gladstone, which was approved by public opinion in one sense, was severely criticised from the parliamentary point of view. At this date I do not think that anybody can contend that the King of England can have any power, either with regard to the army or with regard to the navy, which he can exercise through anybody else except through his responsible ministers who are responsible to the parliament. This is the position we take in this instance, and we say that the constitution of England was introduced into Canada in 1867. At that time the prerogative of the Crown was limited to the authority of parliament in the matter of the army and navy, and therefore we have jurisdiction over the same.

Mr. HUGHES. Go back to the early part of last century. The contention then was that the control of the army and navy was the personal prerogative of the sovereign independent of the ministers or of parliament. That was contested, and the Prime Minister may remember that I had occasion formerly to bring before him an instance. I think when Duncan was commander in chief of the forces he claimed the right to pass over the minister and go direct to the sovereign and consult him in all matters with reference to the army. Palmerston was Secretary for War at the time, I think, it was in 1810 that the commander in chief took that position, and from that time onward the control of the army and navy was regarded as the prerogative of the Crown acting on the advice of ministers, only indirectly responsible to parliament but not directly responsible to parliament.

Sir WLIFRID LAURIER. I suppose my hon. friend will have no objections to the minister being responsible to parliament. At all events, as minister of the Crown, he becomes responsible to parliament.

Mr. J. A. CURRIE. Does the right hon. gentleman claim that the prerogative as regards the militia forces was not contained in the Crown at the time of the union?

Sir WILFRID LAURIER. 1867?

Mr. J. A. CURRIE. Yes.

Sir WILFRID LAURIER. That is my contention, yes.

Mr. J. A. CURRIE. Has the Prime Minister read the Acts passed in 1861-62, passed by the British parliament? Todd is no auth-

ority on any constitutional question. The Acts speak for themselves and I would suggest that the right hon. gentleman read that Act. When he illuminates this House on constitutional questions of this kind, he should know the constitutional law, and not acquire his knowledge from some hazy authority who is very ill read and not to be judged as a constitutional authority.

Sir WILFRID LAURIER. I never professed to be an authority on military matters, and I am quite willing to defer to my hon. friend on that point. But on parliamentary matters he will pardon me if I do not accept his views. As a soldier I would be quite willing to defer to him on any military affairs second, of course, to my hon. friend the member for Victoria and Haliburton (Mr. Hughes). I am quite willing to accept the views of my hon. friend on military matters, but in parliamentary matters he will excuse me if I do not accept his authority. The very fact he refers to, this statute of 1661—I am not familiar with the statute—but I must say the very fact that there was a statute passed upon the army and navy and militia in England is conclusive evidence that there is a prerogative subject to the control of parliament. Anything that becomes subject to a parliamentary statute, is not a prerogative of the Crown, and further parliament has exerted its authority. I say positively that in 1867 at the time of the union, the authority of the sovereign and his prerogative over the army and navy had become very anceint history. Wherein did the power to command the army and navy rest previous to that? Before parliament, it rested with the King. It rested with the King when parliament declared that it should rest with the King. But what I say is that everything that is concerned with the navy has ceased in England to be the prerogative of the King, and has become a matter over which parliament has the supreme authority.

Mr. J. A. CURRIE. The right hon. gentleman seemed to be pretty hazy on the matter, but I agree with what he says as I understand it. As a matter of fact, the control was with the lieutenants of counties until the Act of 1662. The Act of 1852 reinvested authority and control over both the army and navy in the Crown. The right hon. gentleman can easily find that, if he will take the trouble to look it up.

Mr. NORTHRUP. Without entering into the question of the comparative authority of Todd's utterances, I beg to quote a few words from Todd which the right hon. Prime Minister did not go on to read. Speaking of responsibility for the operations of the army and navy, he says, at page 528:

> As the command of the army and navy is the peculiar privilege and strength of the executive power, and cannot be surrendered to parliament without a virtual overthrow of the monarchy, it is essential that the scrutiny of parliament into military affairs should be cautiously and sparingly exercised.

Nothing could be clearer than these words 'cannot be surrendered to parliament without a virtual overthow of the monarchy.' I agree with every word that the Prime Minister has said as to the exercise of the prerogative. We have an illustration quite familiar to us in the prerogative of pardon. Everybody knows that parliament has nothing to do with the pardoning of criminals; that is a matter for His Excellency the Governor General. But in this matter the Governor General acts upon the advice of his ministers. If the prerogative of pardon be improperly exercised, the recourse of parliament is to punish the minister. That we can do—we can turn him out of office. But we have no control over his right to advise His Excellency. The same is true with regard to the navy. No doubt, the sovereign has the power, but some minster must take the responsibility for his act. As in the case of pardon, the sovereign has the right to act without parliament interfering, but if he acts contrary to the wish of the people, parliament can only punish the adviser who has improperly advised the sovereign.

Mr. R. L. BORDEN. I do not entirely agree with the view that the Prime Minister (Sir Wilfrid Laurier) has expressed with regard to the prerogative. The prerogative of the Crown to-day is different from what it was five hundred years ago. In those cases in which the prerogative has disappeared, it has been lost in one or two ways; first, by the custom and practice of the constitution developed from time to time and, second, by direct parliamentary enactment. I do not think it is accurate to say that the Crown has no prerogative in respect of a matter, because that matter has been dealt with by parliament. The Crown can consent to an Act of Parliament which infringes upon its prerogatives, and it gives up its prerogative by that very consent. But an entirely different question arises here from that which must be met in Great Britain. Great Britain is not limited as we are limited by a written constitution. Parliament in Great Britain, passing an Act which obtains the consent of the King, can do anything it may see fit to do with respect either to the army or the navy,—no man who has the slightest acquaintance with constitutional principles will deny that. But that is not the case with us. We are limited by a direct specific enactment. One part of that enactment —the British North America Act—section 15, provides as follows:

The command in chief of the land and naval militia, and of all naval and military forces, of and in Canada, is hereby declared to continue and be vested in the Queen.

What is the object of this section of the Bill which we are now discussing? Does it propose to limit this section 15 of the British North America Act? It does not repeat it in so many words, but repeats it with a qualification. If that qualification is inconsistent with the British North America Act, it can have no effect, because the British North America Act must prevail over every enactment of this parliament if the two be inconsistent. What, then, is the object of this section 4 in introducing a qualification to which I have referred? I do not, at the present moment, quite understand the object of the government in introducing it. So far as some observations of the Prime Minister with respect to the use of the Queen's name in the British North America Act are concerned, you will notice that there are provisions in the British North America Act which contemplate the exercise of certain authority by the Queen, not upon the advice of the cabinet in Canada, but upon the advice of her own cabinet. There can be no doubt about that. For example, section 26 provides:

If at any time, on the recommendation of the Governor General, the Queen thinks fit to direct that three or six members be added to the Senate, the Governor General may, by summons to three or six qualified persons (as the case may be), representing equally the three divisions of Canada, add to the Senate accordingly.

I do not suppose that the Prime Minister will contend that he could add a qualification to that section and declare that the Queen should exercise that authority through the Governor General and by the advice of the cabinet here. That would hardly be a reasonable argument, it seems to me. I do not go into the question of control by parliament, because the parliament in Great Britain has control over the army and navy by virtue of its control over appropriations. No doubt, this parliament could have the same control; parliament could refuse appropriations for a standing army, a militia or a navy, and in that way could exercise most effective control in this country over any of these forces. But there is the distinction to which I have alluded in the fact that we are limited by a written constitution, and an enactment of this parliament inconsistent with the British North America Act can have no force against that Act.

Hon. A. B. AYLESWORTH (Minister of Justice). I did not take any part in the debate on this measure at the earlier stages, and I should not do so now, but that the subject under discussion relates to questions which, in the main if not entirely, are of a purely legal character. I should like to premise, in what I wish to say about the matter, that I am merely expressing my opinion about the law as a member of this House, and that I do not for a moment expect that any views I hold with regard to this subject should be received with any greater weight than would be attached to expressions of opinion on the point by any other lawyer who happened to be a member of this House.

I would like to say just one thing further by way of preface. A good deal has been said, in the course of the earlier stages of this debate, upon the subject of personal loyalty or the attachment and devotion which every British subject ought to feel towards the Crown and towards the mother country. Some aspersions—I think I may without impropriety say—have been cast, in that regard, upon, not only the leader of the House (Sir Wilfrid Laurier) and the leaders of the political party on this side of the House, but upon that political party generally, or, at all events, some sections of it. I do not want to go into anything of that sort. It seems to me that this matter can be discussed, and ought to be discussed, without any question of that character being raised. I think that, personally, I am thoroughly and entirely loyal to the British Crown, to British institutions, and to Great Britain as our mother country. I think the same thing of the right hon. gentleman who leads this House, and of his compatriots in this country; and, with regard to this measure, I only want to say that if I thought there was anything in it which, insidiously, secretly or colourably, was endeavouring to introduce the thin end of the wedge of any division between Canada and Great Britain, or to make for disloyalty towards Great Britain, or to make even for voluntary separation between Canada and Great Britain, I not only would not be supporting this measure, but I would not remain for one single hour in any government that would introduce it into this House. I have said before now on that subject in this place that some of my friends referred to me sometimes as a political jingo, or a Toronto jingo, equal in that regard even to my hon. friend from Victoria and Haliburton (Mr. Hughes). I am quite content to accept that description. I believe that the hon. the leader of the opposition said not long ago, (I saw it reported in some newspaper), that he came from a race of men who were proud to say, that they had never lived under any other flag than that of Great Britain. I can say the same thing; and coming with such a family history, I think it would be a strange thing if I did not feel, as I have said, not merely

the warmest affection, but a personal devotion and loyalty to Great Britain, to British institutions and to the British Royal family.

Now if hon. gentlemen will do me the credit of believing that I am sincere in what I have said, premising that much, I wish to say a few words with reference to the argument which was presented on the question now under discussion by my hon. friend from East Hastings (Mr. Northrup) in moving the six months hoist upon the motion for the second reading of this Bill. He took the position that this measure was one which it was not competent for this parliament to pass because it constituted an encroachment upon the Royal prerogative, and was in direct contradiction to the provisions of the Imperial Act governing colonial naval defence. That was a statute passed in 1865, and my hon. friend relied for his argument with regard to its application to the present measure, upon the provisions of the third section of that statute. The statute recites the expediency of enabling the several colonial possessions of Her Majesty to make better provision for naval defence, and then it goes on in the third section to declare :

It shall be lawful for the proper legislative authority, with the approval of Her Majesty in Council, from time to time to make provision for effecting at the expense of the colony all or any of the purposes following:

Among them being the establishment of a navy. Now the argument of my hon. friend, as I gathered from what I saw reported in Hansard, was that we cannot in this country, being governed by the provisions of this Imperial statute of 1865, legislate in the way this measure proposes to legislate, unless we have in that behalf the approval of the imperial government, the approval of His Majesty in Council. The question in that respect seems to turn upon the consideration of the power of the King, upon the advice of his government for Canada, or upon the advice of the imperial government, as apparently is provided for in the Imperial Act of 1865 upon which my hon. friend based his argument. Now that statute was passed two years before the British North America Act. The British North America Act passed by the same imperial parliament modified the provisions of the statute of two years before in a very important degree. The statute of 1865 empowers any colonial legislature, with the approval of Her Majesty in Council, to make provision for the establishment of a navy. Then in 1867 the same imperial parliament passed the British North America Act in which, by section 91, they enacted that :

It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons of Canada, to make laws for the peace, order and good government of Canada in relation to——

Then coming to sub-paragraph 7 :

——in relation to militia, military and naval service and defence.

So we have the same parliament which, in 1865, had enacted that it should be lawful for any colony, (which may be said to have included Canada, therefore that it should be lawful for Canada), with the approval of Her Majesty in Council, to legislate for the establishment of a navy, saying two years later that it should be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons of Canada, to do that identical thing. It seems to me that the argument is manifest that the later statute plainly empowers this legislative body, the Senate and House of Commons of Canada, to do the identical thing which, by the statute of two years before, it may be, could only be done with the approval of Her Majesty in Council. That view, it seems to me, is made abundantly clear by a subsequent provision of the Imperial Act of 1865, which possibly did not strike my hon. friend from Hastings as having a bearing upon the matter, but which it seems to me is very important in considering the purely legal aspect of the case. Section 10 of the Imperial Act of 1865 provides :

Nothing in this Act shall take away or abridge any power vested in or exercisable by the legislature or government of any colony.

So we have the very imperial statute which has, in section 3, given authority to establish a navy by a colony, proceeding to declare that where any power was vested in or exercisable by the legislature or government of a colony, nothing in this statute would take away any such power or abridge it. The power then, which is conferred upon the parliament of Canada to make laws for the peace, order and good government of Canada in relation to naval service and defence, is not taken away or abridged by the previous Imperial Act of 1865. That statute, which, of course, like any other public Act, is always speaking—speaking to-day, as my hon. friend read it, speaking a month ago when he addressed this House, does, at the same moment at which it declares the approval of Her Majesty in Council to be necessary, declare equally that no provision of that statute should take away or abridge any Canadian powers. It would seem to me, therefore, with all respect to the argument of my hon. friend, that the very statute upon which he relied as its basis affords a complete answer to it. Just one other reference to that statute as having a bearing upon the provisions of this particular legislation. A good deal

of criticism was, at the earlier stages of this discussion, devoted to the provisions of sections 17 and 18 of the Bill before the House. These sections empower the Governor in Council to place the naval force of Canada on active service at any time when it appears advisable, and empower him, in case of emergency, to place the navy at the disposal of His Majesty for general service in the Royal Navy. That step seems plainly contemplated by the imperial statute of 1865, because, by section 6 of that statute, it is 'made lawful for Her Majesty in Council,' that is to say, for the British government 'from time to time, as occasion requires, and on such conditions as seem fit, to authorize the admiralty to accept any offer for the time being made or to be made by the government of a colony, to place at Her Majesty's disposal any vessel of war provided by that government.' That statute of 1865 contemplated the establishment of navies, or of naval forces, by any possession of the British Crown in any part of the world, applying, as I think every one will agree, to Canada, as Canada was then constituted prior to confederation, and it conferred authority upon the proper legislative body in Canada, with the approval of Her Majesty in Council, to make provision for the establishment of a navy, and it empowered further, by this section 6, the imperial government, to authorize the admiralty to accept any offer that a colony, to wit, Canada, might make to place her ships at the disposal of the admiralty upon occasions seeming to require it. But, when, two years later, the British North America Act was passed, and power to legislate on this very subject was conferred upon the Canadian parliament, not as before, with the approval of the British government, but simply upon the approval, advice and assent of the Canadian House of Commons and the Canadian Senate, it seems to me that the argument of my hon. friend, entirely built, as it is, upon the Imperial Act of 1865, falls to the ground.

Now, a larger question, perhaps—I do not know if my hon. friend views it as a larger question—but the question of the royal prerogative is also one in regard to which goes beyond our powers. The language of section 15 of the British North America Act is apt, if I may venture to say so. I think it means exactly what it says, as statutes which are well drawn usually do, but it contains a phrase that English lawyers, at any rate, and I presume, civil lawyers as well, are very familiar with. Something is vested in the Queen. The word 'vested' has its special force and meaning that lawyers are familiar with. We speak of property, of real estate, as being vested in a certain man, as being possessed or owned by him. That word would be a proper word to describe the manner in which the public, ungranted lands of the Crown in Canada are held. The Crown lands of any of the old provinces of Canada, of Ontario or of Nova Scotia, are vested in the Queen, or in the King, as the case may be. We perfectly understand the meaning of the phrase. The grant proceeds from the King. It is a relic of the old feudal system when the lord, or the over-lord, owned all of the ungranted lands in his dominions, but no one would for a moment suppose that that precludes the parliament of the colony in which such lands lie, or the executive government of that colony, from dealing with those lands. The control over them, the management of them, the administration of them are vested in the representatives of the people, although the legal title may be in the Crown personally; so that one would speak of the land as being vested in the King. Well, now, it is exactly in the same way, I venture to think, that the same phrase is used in section 15 of the British North America Act:

> The command in chief of the land and naval militia, and of all naval and military forces, of and in Canada, is hereby declared to continue and be vested in the Queen.

I would like to compare with that section, section 9 of the same statute, because we find in section 9 the concluding words identical with those of section 15. Section 9:

> The executive government and authority of and over Canada is hereby declared to continue and be vested in the Queen.

There is no good reason, except for sake of clearness, why these two sections might not have been in one. The disposition of the two subjects dealt with by the respective two sections is identical. Certain things are declared to continue to be vested in the Queen. First we have 'the executive government and authority of and over Canada,' and likewise 'the command in chief of the land and naval militia, and of all naval and military forces of and in Canada.' If they were grouped into one in that way we would understand them perfectly because we have been familiar with it for forty years, and agree what the meaning of the expression with regard to the 'executive government and authority of and over Canada' is. That is vested in the Queen in exactly the same words as the command in chief of the naval force is vested in the Queen. But the executive government and authority of and over Canada is exercised by the Queen's advisers in this country, or by the parliament of Canada, each within its own functions and according to its own powers. What ground is there for attributing to the phrase 'is vested in the Queen,' when used with regard to the naval force, any other meaning than you would attribute to it, and which

we universally know it bears when speaking of the executive government and authority of and over Canada? How is that command in chief of the naval forces or that executive government and authority of and over Canada, which is declared by the British North America Act to be vested in the Queen, to be exercised in this country? The first preamble to the statute throws a great deal of light upon it. The provinces of Canada are to be federally united. How? With a constitution similar in principle to that of the United Kingdom, and whatever parliamentary restrictions there are in the United Kingdom, or whatever restrictions the parliament of the United Kingdom itself has power to impose upon the royal prerogative, such restrictions exactly, I maintain, this parliament, as representing the people of Canada, has power similarly to impose within Canada. Just as, according to the constitution of the United Kingdom, the control of the naval forces is subject to parliamentary authority, is something in regard to which the minister of the Crown is responsible, so it is to be in this country, and the circumstance that by section 15 the command in chief continues vested in the Queen, does not, in my submission, prevent at all the administration of that force and the control and regulation of it being exercised by this parliament and by this government of Canada.

It is not a new field of legislation that we are entering upon. I think that is an important circumstance always to be borne in mind. This proposed legislation repeals our existing naval law. By section 53 of the Bill, chap. 41 of the Revised Statutes of 1886 is repealed in so far as it concerns the active and reserve militia marine forces. That statute has never been repealed, it is still in force and it contains legislation on this very subject which has been upon the Canadian statute-book for years, which has never been disallowed or animadverted upon the imperial government It invited disallowance quite as much as this Bill would if there was any encroachment upon the authority of Her Majesty in Council, or of the imperial government or upon the royal prerogative. Section 3 of the Act as it stood in 1886 provided:

> The command in chief of the land and naval militia, and of all military and naval forces, of and in Canada, is vested in the Queen

How is it to be exercised?

> And shall be exercised and administered by Her Majesty personally or by the Governor General as her representative.

In 1868, when our Militia and Defence Act was passed, the provision was, by section 1:

> As provided by the 15th section of the British North America Act, 1867, the command in chief of the land and naval militia and of all naval and military forces of and in Canada, is vested in the Queen, and shall be exercised and administered by Her Majesty personally or by the Governor General as her representative.

That enactment, put before the imperial authorities over 40 years ago, has never, to my knowledge, been so much as commented upon; it certainly has never been disallowed, and has never been viewed by the imperial authorities with any alarm or as constituting any encroachment upon the royal prerogative or upon imperial rights.

We are certainly not going any further in the present legislation. The Act of 1868, repeated as it was in the consolidation of 1886, makes substantial provision for something in the way of naval forces in Canada. By section 12 the militia is divided into land forces and marine forces. The marine forces may be active or reserve militia marine, which is to be raised by enlistment or ballot, and which is to be composed of seamen, sailors and persons whose usual occupation is upon any steam or sailing craft navigating the waters of Canada. Our present Militia Act has repealed the land sections of this legislation, but left untouched the sections with regard to the naval forces or the militia marine, and it is those provisions which it is now proposed to repeal by section 53 of the present Bill, because something else is substituted for that which previously appeared. The provisions of section 15 of the British North America Act were, I think, as much encroached upon by this previous legislation as by anything in the present Bill, but I think that there was no encroachment at all because if we remember the position of the royal prerogative, as it has been declared by the highest authority to be at the present time, I think we will see what the meaning of the phrase is and what the full effect of section 15 of the British North America Act may be declared to be. The subject was considered, incidentally, it may be, but a very important pronouncement in regard to it was made by the Judicial Commitee of the Privy Council in England in the case of the liquidators of the Maritime Bank of Canada against the Receiver General of New Brunswick to be found in the appeal cases of 1892. At page 443 Lord Watson discusses incidentally this very subject, and I want to read a sentence or two from what he said. But to explain first how the question came up, let me say that the province was claiming certain moneys as a royal prerogative. It was a creditor of the bank which was in liquidation, and it claimed the right in priority to other creditors upon the ground that it represented the royal prerogative, and was entitled to the same rights in that regard as

the Dominion government or as the imperial government undoubtedly would have. Lord Watson upheld the view of the province, and in discussing the argument to the contrary, said it was based mainly if not entirely upon the circumstance that whereas the Governor General of Canada was appointed directly by the Queen, the Lieutenant Governor of each province was appointed, not by Her Majesty, but by the Governor General, who had also the power of dismissal; and he said that if the British North America Act had not committed to the Governor General the power of appointing and removing the Lieutenant Governors, there would not have been any room for this argument. That argument, he said, if pushed to its logical conclusion, would prove that the Governor General, and not the Queen whose viceroy he is, became the sovereign authority of the province whenever the British North America Act came into operation. Then he goes on to say with regard to this argument:

But the argument ignores the fact that by section 58 the appointment of a provincial governor is made by the Governor General in Council by instrument under the Great Seal of Canada, or, in other words, by the executive government of the Dominion, which is by section 9 expressly declared to continue and be vested in the Queen. There is no constitutional anomaly in an executive officer of the Crown receiving his appointment at the hands of a governing body, who have no powers and no functions except as representatives of the Crown. The act of the Governor General and his Council in making the appointment is, within the meaning of the statute, the act of the Crown.

Now, that is the language of the Privy Council of England, speaking through its members. the Judicial Committee of its own body—the action of the Privy Council of England is the action of the King himself. The order of the court in this very cause was the order of the Queen herself in council, advised by her advisers, and issuing her own mandate. We have it therefore, upon the highest possible authority in a matter of this character, that the meaning of section 9 of the British North America Act, the meaning of the expression that the executive government and authority over Canada is vested in the Queen, is that the Act of the Governor General and his council is the Act of the Crown. That is the way in which the executive government and authority over Canada is exercised by the Crown; and my submission is that in absolutely and precisely the same way the control over our naval forces, just as over our militia, while it is vested in the King, is to be exercised by the Governor General and his council. I do not suppose any one, even though we have a King at present upon the throne, would read these words in section 15 as meaning that the King personally was to take command of the navy anymore than of his army. It is 200 years nearly since any King of Great Britain was upon a battlefield in time of actual war. In the old days, we know, the King was the leader, the commander in chief, personally at the head of his forces, issuing his orders and taking charge of the military campaign. I am not prepared to say whether or not at the present day, if we happened to have a ruler who personally had warlike ambitions, or felt that he was competent to take personal command in chief of his forces, he would be entitled to do so. I am only seeking to point out that although the command in chief is by law vested in him, the way in which it is exercised is the constitutional manner in which the executive government of the country is exercised, through his representatives and upon the advice of his council. If it were not so, how could there be the responsibility which we know rests upon the minister and upon the government of which the minister is a member? If the command in chief of the naval forces is something which the government, or the member of the government who is the minister in charge of the naval forces, cannot exercise, how is he to be responsible? If it is something which is a personal prerogative of the King, then surely the minister who is powerless in the matter cannot be held responsible for the consequence of possible mistakes. I think therefore that no difficulties exist in the provisions of the present Bill when read in company with the controlling provisions of the British North America Act. The parliament of Canada has been declared in more than one instance by the authority of the Judicial Committee of the Privy Council to have, within the scope of its own powers as defined in section 91 of the British North America Act, absolutely the same jurisdiction and to the same extent, which the imperial parliament itself possesses; and just as the imperial parliament has power to legislate with regard to the control of not only the land forces, but equally the naval forces of Great Britain, so the parliament of Canada has power, and in virtue of the provisions of section 91 of the British North America Act, to legislate in regard to the navy that we establish or the ships that we build or buy.

Mr. NORTHRUP. I am very glad we have reached that stage of this discussion where we can calmly and dispassionately discuss the question before the House as a purely legal question; and while I differ from the hon. gentleman, I propose for the sake of argument to admit the first part of his argument, and see where it lands him and the government. The hon. gentleman admitted that apart from the British North America Act, the statute to which I referred, 28-29 Victoria, provided that such a colony

as Canada could only pass such a Bill as this if it were in accordance with orders made by the King and council; but the hon. gentleman said that apart from that, the wording of the British North America Act gives Canada a power which withdraws it from the control of the Colonial Defence Act. He has referred to the words of the statute. Now let us look at the words of the statute and see the practical working out of it. Section 91 of the British North America Act says:—

It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons to make the laws for the peace, order and good government of Canada, in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the legislatures of the provinces.

Therefore, he said, power having been given by the British North America Act to Canada to legislate on these four subjects, militia, military, naval service and defence, therefore we have power to legislate without regard to the motherland. I admit that for the sake of argument while I dispute it as a matter of law. Reading down the list of subjects, dealt with by section 91, we find that No. 23 is copyrights. Exactly the same argument applies to copyrights; this country has an exclusive right to legislate with regard to copyrights without regard to the motherland, but who does not know that we tried to do so and failed because we have no such power. I go to No. 25 in the list of subjects and I find that just as we have power to legislate, with regard to the militia, military, naval service, and defence, so we have a power to legislate with regard to the naturalization of aliens. This House has a power to legislate with regard to naturalization, but will the Prime Minister pretend for a moment to say that we have any such power under the sun. It is provided by an imperial Act of 1879, but all we have a right to do is to give a limited apologetic form of naturalization to those only within the borders of Canada. Yet the words of this section 91, are so complete that if the argument of the hon. gentleman is sound with regard to naval matters it is equally sound with regard to each of the three, and being certainly and demonstratively wrong, with regard to the latter two, I submit it falls also to the ground in regard to subsection 7. Now, another point. He referred to the judgment of the Privy Council to show that under section 9 of the British North America Act precisely the same powers had been held by the Privy Council to belong to the Governor General as are given to him by this clause. I do not think the right hon. gentleman appreciated the force of his own argument. In section 9 it is declared:

The executive government and authority of and over Canada is hereby declared to continue and be vested in the Queen.

Without another word being said, and the courts held that that authority might properly be exercised by the Governor General on the advice of his responsible ministers. Take clause 15 of the British North America Act:

The command in chief of the land and naval militia, and of all naval and military forces of and in Canada, is hereby declared to continue and be vested in the Queen.

The same argument would apply there, and why would it not apply to clause 4 in this Bill before the House. If we read:

The command in chief of the land and naval forces is vested in the King.

—and stop there, what is the object of inserting those other words? I am not going to insult the intelligence of this government by suggesting that they are cumbering the statute-book with words that are utterly meaningless, and yet it is quite clear that the Privy Council has admitted that without these words the clause would allow the Governor in Council to administer the law. Why then put these words in? They are either superfluous, being already provided for, or they are void, having no power.

An hon. MEMBER. Ultra vires.

Mr. NORTHRUP. Why, therefore, cumber the statute-book with words that are either superfluous or void. There is only one reason that I can understand why they are there. It would be impossible to read clause 18 in this Bill if we had not those additional words added in clause 4. If we left the command of the fleet vested in the King it would be rather absurd for the Governor in Council to place it at his own disposal if he liked. But we are to have two distinct bodies, the King on the one hand, and the government to control the navy on the other; and then we begin to see why these words which are either superfluous, or void, are introduced.

Mr. J. A. CURRIE. As an ordinary layman it is a little rash perhaps for me to project myself into a legal argument of this kind, but having had some connection with the military side of life, perhaps I can take a cooler view of a question of this kind, than the legal gentlemen who have discussed it. Now the only way to get at the root of a question of this kind is to get right down to the foundation and find out whether in the beginning of things or at any stage of the procedure the command of the army and navy was vested either in the King, or in the parliament of Great Britain and Ireland. In the year 1661 Charles was restored to his throne,

and in that year an Act was passed by the parliament of Great Britain which has never yet been repealed. That Act rules the country to-day, and rules this country. It is still on the statute-book. I will read what the preamble of the Act which deals with this very question says. The right hon. gentleman has drawn the inference that at some time or other the command, that is the right to order, or the right to give commands to the army was vested in the parliament of Great Britain. It has never been vested in the parliament of Great Britain. The statute of 1661, which is the law of England to-day, says:

For as much as within all His Majesty's realms and dominions the sole supreme government command and disposition of the militia and of all forces by sea and land and of all ports and places of strength is and by the laws of England ever was, the undoubted right of His Majesty and his royal predecessors, kings and queens of England, and that both or either of the houses of parliament cannot or ought to pretend to the same, nor can nor lawfully may raise or levy any war, offensive or defensive, against His Majesty, his heirs or lawful successors.

Now, that, Mr. Chairman, is the law to-day in England. The parliament of England of that date laid down a rule that as far as the command of the army and navy and the forces were concerned, that command should be always vested in the sovereign, and that command was never claimed by either House of parliament. I think that when we start at the beginning we will begin to realize where we are getting to. Now what does the command consist of? It does not consist in commanding an army or navy as a matter of chattels or as a piece of real estate as my learned friend, the Minister of Justice has quoted authorities to show. The command of the army is a living occupation, a real command. It is a right over life and death, and that command is so great that in case of conquest and in cases of insurrection it has been able to carry on the quasi civil government of countries under what is known as military law. The army acts for the King. Now so true is this that to-day in Great Britain the pay of the navy and the pay of the army is by royal warrant. In 1662, the parliament of England doubting the wisdom of the King, to exercise the sole right of command of the army and navy, fearing that they might have a continuation of the troubles they had with Charles I, took the command of the militia forces or trained bands away from the King. They said the King will issue a commission to the Lord Lieutenants of countries, giving the Lord Lieutenants of countries the right to issue commissions to captains and colonels, and so forth of the trained bands.

M. J. A. CURRIE.

By this means they establish a constitutional check on the Crown or on what is known as the prerogative of the Crown. Now, that right was given up by the parliament of England by the Acts of 1852, 1858 and 1876. And the sole right to command the militia and the whole army to-day rests with the King. We never had the right, nor had the parliament of England, to declare that the King had not the sole command. But what does this command consist of? It consists of issuing commissions and orders and moving the forces. It is quite true—I acknowledge that it is perfectly right—that this parliament has the authority to establish a navy, to arm it, equip it, man it. But when it comes to ordering that navy, or moving it, or saying what it should do, that is within the prerogative of the King. There are various prerogatives of the King. There is, for instance, the prerogative relative to real estate, water-powers, and that sort of thing. But this is an arm of the King—the army and navy is an arm of the King. It is true, and has always been true, as the learned gentleman has quoted, that we could establish a navy. He states that the British government, or naval department of the government, should have the right to accept ships from the colonies. Quite true. But the King has had the right to accept ships from his subjects from time immemorial, and letters of marque have been issued to privateers, as everybody knows. As I said there is nothing to prevent this parliament from establishing a navy, arming, equipping and manning it; but when it comes to the question of appointment, of moving and ordering that navy, that rests with the King as I have shown by the clause I have read from the Act of 1661 which has never been repealed, and certainly could not be repealed by Act of this parliament. But what does this Naval Bill propose? It proposes by order in council to assume to pass a law, to issue commissions and order and move this navy, to compel this navy to act and fight or retreat as it wishes. To my mind knowing a little about military law, as it was necessary for me to know, it seems absurd for this parliament to assume that such a power exists, for there is no ground for such assumption. While it is quite true that the army and the navy may be moved by the Crown without respect to either the English parliament or this parliament, there has never been any question that this would be done on the advice of the minister, and, in this case, the minister whose advice would be sought would be the Minister of the Marine here. But, in case of necessity arising there is no doubt that the absolute command to this navy is in the King, this having been declared by the highest authority of the realm, parliament itself over four hundred years ago. Can we, a small por-

tion of the British empire, propose to remove that authority and that power of command?

Now, Sir, this question assumes a very grave aspect, because I think the enactment here proposed does not show that respect for the dignity of the Crown which we, as a parliament, and as good British subjects ought to show. The question of the right of command should not have been raised in connection with this navy? I asked the Minister of Justice to quote the words of the statute of 1886. And the House has waited for his reply. This is the clause:

> The command in chief of the land and naval militia, and of all naval forces of and in Canada is vested in the Queen and shall be exercised and administered by her personally, or by the Governor General as her representative.

I wish hon. members to note the words 'as her personal representative,' because that expresses exactly the idea that was contained and is well recognized by the English law. In Great Britain, for instance, the pay of the army and navy is by royal warrant, and not by vote of supply as is done here.

The other question brought up by the minister is the right of the Crown in civil matters. This is not a civil matter. It is the armed power, not the civil power we are dealing with. Even in the matter of the civil power the King is supreme. His prerogatives have, however, been limited by statutes and the interpretations of the courts. His prerogative, however, exists. It is the same as his right in real property. We all know that all real property is vested in the Crown, and that we as citizens have only the use of real property. But the command of the army and navy is on an altogether different basis. The old statutes of 1661 never having been repealed by England, whereby the parliament of England declares the control of the marine and naval forces of the empire and all its dominions to be vested in the Crown is to be challenged at this late day. For that reason, in my opinion, it would be better to modify this section and not try to set up a new principle of constitutional right.

Mr. CONGDON. The hon. member for North Simcoe (Mr. J. A. Currie) is endeavouring to revive a doctrine that cost one King of England his head and another his throne. There is nothing clearer in the British constitutional system than that these prerogatives of the Crown were usurpations, brought about by the arguments of lawyers—such arguments as we have listened to to-day. These lawyers were trained in the unmitigated tyranny of the latter Roman empire. Their doctrines were written on the statute books of many European kingdoms, and, if carried into effect, would have made the British empire worse than any oriental despotism that ever existed. Because you find that, as a result of these refinements, the King is represented as perfect, as immortal, as legally ubiquitous, the fountain of honour, the vicegergent of God, and responsible to Him above, owning all the land in the country, and as even invisible. In conflict with this, you have the corrections introduced into the British constitution by actual practice. The Roman lawyers might indite their doctrines as strongly as they liked, but the barbarous Germans, amongst whom they endeavoured to propagate these ideas, refused to recognize the arguments and corrected the proposals in practice. It is the old confusion of the King as an actual person with the King as a body politic. As a corporation sole, of course, the King has all these powers. In that sense, it is true, as said by Louis XIV, 'L'etat c'est moi.' For the King in that sense is the state. He does not exercise these rights in his own person, but, since the Bill of Rights, since the Act of Settlement, by the advice of his ministers responsible to parliament. The real question here is whether His Majesty shall exercise command and control of the Canadian navy solely and wholly upon the advice of British ministers responsible to the British parliament which in turn is responsible to the British people, or shall exercise these powers on the advice of his Canadian ministers responsible to the parliament of Canada in its turn responsible to the people who pay the expense of the navy both in its original construction and subsequent operations. It seems to me that to contend in this late day that the colonies are to do nothing in the shape of defence without handing over the control to imperial ministers, is to discourage all parts of the empire, except Great Britain and Ireland from doing anything in the way of contribution to Imperial defence.

Mr. LANCASTER. The hon. member for Yukon (Mr. Congdon) is to be congratulated on his frankness in stating the issue. I agree that the issue is as he has stated. I do not agree that we have the right to practically amend the British North America Act. I have said what I thought about this matter on the second reading of the Bill, and I am confirmed in my opinion and strengthened in it since, and have discussed it with gentlemen more learned than I am, and I have no doubt the latter part of section 4 is ultra vires of this government, and the British government would have a perfect right, and it would be their duty to the empire, to disallow that section. We have a constitution in this country which gives us full

power in domestic matters, but we have no constitution that allows us to butt in, so to speak, upon imperial matters. We have been politely told by the imperial government, when we undertook to suggest what they should do in respect to the government of Ireland, that we had better mind our own business, and we were told so correctly. We are now here to-day undertaking to say that the British North America Act should practically have words in it that it does not contain. The British North America Act is similar to clause 4 of this Bill, if you stop at the word 'King,' but we undertake to add that the command in chief of the naval forces shall be invested in and exercised by His Majesty, or by the Governor in Council, as his representative. We have no right to say that as loyal citizens of the empire—and I make no insinuation against the loyalty of any one who thinks we have such a right. But, speaking for myself, I dare not do it; we dare not do it, because we have no authority to put into the hands of the government of this country a right to do something which the British North America Act never said they should have a right to do as loyal citizens of that great empire. I cannot agree with the conclusion of the hon. member for Yukon (Mr. Congdon) who frankly says what he believes, and says that this is the issue before the country to-day. I agree with him that it is the issue but I take strong grounds that we have no legal right under the British North America Act, outside of any question of loyalty to the United Kingdom, to say that that Act puts a prerogative in the Governor General of this country as distinguished from the imperial government.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

Mr. DOHERTY. I do not wish to detain the committee very long with any observations of mine. In so far as my position towards this legislation is concerned, I have already endeavoured to make it clear that such objections as I have to it do not rest upon the particular wording of any section; they are very much broader than that. Personally, I would be disposed to leave to the government the entire responsibility of the form in which they express their intention with regard to the establishment of this navy. In connection with this section, however, it seems to me that we are wasting our time in discussing what is the proper meaning of section 15 of the British North America Act, and defining where the command lies, unless it is contended that the general provisions of section 91, which give to this parliament power to legislate with regard to militia and defence, confer power on us to place the command of the forces somewhere else than where section 15 places it. I propose to ask my hon. friend the Minister of Justice (Mr. Aylesworth) a question. What I would like to ask the Minister of Justice is whether I should understand him to argue that the effect of the provision of section 91 of the British North America Act conferring legislative power with regard to militia and defence was to confer on this parliament any power to place the command of any force, either naval or military, elsewhere than where section 15 places it?

Mr. AYLESWORTH. I think there is nothing inconsistent in the two sections and that full effect can be given to both.

Mr. DOHERTY. I believe certainly that full effect can be given to both, but what I would like to understand is whether the Minister of Justice takes the position that under section 91 this parliament can, if it so determines, legislate to place the command of the force elsewhere, than in His Majesty, whatever meaning is to be attached to the words 'His Majesty'.

Mr. AYLESWORTH. The phrase 'command of the forces' is perhaps confusing. If the hon. gentleman means to ask, whether, in my opinion, parliament can authorize the appointment of a general or admiral who would have command of the forces then I would say certainly, I think so.

Mr. DOHERTY. Of course, but that does not answer my question. I presume it is because I do not make myself understood. What I would like to get quite clear is whether in the opinion of the hon. minister section 15 is not legislation of the imperial parliament determining where, for all time, at all events, as far as the subsequent action of this parliament is concerned, the command of the forces shall be; I do not mean to say the actual command in the sense of naming a general, but the control of the naval force of this country, and possibly the appointment of a general.

Mr. AYLESWORTH. I think that certainly section 15 is an absolute determination of the matters there dealt with, but the hon. gentleman, I am sure, is not losing sight of the view expressed by the Judicial Committee to which I referred in the case of the Maritime Bank that the command or control was to be exercised by the government of the country.

Mr. DOHERTY. I take it then to be agreed that whatever may be the meaning to be attached to the phrase 'declared to continue and be vested in the Queen' as found in the British North America Act, it is settled that this parliament cannot step

in and by any enactment, for instance by this Act, provide that the command shall be vested somewhere else than in His Majesty, or, as it states, in the Queen. I do not want to question the interpretation put upon section 15 by the right hon. First Minister (Sir Wilfrid Laurier) or the Minister of Justice, though I must confess that it did not seem to me that one of the arguments made in support of that contention was very conclusive. It was argued that because under section 9 which provides that the executive government of Canada shall be vested in His Majesty it was held, and I have no doubt that it was rightly held, that that meant that the executive government of Canada was vested in His Majesty, represented by the Governor General, in Council that holding settles the meaning of the words 'the Queen' in setcion 15. I do not dispute that holding at all, but in so far as it was argued that because in section 9 the words 'Her Majesty' or 'the Queen' were to be taken as meaning 'Her Majesty' through the Governor in Council it necessarily followed that the same expression in section 15 meant the same thing, that did not seem to be quite conclusive. Because it is to be pointed out that section 15 deals with the command, not merely of the military forces of Canada, but deals with the military forces of and in Canada. Now, at the time of the passage of the British North America Act, and for a long time subsequent, we had in Canada regular forces of Her Majesty. We may not for the moment have these, but there is no reason why we should not at one time or another have within Canada the regular forces of Her Majesty. Section 15 determines, without making any distinction between the two, that the command of all forces of and in Canada shall continue to be vested in Her Majesty. I hardly think it would be argued that the effect of that section was to place the regular forces of Her Majesty in Canada under the control of the Governor in Council and in the same section the Queen, or her Majesty, as constituting the commander of the regular forces, could hardly be held to be a different personage from the Queen as constituting the commander of the militia. I do not propose to argue from that in support of either one or the other proposition as to what is meant by 'Her Majesty'. All I desire to point out is that the argument by analogy from section 9 does not seem to me to be at all conclusive, and I think it may further be pointed out as showing that those who were in the beginning called upon to deal with the interpretation of this section recognized the then existence in Canada of regular forces of Her Majesty, which they did not in any way pretend under this section came under the control of the Governor in Council, that in the original Militia Act—and I am not certain that this is not carried on in the Act to-day—that you have a special provision that Her Majesty might in certain cases place the militia under the command of the commander of her regular forces in this country. Now the commander of Her Majesty's regular forces was not the officer of the Governor in Council, there was a separate commander of the militia forces. But as I said I do not desire to argue for or against the pretention that the control of our own militia may have been intended to be in Her Majesty in Council in Canada; that is to say Her Majesty as represented by the Governor General in Council in Canada. All I wanted to point out is that the argument made in support of the proposition does not seem to me to be as conclusive as it apparently seemed to the gentleman who invoked it.

It seems to me that the discussion by this House of what is meant by the provisions of the British North America Act is quite nugatory. We have not power by legislation here to determine what that meant, and it seems to me that we have not properly speaking, power to determine where the command of the forces of this country rests, that is determined by the British North America Act, and as was pointed out by the hon. member for Hastings (Mr. Northrup) if the British North America Act means, as it was contended on the part of the government, that the command is vested in His Majesty through the Governor General here and vested in him in council, that is so, whether we make an enactment on the subject or not; and if, on the other hand, it does not mean that our enacting that it does will not alter the state of the law. Apparently this parliament in taking upon itself as a matter of substantial legislation to determine where the command lies is taking on itself to determine something which the parliament of the United Kingdom by the British North America Act has determined for all time to come. In that connection one may safely say that that was the view of it entertained by the authors of the original Militia Act and they might perhaps be correctly enough described as having been at the same time the authors of the British North America Act. At least the minister who was primarily and particularly responsible for the Militia Act, the late Sir George E. Cartier, may fairly be described as having been one of the authors of the British North America Act, and it is a noteworthy thing that when they came to enact the Militia Act, the first one enacted under the British North America Act they did not ask parliament to determine on its own authority where the command rested, they enacted a section which recited that the British North

America Act vested the command in the King. In other words the parliament of Canada did not say: the King shall have the command. What they said was: the parliament of Great Britain and Ireland has vested the command in the King. The section reads:

As provided by the 15th section of the British North America Act, 1867, the command in chief of the land and naval militia, and of all naval and military forces, of and in Canada, is vested in the Queen and shall be exercised and administered by Her Majesty personally, or by the Governor General as her representative.

No doubt they took upon themselves to add the words:

And shall be exercised and administered by Her Majesty personally, or by the Governor as her representative.

To that extent they undertook to interpret the meaning of the words of the British North America Act. But they did not undertake of their own authority to place the command of the militia anywhere; they recognized that the British North America Act settled that. Now the interpretation they put on it by the addition of the words added may or may not have been correct. I do not want to dispute its correctness.

It seems to me that this parliament is without power to, of its own authority, determine where the command rests; that is determined one way or the other by the British North America Act, and if it were within my functions to make a suggestion it would seem to me that the wise course for this parliament would be to follow the example set by the framers of the original Militia Act and simply to recognize the fact that the British North America Act vests the power of command in His Majesty, of course leaving it to be interpreted by the proper tribunals what the expression 'His Majesty' in the Act means. After all that is the whole question. We cannot by any addition to the wording of that Act alter the person or persons or authority in whom the command is to be vested. The parliament of the United Kingdom settled that. The parliament of the United Kingdom gave this parliament power to legislate with regard to militia and defence no doubt, but as a preliminary to conferring that power is settled where the command was to rest, so it seems to me that the wise course under the circumstances would be to follow the example of the original framers of the Act and content ourselves with recognizing that the British North America Act places the command where that Act does place it. That of course as I have said does not affect the question of the meaning to be attached to the provision of the British North America Act, and I do not want to be understood as arguing here for the position that under the British North America Act the power vested in His Majesty or Her Majesty is not a power exercisible by Her Majesty or His Majesty through the Governor General in Council.

Mr. R. L. BORDEN. I am also disposed to take the view that the government must accept the responsibility of legislation of this kind—of course that goes without saying. The point of my objection was precisely that which has been emphasized by my hon. friend (Mr. Doherty), inasmuch as this parliament has no legislative authority to qualify or limit the language of section 15 of the British North America Act, it ought not to undertake to do it. Indeed I have some support in that from a former Minister of Justice, although apparently none from the present Minister of Justice. I observe what took place when the Militia Act was before this House in 1904, during the discussion on section 4 which read:

The command in chief of the militia is vested in the King and shall be exercised and administered by His Majesty, or the Governor General as his representative.

The hon. member for Victoria and Haliburton (Mr. Hughes) who has brought the passage to my attention, inquired:

Mr. SAM. HUGHES. In what does this differ from the old clause?

Sir FREDERICK BORDEN. The word 'personally' is left out.

Mr. FITZPATRICK. I would suggest that this whole section would be dropped. It is absolutely unnecessary and in any event would have to be altered. Section 15 of the British North America Act provides:

The command in chief of the land and naval militia, and of all naval and military forces, of and in Canada, is hereby declared to continue to be vested in the Queen.

That does away with the necessity for this section.

Sir FREDERICK BORDEN. Let the section stand.

Mr. FITZPATRICK. If it is to stand, I would suggest this modification. Instead of reading, 'The command in chief of the militia is vested in the King,' it should read, as in the words of the British North America Act, 'is hereby declared to continue and be vested in the King.' Because we are not conferring upon His Majesty authority over the army. That authority is conferred by the constitution.

Sir WILFRID LAURIER. This seems to be a wordy warfare. I rather agree with the Minister of Justice (Mr. Fitzpatrick) that there is no necessity for the clause. I think we might allow it to stand in the meantime.

That was the view expressed then.

Then let us remember once more that the authority of the imperial parliament is one thing, and the authority of this parliament is another thing so far as the prerogative of the Crown is concerned. The imperial parliament under modern conditions can deal with the prerogative of the Crown in any way that it sees fit, but this parlia-

ment cannot do so where it is limited by the terms of the British North America Act. A gentleman whose opinions on constitutional questions were quoted very freely in this parliament in 1905 in connection with the Autonomy Bill, and who has since been appointed to be a judge of the highest court of one of the provinces of Canada, speaks on the very subject we are now discussing—I am quoting from Clements' work on the Canadian Constitution at page 253. He is dealing with the prerogatives of the Crown and section 9 of the British North America Act quoted by the Prime Minister, and he says:

> The power (1) to disallow colonial legislation; (2) to appoint the Governor General; (3) to appoint a commander over the military and naval forces of Canada; (4) to make international arrangements which will bind Canada; and (5) to hear appeals from Canadian courts in her Privy Council (j); would seem to be about all the common law prerogatives of the Crown in connection with colonial affairs, over which colonial legislatures have no legislative power.

Nothing could be much more explicit or definite than that. He classes interference with the command of the militia and naval forces in the same category as the power to appoint a Governor General of Canada or the power to disallow colonial legislation, or the power for His Majesty to hear appeals from Canadian courts before the Judicial Committee of his Privy Council. These are all placed in the same category. I do not know by what pretense we can undertake to practically amend section 15 of the British North America Act.

The prerogatives of the Crown have been very tersely described by Professor Dicey in a passage quoted in the late work of Mr. Lowell, president of Harvard University on the Government of England.

> The authority of the Crown may be traced to two different sources. One of them is statutory, and comprises the various powers conferred upon the Crown by Acts of parliament. The other source gives rise to what is more properly called the prerogative. This has been described by Professor Dicey as the original discretionary authority left at any moment in the hands of the King; in other words, what remains of the ancient customary or common law powers inherent in the Crown.

He points out that the distinction is not always easy to draw because the prerogative of the Crown has sometimes been amplified by statute, and in some of the statutes which do modify it additional prerogatives have been conferred on the Crown itself. He points out, however, that these are not what are commonly known as the prerogatives of the Crown, but special statutory powers created by parliament, and conferred upon the Crown. The prerogatives in regard to the army and navy are very well understood. I realize that a constitutional writer in a work published only a few years ago declares that in Great Britain the army and navy are the creatures of parliament. So they are the creatures of parliament in one sense that they could not exist at all except for the annual appropriations voted by parliament, and so far as the army is concerned, it could not exist except by virtue of the annual enactment of the Army Act which provides for discipline within the army. That is not the case with regard to the navy. So they are the creatures of parliament in that sense, but the old common law prerogative of the Crown to hold the command of the army and navy has not been taken away. Indeed, the prerogatives of the Crown in Great Britain are somewhat more extensive to-day than many people suppose. There is a well known passage in this work of Lowell, cited from Bagot:

> 'It would very much surprise people,' as Bagehot remarked in his incisive way, 'if they were only told how many things the Queen could do without consulting parliament.' . . . Not to mention other things, she could disband the army (by law she cannot engage more than a certain number of men, but she is not obliged to engage any men); she could dismiss all the officers, from the general commanding in chief downwards; she could dismiss all the sailors, too; she could sell off all our ships of war and all our naval stores; she could make a peace by the sacrifice of Cornwall, and begin a war for the conquest of Brittany. She could make every citizen in the United Kingdom, male or female, a peer; she could make every parish in the United Kingdom a 'university'; she could dismiss most of the civil servants; she could pardon all offenders.

And all of us remember that the beginning of Civil Service reform in Great Britain was through the prerogative of the Crown, and not through any Act of parliament. The measure could not be put through parliament in Great Britain as parliament at that time was opposed to it, and the real beginning of civil service reform in Great Britain was effected by the exercise of the prerogative of the Crown:

> In a word, the Queen could, by prerogative, upset all the action of civil government within the government. We might add that the Crown could appoint bishops, and in many places clergymen, whose doctrines were repulsive to their flocks; could cause every dog to be muzzled, every pauper to eat leeks, every child in the public elementary schools to study Welsh; and could make all local improvements, such as tramways and electric light, well-nigh impossible.

He sums it all up so far as the army and navy are concerned, at page 22 by saying this: On page 22 we read: 'As head of the army and navy it (that is the Crown) raises and controls the armed forces of the nation and makes regulations for their government, subject of course to the statutes,

and to the passage of the annual Army Act.' That is the situation in Great Britain. Parliament can modify that situation, and we can modify that situation in this country, but only within limits, and so far as we purport to qualify the limits set upon our power our action would be inoperative.

Mr. HUGHES. Is the Prime Minister going to pass section 4 after hearing read the statement of Sir Charles Fitzpatrick?

Sir WILFRID LAURIER. I think I can satisfy my hon. friend very easily upon that question. The British North America Act gave a new entity to this country and provided that the executive power was vested in the Queen, the sovereign of the day, and the legislative power was vested in the Queen, in the Senate and in the House of Commons. That Act was passed, it came into effect, and we have had the advantage of having had parliamentary interpretation of the powers vested in parliament upon this very question, that is to say, in whom should be vested the command of the naval forces and military forces. I shall have to quote once more section 15 of the Act: 'The command in chief of the land and naval militia and of all naval and military forces of and in Canada is hereby declared to continue and be vested in the Queen.' I have not apprehended exactly what was the meaning of hy hon. friend from Hastings (Mr. Northrup), but I think he stated that the command, as far as the navy was concerned, was vested in the King, and under the conditions of things prevailing in Great Britain, under the constitution, could not be delegated to anybody, not even to the Governor in Council.

Mr. NORTHRUP. No, no.

Sir WILFRID LAURIER. Perhaps not. At any rate, that is the way I interpreted it. Perhaps I may quote the constitution of Australia upon this point. Section 51 is analogous to ours and vests in the Australian parliament the naval and military defence of the Commonwealth and of the several states and the control of the forces. Section 68 is in these words: 'The command in chief of the naval and military forces of the Commonwealth is vested in the Governor General as the Quen's representative.' The Act is clearer in this respect than ours, because it says in so many words that the command is vested in the Governor General. But though clearer on this point, it is not more effective than ours. Now, from the early days of confederation we have had the interpretation of parliament upon this clause, and the first interpretation is to be found in the Act which has been quoted by several of my friends on the other side, and later by my hon. friend from St. Anne's (Mr. Doherty). These words are to be found in the very first Act on this subject, which was drafted by Sir George Cartier:

The command in chief of the militia is declared to continue and be vested in the King, and shall be exercised and administered by His Majesty or by the Governor General as his personal representative.

Now, it is to be noticed here that the word 'personal' was introduced in the section, though it pretended to follow and to keep close within the language of the British North America Act. The word 'personal' was interpolated for reasons as to which I have not been able to satisfy myself in any study I have been called upon to give to that question. But it is not of very great consequence. In later legislation on the same subject, the word 'personal' was eliminated. The Act, the Militia Act of 1867 came to be revised, not in the general codification of 1896, but by this parliament in 1904, and there the section was interpreted again, and interpreted in these words: 'The command in chief of the militia is declared to continue and be vested in the King and shall be exercised and administered by His Majesty or by the Governor in Council.' My hon. friend (Mr. Borden) has just quoted a discussion which took place on this question in this House. He quoted the observation made at the time by the Minister of Justice (Sir Charles Fitzpatrick), that the section was unnecessary, because the matter was provided for in the British North America Act, and that they could not depart from the terms of the British North America Act. So far as I know that is the only opinion which he quoted, and as I understood him, the matter was allowed to rest there. But though the Minister of Justice of the day stated, in the opinion which was read by my hon. friend (Mr. Borden), that the clause was not necessary and should be eliminated, the clause was allowed to remain in the Bill.

Mr. HUGHES. It is changed, though.

Sir WILFRID LAURIER. In what respect?

Mr. HUGHES. The words 'declared to continue and be' were inserted.

Sir WILFRID LAURIER. I do not know that that changed the condition at all. In the clause which is adopted in this Bill, and which is in these words: 'The command in chief of the naval forces is vested in the King and shall be exercised and administered by His Majesty,' this parliament does not pretend to go back upon anything which is declared in the British North America Act. The only words which are eliminated are these: 'the command in chief is declared to continue and be vested.'

Mr. HUGHES. Might I point out that when Sir Charles Fitzpatrick asked that the clause stand, it read then (in the Militia Act the same as section 4 in this Act now reads, but when it was represented to the House it read as it now stands in the Militia Act with these extra words.

Sir WILFRID LAURIER. Does my hon. friend think these words make the clause any stronger?

Mr. HUGHES. I am bowing to the opinion of Sir Charles Fitzpatrick.

Sir WILFRID LAURIER. I am sorry I have not been able to read the whole discussion. If the point is simply this, that in the opinion of my hon. friend instead of reading as it does to day 'the command in chief or the naval force is vested in the King,' it should read 'the command in chief is declared to continue,' I do not know that it would make much difference, and for my part I would have no objection at all. If he insists upon these words, I will ask it to stand and will consult the Minister of Justice upon this point. For my part I do not think it makes any difference at all whether the clause reads as it is here, 'the command in chief of the naval force is vested in the King,' or whether it reads 'the command in chief is declared to continue and be vested in the King.' This seems to me to be a distinction without any difference. Of course we cannot change the law of the British North America Act; we are bound by it. And whether we recognize it in so many words or not makes no difference.

Mr. R. L. BORDEN. The Minister of Justice of that day expressed so entirely the spirit of the views I entertain that I would like to give another quotation. I refer to page 6406 of the 'Hansard' of 1904. On the occasion mentioned, the section was allowed to stand, and Mr. Fitzpatrick, now Sir Charles Fitzpatrick, expressed himself thus with regard to it:

The constitutional principle which governs the raising and control of the militia is of course the same in this country as it is in England. There can be no departure with respect to His Majesty's forces in this country from the principle that obtains in England. The principle in England I will state briefly from the books, is that the sovereign has not constitutionally any power to raise a military force without the consent of parliament, but when a force is raised with that consent he can, subject to any enactment, regulate it in any manner that appears good. Parliament controls the levying of the force, its equipment, maintenance, distribution, payment and all that; but the control of the force when raised is in the sovereign as head of the executive. The same constitutional rule applies to the colony; but in the case of the colonial forces, the consent is given by the colonial legislature instead of by the imperial parliament; so that our position in that respect is the same as that of the imperial parliament. My view with respect to the old Bill, with all due deference to the draughtsman, is that there was an oversight. Someone drew that Bill who had not a proper regard for the true constitutional doctrine that controls the militia.

And then he goes on to quote, and adds:

It is quite apparent that that section was merely inteded to be declaratory of the law; because we had no power to depart from the constitutional principle laid down in section 15 of the British North America Act.

There are some important words of his at page 6407, which, however, I will not quote now. Then, at page 6408, he adverts to the fact that the Minister of Militia proposes, for the purpose of maintaining continuity of legislation, to add some words to those already to be found in the British North America Act. He does not seem to be very much in favour of adding these words, and the sum of his opinion is that, though, possibly, they may do no harm, they can certainly do no good:

We must read the clause merely as a declaration or reaffirmation of the principle which we have in the British North America Act, but the minister has control of the Bill, and to preserve the continuity of legislation, wants to import into it the words in the section of the old law with respect to the Governor General. There is no harm in that except the harm that every useless word may have, and the use of the words "His Excellency the Governor General" seems to be unnecessary, especially in view of the fact that in the letters patent which are issued to the Governor General, there is contained this clause. This is from the King:

"We do hereby require and command all of our officers and ministers, civil and military, and all other inhabitants of the said Dominion to aid and assist our said Governor General."

It is perfectly clear that the Minister of Justice of that day took the view which every one must take, that it is absolutely impossible for this parliament to limit or interfere with the provisions of section 15 of the British North America Act and that if you do insert any words reaffirming it, such as these, the best that can be said is that it does no harm.

Sir WILFRID LAURIER. I have no objection to make this in conformation with the Militia Act and I move that in the first line of section 4, after the word 'is' be inserted 'declared to continue and be.'

Mr. J. A. CURRIE. Why not insert the words of the original Militia Act?

Sir WILFRID LAURIER. This Militia Act was adopted after long discussion, as appears from the quotations that have been made, and as it is the latest utterance of parliament on the subject, I think we should adhere to it.

Mr. DOHERTY. I do not wish to persist too much, but I still do not think that this alteration meets the objection as it presents itself to my mind. It seems to me an entirely illogical proceeding for this House to enact something, whether by declaration or by substantial enactment, something which is already law, made the law by a parliament different from this, a parliament whose legislation this parliament has absolutely no power to alter. It seems to me we might as well, in any other Act, enact some section of the British North America Act dealing with the same subject. Now putting upon the statute-book such an enactment, prima facie, is a declaration on our part of the power to deal with the matter. Yet, we all seem to be agreed that we cannot determine that matter in this House, it having been once for all determined by the British North America Act. It is true, as stated by the leader of the opposition, and as apparently held by a former Minister of Justice in regard to a similar matter, that it may possibly do no harm. But it would seem to be more rational for us to proceed under the law that governs us and not to make a pretense of enactment on the subject.

Sir WILFRID LAURIER. My hon. friend (Mr. Doherty) remembers the line of Tennyson as applied to the British constitution about broadening 'slowly down from precedent to precedent.' We have several precedents in dealing with this business, and I feel that we cannot do better than adopt the language used by parliament when it last dealt with this question.

Mr. DOHERTY. It has been suggested that the weakness of this idea of broadening down from precedent to precedent is that, sometimes—in fact, the present is an instance—the principle is quoted in support of the idea that when you have once done wrong, you have for ever forfeited your right to do right.

Mr. W. F. MACLEAN. Is it not good practice to regard the constitution as something progressive? There is nothing wrong in Canadians suggesting in their parliament the right to limit the prerogatives of the Crown. If Canada is similar in constitution to Great Britain, and if the parliament of Britain can limit the prerogatives of the Crown, is it wrong for Canadians to assert the same power? I, for one, am not afraid to take that view. I prefer to see a constant assertion, in all these constitutional provisions, more and more of the right of Canada to equality in legislation with the mother country. If the mother country has greater freedom than we have in regard to this question or any question, I say that, as a daughter state, we ought to assert that right, maintain it and achieve it. And I take it that these changes are in the line of constitutional progress and in the line of asserting the right to control and responsibility in these matters.

Mr. J. A. CURRIE. Constitutional progress is one of the questions that we should gravely consider when we are dealing with a great national question of this kind. Any one who knows anything about our constitution and the circumstances surrounding its creation, knows that it was a creature of circumstances, and it was sought by it to amalgamate into a whole certain interests of a deep national character, and certain guarantees were given. Now, whenever I see a Bill introduced into this House which attempts to vary the prerogative or rights of the King, or which attempts to decide questions in this House which might pertain for instance to the rights of minorities, it is time for us to take careful heed whither we are going. There is no question but that this Naval Bill, as has been plainly stated, is intended to set up what is practically a purely local force for Canada, and every clause throughout this Bill attempts, and does it successfully, to limit the prerogative of the Crown to any control over this local force. I can foresee a time, perhaps it may be not far in the future, when a majority in this House having control of this iron flail in the shape of a navy, may use it as a whip to force a minority into submission along certain lines which that minority might not consider constitutional. For that reason we should endeavour in every way to safeguard the rights that are guaranteed under the British North America Act, and not set up another empire within an empire with an armed force at its disposal, when that armed force which would be entirely under the control or under the command of a single man, the premier in this country. That is a danger which I see in this Bill, and it is a very serious one. Under this Bill, the proposed navy will be entirely under the command of the premier for the time being.

Sir WILFRID LAURIER. Hear, hear.

Mr. J. A. CURRIE. I wish the premier to understand that I see a grave constitutional danger in permitting any premier of Canada to have the right to use an armed force in this country over and above the right of the King. The King has always been the guardian, the safeguard and the buckler of minorities, not only in this country, but in other countries of the empire. The King has invariably stood between the people and injustice, between the people and their governors, as is shown by the history of the mother country for three or four hundred years. Now, this danger arises under this clause, in this very Act, and under it there is no guarantee but that a a Prime Minister, with a brute majority at

his back, may at some future date cast to the winds every principle of the British North America Act, and use this navy as a weapon to drive minorities into doing something against their will and against the guarantees that they have by the constitution. I think minorities would be safe if the Bill followed the words of Sir George E. Cartier. That gentleman had sustained great struggles, and had fought great battles on behalf of certain interests in this country. When the right hon. leader of this House proposes to remove any of those safeguards, I say he is not doing justice to every section of the community. While there may be no danger, whilst he is Prime Minister, still no man can be assured of a long tenure of life, nor can he expect to rule forever, and the danger may come after he has gone.

Sir WILFRID LAURIER. I am glad the hon. gentleman recognizes that so long as I am Prime Minister he will not have reason to deplore the evils which he sees coming on. But I must say that in this matter we do not depart from the language of Sir George E. Cartier; on the contrary, it is a fact that the language in this clause is in accordance with the best traditions of Sir George E. Cartier, and with his language also.

Mr. J. A. CURRIE. Why not then follow the exact words of Sir George E. Cartier?

Mr. HUGHES. I want to ask the First Minister a question; there may be something in it and there may not be. Does he maintain that this parliament has the right to create a navy independent of the imperial navy for war purposes? I am free to admit that this parliament has conferred upon it by the British North America Act power to recognize a Canadian militia, which, of course, would be controlled by parliament. But when it comes to creating a navy which means a force to take part in war against a foreign nation, does the First Minister maintain that this parliament has authority to create a Canadian navy?

Sir WILFRID LAURIER. That is my pretention, and I think that has been the pretention from the first day of confederation.

Section 4 agreed to.

Sir WILFRID LAURIER. I now move the amendment of which I gave notice this morning about the organization of the department:

Section 4a. There shall be a department of the government of Canada which shall be called the Department of the Naval Service, over which the Minister of Marine and Fisheries for the time being shall preside, and shall be the Minister of the Naval Service.

Amendment agreed to.

Sir WILFRID LAURIER. I now move the following as section 4b:

Section 4b. The Governor in Council may also appoint an officer who shall be called the deputy minister of the naval service, who shall be the deputy head of the department, and may also appoint such other officers and clerks as are requisite for the due administration of the business of the department, each of which shall hold office during pleasure.

Amendment agreed to.

On section 6,

Mr. R. L. BORDEN. I would like to get some information as to the construction and purchase of the vessels that are contemplated. I would like to know where they are to be built, and when; also, what is to be the character of the plant, where the guns and arms are to be manufactured, and generally some information respecting matters that have not been touched upon to any extent so far.

Sir WILFRID LAURIER. I stated in the debate which took place on the second reading, that it was the intention of the government, if at all practicable, to have these ships built in Canada. I cannot speak definitely upon that because this is a matter which. I think. cannot be definitely determined to-day, but it is our intention to ask for tenders, and we will be guided by the tenders which we receive as to whether or not they shall be built in Canada or whether we shall build them abroad.

Mr. R. L. BORDEN. There is no determination yet?

Sir WILFRID LAURIER. No.

Mr. R. L. BORDEN. The government has no definite idea as to what place within Canada it will select?

Sir WILFRID LAURIER. I do not think it will be possible to make any selection to-day. That would depend on whether the tenders we receive are satisfactory.

Mr. DANIEL. Where will the headquarters of these vessels be when they are purchased or built?

Sir WILFRID LAURIER. The headquarters of these vessels will depend upon their distribution. I stated this morning that at the present time we have several ships which are doing protective service in connection with fisheries. I have no doubt that in the course of time these ships will be superseded by the ships we are going to build. Some of these ships are doing duty on the shores of Nova Scotia, and one is in the Bay of Fundy. It would not be possible to determine their headquarters at the present time.

Mr. DANIEL. Has the government determined where the headquarters of the

'Niobe' will be? I think she is to come out this summer.

Sir WILFRID LAURIER. The 'Niobe' will be located in the Gulf of St. Lawrence, and will do duty as a training ship, but I do not know yet where her headquarters will be.

Mr. DANIEL. In view of what I have learned as to her coal consumption, I think it would be a good plan to have her headquarters at Sydney, or where a coal mine is available. I understand that her consumption of coal is from 15 to 17 tons an hour. Of course, that means a very large consumption of coal, and I think Sydney will perhaps be a better place than the Gulf of St. Lawrence.

Sir WILFRID LAURIER. I am happy to say to my hon. friend that his information is altogether wrong.

Mr. DANIEL. In reply to the statement of the Prime Minister I may say that I obtained it from the 'Naval Annual,' one of the publications that I can find in the library at any time, and I will take the opportunity of getting the book and reading it to parliament so that the right hon. gentleman will be able to know the authority from which I quote. I can give the authority to the Prime Minister.

Sir WILFRID LAURIER. Very well, and I will give mine at the same time to my hon. friend.

Mr. BLAIN. I hope the government will not lose sight of an important question that the right hon. gentleman's friends spoke about when the Bill was up for discussion on a previous occasion; that is, that the enormous amount of money that will go out of the treasury of Canada shall be expended within the limits of Canada, using our own raw material and paying this money to our own Canadian workmen. The right hon. the Prime Minister, speaking this afternoon, has not been very encouraging upon that line. We could gather from his remarks that it is quite possible indeed that in the construction of the navy this money might be expended in another country. He has stated that tenders will be asked for, and that when the tenders are received consideration will be given to them and a decision will be arrived at by the government. That is all very well, but I may say that the people of Canada will be altogether disappointed if the government do not arrange their policy of construction that the raw material and labour shall be found in this country and the wages paid to our own Canadian people.

Some hon. MEMBERS. Hear, hear.

Mr. BLAIN. I am glad to hear supporters of the right hon. gentleman call out 'hear, hear' to that, because it is certainly one of the points that the Canadian people are considering at this moment, and for myself I am free to say that if the impression had not gone out to the people of Canada that such a policy would be pursued the people would be denouncing the government in stronger terms than they are for attempting to construct a Canadian navy. I am an ardent supporter of home industry, and I hope the right hon. gentleman and the government will consider carefully before they attempt to give contracts for the construction of these vessels outside of Canada.

Sir WILFRID LAURIER. I am delighted with the progress that the idea of the navy is making. I am delighted to see that my hon. friend from Peel (Mr. Blain) is getting better light. I can assure him that we shall do everything possible to meet the very sensible views that he has presented this afternoon.

Mr. HUGHES. Would we not have a larger share of the work of construction if we were to make our navy a part of the imperial navy than we will have if we build a separate navy?

Mr. R. L. BORDEN. I would like to ask the Prime Minister whether or not any conclusion has been come to with regard to the construction of these vessels. Has the government done anything at all except to purchase the 'Niobe' and to negotiate for the 'Rainbow'?

Sir WILFRID LAURIER. There have been some negotiations that have not been official, and in that way we have received some suggestions and offers upon this subject, but there is nothing official, and nothing has been done.

Mr. R. L. BORDEN. Do the government propose to advertise for tenders?

Sir WILFRID LAURIER. Yes, that is our view.

Mr. R. L. BORDEN. When will that be done?

Sir WILFRID LAURIER. Probably after we have prorogued, and when we have had time to breathe a little.

Mr. W. F. MACLEAN. Are negotiations under way with any of the dock yard companies?

Sir WILFRID LAURIER. No.

Mr. R. L. BORDEN. Has the 'Rainbow' been purchased'?

Sir WILFRID LAURIER. It has been understood that the 'Rainbow' will be purchased as soon as the money is voted by this parliament. The negotiations are completed.

Mr. R. L. BORDEN. $250,000 was mentioned as the purchase price; I do not know whether that is correct or not.

Sir WILFRID LAURIER. £50,000.

Mr. BLAIN. Where was this vessel constructed, and from whom is it agreed to purchase?

Sir WILFRID LAURIER. It was purchased from the Admiralty. It is one of the war vessels, and it is to do service in the waters of British Columbia.

Mr. BOYCE. Is it not a discarded vessel?

Sir WILFRID LAURIER. No.

Mr. R. L. BORDEN. What kind of a vessel is it? I do not understand that it really is a vessel of any fighting value.

Sir WILFRID LAURIER. I have the information somewhere, and I will come back to it later on.

Mr. R. L. BORDEN. Very good. I would like to know who is correct, the Prime Minister, at page 3049 of 'Hansard', or the Minister of Militia and Defence, at page 3413. One puts the cost of the naval fleet and establishment at $4,253,000 and the other at $3,680,000. The difference between these two amounts is $573,000, enough to pay the interest on something over $15,000,000. Surely there must be some way of finding out who is right, and who is wrong. Both cannot be right, but, of course, both may be wrong.

Sir WILFRID LAURIER. My hon. friend (Sir Frederick Borden) is always right. I am likely to be the one that is wrong.

Mr. R. L. BORDEN. Are we to take that for granted?

Sir WILFRID LAURIER. Until further orders—yes.

Mr. R. L. BORDEN. But we want to know.

Sir WILFRID LAURIER. My hon. friend (Sir Frederick Borden) will have the information in a moment.

Mr. DANIEL. I have the information to which I referred, and I find it in a publication called 'Fighting Ships, 1907', by Jane, I have no doubt the book is familiar to those who are acquainted with admiralty and naval affairs, and it refers to the earlier Diadem class, which consists of four ships—the 'Diadem', 'Niobe', 'Europa' and 'Andromeda'. A foot note with regard to the coal consumption of these vessels is as follows:

> Coal consumption. These ships all burn more per indicated horse-power than the older Diadem, and at 16,500 horse-power consume 15 to 17 tons an hour.

Sir WILFRID LAURIER. I have my own information somewhere, but I have so much I cannot lay my hand on it at the moment.

Mr. BLAIN. The minister did not commence very well in reference to having this money expended in Canada or these vessels constructed here. This seems to be one of the smaller type of vessels, and if he intends having the larger vessels later on constructed in Canada, I hope he will not take this as a precedent, because vessels of this class could be constructed in Canada, the wages paid to Canadian workmen, and the material procured in Canada.

Sir WILFRID LAURIER. Very good, I will take a note of that.

Mr. R. L. BORDEN. I observe that the Minister of Marine and Fisheries at the conference of 1907, as reported at page 141 of the English Blue-book said:

> We have taken over, or are going to take over, the Halifax and Esquimalt dockyards—in fact we are in possession already from the 1st January of the Halifax dockyards. I do not know exactly how much those dockyards were costing the British admiralty—or the one at Halifax, but I may say we have assumed all the obligations in connection with those dockyards, and we have provided specially that the amount which the British admiralty was to pay as an annual subscription to the graving dock at Halifax would be paid by us instead of by the British admiralty.

So far as the dockyards at Halifax are concerned, I have observed in the report that it is used at present altogether for storing supplies. I think my hon. friend from Victoria described it as a glorified junk shop. Is it the fact that the Canadian government are paying the amount that would otherwise be paid by the British admiralty on account of these dockyards?

Sir WILFRID LAURIER. I am informed negotiations have not been completed yet.

Mr. R. L. BORDEN. But there was nothing said about any negotiations. The words are:

> We have assumed all obligations in connection with those dockyards, and we have provided specially that the amount which the British admiralty was to pay as an annual subscription to the graving dock at Halifax would be paid by us instead of by the British admiralty.

That was the reason put forward at the conference of 1907 for doing nothing, a direct statement of fact, and I am endeavouring to ascertain whether that statement of fact is true or not true.

Sir WILFRID LAURIER. The question is one of administration of the Department of Marine and Fisheries. I am prepared to discuss the Bill, but I cannot give the information asked by my hon. friend until I obtain it from the Department of Marine and Fisheries.

Mr. R. L. BORDEN. The minister spoke somewhat disparagingly of the Australian dockyards, and spoke of the generosity of Canada in regard to these two. Apparently he was not accurate. His words at page 3403 'Hansard,' and the Blue-book at page 26 do not agree. He was inclined to be severe on me because I criticised the language of the Bill. I am more astonished to find that his statements do not agree with the Blue-book.

Sir WILFRID LAURIER. I shall take note of all the questions and endeavour to satisfy my hon. friend's curiosity.

Mr. HUGHES. What is the status of a rear admiral or commodore of the first class as compared with a similar position in the imperial navy?

Sir WILFRID LAURIER. None that I know.

Mr. R. L. BORDEN: I have endeavoured to make an estimate based upon the returns brought down as to what the cost of this navy would be in the first ten years. I only put this forward as a tentative estimate in order that it may be corrected by those who have official knowledge, who would know much more about it than I would, and whose statement I am prepared to accept. I have founded the estimate, as far as I could, on what has been brought down, and upon the financial estimates made by the Minister of Militia. According to the statement of the Minister of Militia, at page 3416 of 'Hansard,' the estimated cost of the upkeep for all purposes would be $6,685,000 for the first four years. The cost of the 'Rainbow' is not included, I put that at $250,000. That brings it to $6,935,000. Looking at the next page I find that the cost of eleven ships will be $11,730,000, and assuming, according to the statement of the Prime Minister, that these ships are to be constructed in Canada, we should add, according to the statement of the Prime Minister, 33 per cent of $9,940,000 for the increased cost of construction. That amounts to $3,313,000. The total of these two sums is $15,043,000. The total then of the sums up to date is $21,978,000. The upkeep for six years, according to the Prime Minister's statement, would be $25,500,000. If the estimate of the Minister of Militia is to be accepted you would strike about $3,000,000 off that, but I am disposed to take the higher estimate. The headquarters staff for six additional years—because four years have been provided for in the estimate I first gave—would be $3,000,000. The total of these sums is $49,478,000. Then you add interest and depreciation, say for an average of six years at 3 per cent, a low estimate, $8,906,040, or a total of $58,484,040. I submit that as an estimate fairly deducible from the information already brought down, but I submit it only in a tentative sense, and in order that the Minister of Militia or the member of the government who has these matters in hand may criticise it and correct it.

Sir FREDERICK BORDEN. I would have supposed that these matters could be better discussed on the items in Supply covering this service.

Mr. R. L. BORDEN. My reason for going in them is that the minister himself went into them in his speech.

Sir FREDERICK BORDEN. My speech will be before parliament just as much then as it is now.

Mr. R. L. BORDEN. Except that upon the estimates it could not be referred to, it would be another debate.

Sir FREDERICK BORDEN. The question will be before the committee. As to my statement of annual cost, every one will understand that was not my estimate but the estimate of the officers of the department of Marine and Fisheries at that time. I simply gave it to the House for what it was worth, and it was the best calculation that could be given at that time. It will be noted that this statement was made in connection with it:

> This estimate is only approximate. It will probably be found that it is rather an over estimate than an under estimate.

The estimated expenditure was given as to the 'Niobe' including cost of recruits, pay, victualling, &c., and the headquarters staff, &c. My hon. friend has read from the unrevised 'Hansard'. There was a serious mistake in the printing of the table which I gave, which was corrected, and will be found corrected in the 'Revised Hansard.' As to these matters of detail I may say again that while I think they were approximately correct it will be more appropriate to discuss them when the question of the vote to be granted by parliament is under consideration.

My remarks upon Australia were made in this connection. Unfavourable contrasts as between what Canada was doing, and what Australia was doing had been made, and I pointed out and read from the Blue-book to prove that Canada for one thing had taken over the Halifax and Esquimalt works. I assumed that we were paying all expenses connected with the docks, and all

the naval property at Halifax and Esquimalt, and, I was pointing out that while we were doing this, and while we were not claiming or expecting any assistance from the mother country, Australia was receiving a substantial amount of money every year, and she had only agreed ultimately to take over the naval docks some time in the future. That was the point I made. Canada had agreed to do that, and would do it, and as a matter of fact was doing it while Australia was to do the same thing some time in the future.

Mr. R. L. BORDEN. As the minister properly went into these items on the second reading of the Bill, it is clear that the same subject may properly be considered in committee, but we could not criticise the minister's speech in the estimates as it would not be the same debate. I do not want to be under any misapprehension as to Halifax and Esquimalt. The minister himself stated in this House in reply to a question from myself on January 17:

> With regard to Esquimalt, the naval yard at that station is still under the imperial authorities. The machinery is lying idle, but well looked after. The same is to be said as regards the buildings. The station has, however, been reduced to two gun vessels and one survey ship.
> With regard to Halifax, the machinery in the workshops is looked after, though the parts are not assembled for working.

It seems almost farcical to say that the government had taken over the dockyards when the dockyards had been in that conditon for nearly three years after the statement was made in the colonial conference in 1907 which I have already quoted to the House.

Sir WILFRID LAURIER. Will the hon. gentleman give me a reference to the page?

Mr. R. L. BORDEN. I have quoted from page 141 of the English blue-book of the Colonial Conference of 1907.

Mr. G. TAYLOR. The hon. member for St. John (Mr. Daniel) has proved I think conclusively to the Prime Minister the quantity of coal which this steamer would burn per day. He has shown that it would burn 17 tons per hour. The Prime Minister said he had mountains of information but he could not give a reply to my hon. friend from St. John. Now, I want the people of Canada to understand what they are going into. The authority which my hon. friend the member for St. John (Mr. Daniel) quoted that this steamer will burn 17 tons of coal per hour, is undoubted. There are 24 hours in a day, so that would be $2,040 per day, and for one year it would be $744,600. Now that is just an example of what we will have to pay. It is proved from the English blue-book what the steamer burns and what is the cost to the government of their other steamers. If he will add up the figures, he will find that for this steamer the coal bill will be $744,600 a year.

Sir WILFRID LAURIER. It is a very high sum. It is enough to deter anybody from going to war. But there is another side. I am glad to be able to give my hon. friend from Grenville (Mr. Reid) the information which he asked as to the 'Niobe.' The 'Niobe' is a vessel built in 1902. It costs £654,661. Its displacement is 11,000 tons, length 435 feet, draft of water 26 feet, original speed 21 knots; it has water tube boilers, a complement of 600 men, 16 guns, and two submerged torpedo boats. We are paying for her $1,075,000, and the estimated cost of training personnel is $267,000; victualting and medicine, $60,000; clothing, $15,000. The total upkeep is estimated at $140,000. With regard to the consumption of coal it is quite true that it will be very large, as large as my hon. friend from St. John (Mr. Daniel) states when the steamer is sailing 21 knots at its fullest capacity, but I hope my hon. friend from Leeds (Mr. Taylor) does not expect that we are going to sail that ship 21 knots for 24 hours every day. There would be no reason for that.

Mr. G. TAYLOR. This business government I hope will keep her busy.

Sir WILFRID LAURIER. It is because we are a business government that we will not do anything so foolish as that. When it comes to war time, and God forbid that we should ever come to that, we would have to steam her at full capacity.

Mr. R. L. BORDEN. In order to escape.

Sir WILFRID LAURIER. We will have to burn as much coal in war time as will keep her at her full capacity, but we are not in that position at the present time. We are living in a time of peace. This vessel will be used as a training ship and my information is that the consumption of coal will be the average consumption.

Mr. J. D. REID. The hon. Prime Minister has not given the total estimate of what it will cost to maintain and operate this steamer for 12 months.

Sir WILFRID LAURIER. I can get that and I will give the hon. member the information. The upkeep for one year?

Mr. J. D. REID. Yes.

Sir WILFRID LAURIER. Very good I will give that.

Mr. J. D. REID. The cost of operating and upkeep including coal and all.

Mr. DANIEL. The right hon. the Prime Minister stated that the 'Niobe' was launched in 1902. If that statement is

correct there must be two very similar vessels of the same name in the Royal navy, because the information given by the right hon. the Prime Minister is similar to what is observed in Janes' book. In that book it is stated to have been launched in 1897, and the statement made by the Prime Minister just now was that it was launched in 1902. Either there are two vessels of the same name, and similar in many respects in the Royal navy or the information given by this book is wrong or the information of the right hon. the Prime Minister is wrong. Here are the dimensions of the 'Niobe' as given in this publication which is looked upon as a standard publication: Displacement, 11,000 tons; sheathed and coppered, with a complement of 677 men; water line length, 450 feet; beam 69 feet; maximum draft, 27½ feet; length over all, 460½ feet. And here is her armament: 16 six-inch wire guns of 40 calibre; 12, twelve pounders; of 12 cwt. and two 12 pounders of 8 cwt.; 12 three pounders; 2 maxims and 2 submerged torpedo tubes, and other things of that kind. That is the description, given in this work, of the 'Niobe', the vessel I presume that this government is bringing out here as a training ship. If this is not the vessel, I think we ought to know what vessel the government is bringing out, because this 'Niobe' is one of the 'Diadem' class and I refer the Prime Minister to the statement of the Minister of Militia when introducing this subject, he spoke of the 'Niobe' being of the 'Diadem' class. The first vessels of the 'Niobe' class were the 'Diadem', the 'Niobe', the 'Europa' and the 'Andromeda'. Now, as to what other vessel in that class was built in 1902, I have no information, and I think the matter is worth a little information.

Sir WILFRID LAURIER. I understand there is no difference. The ship was commissioned in 1902, it might have been commenced earlier.

Mr. DANIEL. It was launched in 1897. I understood you to say it was built or launched in 1902.

Sir WILFRID LAURIER. Commissioned, I understand.

Mr. DANIEL. I understand now she was commissioned in 1902.

Sir WILFRID LAURIER. That is what I am told. I am not the Minister of Marine, and I take the information which is given to me.

Mr. H. H. McLEAN. I might call the attention of the hon. member for St. John (Mr. Daniel) to the naval Blue-book for 1909. There the 'Niobe' appears in the 'Diadem' class, in which there are eight vessels, and in one place it states when she was built, in another place, when she was launched, and then there is a date, 1899, when she was completed, and 1902, when that class was completed.

Mr. DANIEL. When she was commissioned.

Mr. H. H. McLEAN. The confusion may have arisen in this way, that 1902 was put here as the date when she was completed along with the date of 1899 when she was launched. Apparently, the figures differ in the different books. One book gives the date of launching as 1899, but Brassey's 'Naval Annual' makes it 1897, and completion 1899.

Mr. DANIEL. I have no doubt that the figures given are quite correct. She was launched in 1897 and completed in 1899, and, I presume, not commissioned until 1902. No doubt, there were more vessels than these four of the 'Diadem' class. And, apparently, the four built after this first four were not as heavy consumers of coal as these four, of which the 'Niobe' is one. The 'Diadem', the 'Niobe', the 'Europa,' and the 'Andromeda' were all great coal consumers, and when run at full power they consumed from 15 to 17 tons of coal per hour.

Mr. J. A. CURRIE. Did the Prime Minister make any inquiry, before this ship the 'Niobe' was purchased, to ascertain how many people were injured by defect of her machinery and boilers, and as to the amount of money it has cost the British government to keep her machinery and boilers in proper repair?

Sir WILFRID LAURIER. I am not aware that any such inquiry has been made. It may have been made, but I do not know. All this information that hon. members opposite are asking for I do not myself possess, and I will have to inquire. But I am told that the 'Niobe' was thought so well of that she is flying the flag of the rear admiral.

Mr. BOYCE. Who examined or inspected her for the Canadian government with a view to purchase?

Sir WILFRID LAURIER. I do not know that she was inspected for the Canadian government. We accepted the inspection of the admiralty.

Mr. BOYCE. She was bought without inspection?

Sir WILFRID LAURIER. Without inspection other than that given by the admiralty, and the statement made by the admiralty which we accepted as correct.

Mr. BOYCE. Has nobody seen her?

Sir WILFRID LAURIER. She has been seen by Admiral Kingsmill time and again; he knows her perfectly well.

Mr. J. A. CURRIE. Is it not a fact that the ship had reached the limit of her usefulness in the British navy, that the cost of her upkeep was very great and everything about her antiquated? The Prime Minister has stated that her guns were of 40 calibre. As I understand it, no vessel now is armed with guns of less than 50 calibre. Another thing, I understand that she is fitted with Belleville boilers. Now, these boilers are no longer used in the British navy. As a matter of fact, we have had two ships on the lakes with Belleville boilers. These were vessels of the Great Northern Railway Company—the J. J. Hill road—the Northwest and the North-Land, and, as a matter of fact, these boilers were constantly out of commission, tubes bursting and scalding people. That class of boilers is now antiquated, and no longer used to any extent in the navy. In fact, they constitute a grave danger, so that it is now all the navy can do to get a stoker to go into the stokehole with Belleville boilers because of the danger of being scalded to death. The annual upkeep of this machinery is something that the government should have inquired into. What is the use of getting a vessel the upkeep of whose machinery in a few years will cost as much as would pay for the machinery of a new ship? The right hon. Prime Minister knows that even the new vessels that have been bought cost from $40,000 to $50,000 a year for upkeep. What is the use of buying junk? In a short time, this vessel would have been thrown out. She would have been taken out to sea, her guns thrown overboard, and the vessel herself brought back and sold for junk for $5,000 or $10,000. But this government pays hundreds of thousands, if not millions, for this kind of stuff.

Sir WILFRID LAURIER. I do not think that the information of the hon. member (Mr. J. A. Currie) is coreect. He is a land warrior, not a sea warrior. And he gets his naval information from the lakes, apparently. The 'Niobe' was bought for a training ship, and I understand she will serve the purpose admirably, and that the price we pay for her, $1,075,000, is a very cheap price. We have got more than value for our money. Of course, I do not pretend to speak with authority in these matters. The ship has steamed many miles within the last three months, and is still in active service. I do not know that a vessel commissioned in 1902 ought to be regarded as fit only for the scrap heap in 1910. However, as I say, I do not speak with authority. The only thing I know is that the purchase of the ship has been advised by the officer in charge of the department at the present time, who is our expert officer, who knows all about the 'Niobe' and certifies that she is an admirable ship for the purpose for which she has been bought.

Mr. J. A. CURRIE. Who is that officer?

Sir WILFRID LAURIER. Admiral Kingsmill.

Mr. R. L. BORDEN. Was she bought as a training ship or as a fighting ship?

Sir WILFRID LAURIER. As a training ship.

Mr. R. L. BORDEN. How many men can be trained on board this ship or on the 'Rainbow'?

Sir WILFRID LAURIER. Four hundred and forty men and forty officers can be trained on the 'Niobe' and 'Rainbow' together.

Mr. H. H. McLEAN. I would direct the attention of the hon. member for North Simcoe (Mr. J. A. Currie) to the volume I have here which will give him full information respecting the 'Niobe.' If he consults that, I think he will be quite satisfied that the government is not buying a piece of junk. For instance, she is put down here as a protected first-class cruiser—this is the latest naval annual, 1909—and the vessel would not be so entered unless she bore that class. That is her present position in the navy a protected first-class cruiser.

Mr. J. A. CURRIE. The hon. gentleman wants us to take the authority of the Navy Annual. I would advise him to look up the Navy League Annual, where he will find this ship at the bottom of the list. That means that in another year she goes off the map altogether. The hon. gentleman knows that perfectly well.

Sir WILFRID LAURIER. The Annual gives 325 men for the 'Niobe,' and 90 for the 'Rainbow,' making a total of 405 men that can be trained on these two ships.

Mr. J. D. REID. How were these vessels purchased? Did the Minister of Marine and Fisheries negotiate the purchase himself? It is a well known fact that the government have been purchasing vessels on the other side these last few years instead of purchasing them in Canada. Last session, when I suggested that Collingwood or Toronto should get the contract for the vessel that was ordered for the fishery protective service, the Finance Minister told me that the reason the government could not have it built in Canada was because the tender price in Canada was $15,000 more than the contract price for which they were getting the vessel in England. And yet the government were practically receiving about $15,000 in duties. I will give you the reason why I ask this question. I understood at the time, I think from the Minister of Marine and Fisher-

ies, that his department had negotiated directly with the builders in England for these vessels. You can imagine my surprise when, during the present year, I was speaking with a ship-builder in England, from whom I understood that the negotiations were made through a gentleman residing in the city of Montreal, and that five per cent commission was allowed on the purchase of the vessel in England. Now, that vessel I think cost about $300,000, and $15,000 of a rake-off is going to some one. That amount is exactly equal to the excess of the tender for building the ship in Collingwood. Now, it seems to me that the reason the government purchased that vessel in England was in order to give a rake-off to some one, and there would be no way by which we could find it out. When this comes up another year, I am going to try to find it out. Perhaps, now that I have mentioned the matter, the recipient of the rake-off will pretend to refund the money. I shall bring it up again, because there is no reason why the Minister of Marine and Fisheries, or some of his officials, his deputy minister, or some one else, could not go to England and negotiate the purchase without employing this man in Montreal. Probably the Prime Minister will say that this is only hearsay. Now, I got it from a ship-builder, and he said that it was all right, there was no reason why the government should not pay a commission. You would think that the government were capable of going to England and negotiating the sale. Here is a vessel, the 'Niobe,' costing over a million dollars; if five per cent commission is paid on the sale, it will make enough to enable some one to retire for the rest of his life. I would like to know whether that has been done in this case, the same as it has been done in the case of other vessels purchased by the Marine and Fisheries Department, for instance, in the case of the notorious 'Arctic.' When that vessel was purchased, everybody knew, it was public property, that there was $10,000 in it for some one. If there is going to be a rake-off of five per cent on the purchase of all these vessels for the navy, some one will get $150,000 in his pocket.

Sir WILFRID LAURIER. My hon. friend will be heart-broken, I am sure, when I tell him that there was no commission whatever paid on the purchase of this vessel.

Mr. J. D. REID. How do you know?

Sir WILFRID LAURIER. I know it because there was a direct transaction between the Canadian government and the British government, carried out by correspondence, and in no other way, so that the suspicions of my hon. friend are altogether unfounded. There is a saying that to the pure all things are pure. I cannot apply that saying to my hon. friend, because he is always smelling scandals, he is always suspecting some one of getting commissions. I will tell him exactly how the vessel was purchased. I will read the order in council, which has already been placed before the House:

On a memorandum dated 3rd January, 1910, from the Minister of Marine and Fisheries, stating that he has had under consideration the question of the purchase from the admiralty of an additional cruiser for training purposes in connection with the naval forces of Canada.

The minister observes that the technical officers of the Department of Marine and Fisheries recommend that a ship of the 'Spartiate' class be obtained. They submit that it will be necessary, until the new ships for the Canadian navy are ready for use, to provide a ship in which large numbers of men can be completely trained. The 'Spartiate' class will not only afford the means for such training but will obviate the necessity for having so large a proportion of skilled ratings from the Royal navy on the manning of the new ships.

The minister further observes that in these circumstances he caused inquiries to be made of the admiralty as to the terms on which a ship of the 'Spartiate' class could be obtained, and he is informed that subject to the approval of the treasury department, the admiralty are prepared to sell the 'Niobe' to the Canadian government for a lump sum of £215,000 in efficient seagoing and fighting condition, including guns, torpedoes, ammunition, packages, outfit, and sea stores without coal.

The minister is advised that the 'Niobe' was completed at a cost of £600,000, and that her dimensions and equipment are as follows:

I have given them already.

The minister, concurring in the report of the technical officers of the Department of Marine and Fisheries recommends that authority be given to purchase the 'Niobe' from the Lord Commissioners for a lump sum of £215,000, subject to the money being voted by parliament.

When that money is voted by parliament it will go over to England by a cheque, the vessel will come over to Canada, and that is all there will be about it.

Mr. J. D. REID. The right hon. gentleman does not prove his case. He says himself that the Minister of Marine and Fisheries caused inquiries to be made. That is exactly what he did in regard to the other vessels that were purchased last year and the year before, he caused inquiries to be made. This gentleman from Montreal is the man who makes the inquiries, he is sent over to England and inquires from the admiralty, and he tells the admiralty. I will sell this vessel if you will pay me five per cent commission. The Prime Minister knows well enough that at the time the English government were pur-

chasing supplies for South Africa, they paid five per cent commission on those supplies. I would like to know who is the gentleman that made the inquiries.

Sir WILFRID LAURIER. I will tell my hon. friend. Here is the report of Admiral Kingsmill on which the whole order in council was based. My hon. friend has no confidence in this government, but at all events we should hope that he would have confidence in the British government. Does he suggest that they are going to be subjected to a procedure of this kind? Does he expect that they would lend themselves to a proceeding of this kind?

Mr. J. D. REID. I do not think there is anything wrong as far as the admiralty are concerned. They wanted to get rid of an old war vessel. I cannot see why the Prime Minister should suggest that I am censuring the admiralty. If they wanted to get rid of an old vessel they certainly have aright to pay a commission if they wish. If Admiral Kingsmill went to negotiate the transaction it is all right, but the Prime Minister has not told the committee whether it was some other person outside of the admiralty, or the minister himself, that went to the admiralty and made that deal. I would like to know whether that is the fact.

Sir WILFRID LAURIER. I am prepared to state that there has been no intermediary of any kind in the transaction.

Mr. J. A. CURRIE. I may say in justification of my hon. friend from Grenville (Mr. Reid), that it is the invariable custom of the admiralty to pay a commission of five per cent as a matter of course. Whether they have done so in this case or not I do not know. If anybody sells some junk for them he gets a commission. The question that my hon. friend asked was pertinent if anybody negotiated the sale of this ship to the Canadian government, is the government aware whether he got a commission from the British navy or not, or if there was any commission taken from the cheque payable by the Canadian government? The hon. gentleman knows that in the case of the South African stores a commission was paid by the war department.

Sir FREDERICK BORDEN. It is not correct to say that a commission was paid by the war office. There was no commission paid by the war office. The expenses incurred in doing any work that was done for the war office in connection with the South African war were paid, but nothing more. But, as regards this particular matter, I think my hon. friends ought to give us their authority. It is rather a serious charge to make that there is a commission somewhere, hidden, covered up, in connection with this transaction, of five per cent. I am prepared to say, from what I know of the transaction—I had nothing directly to do with it—that all the negotiations in regard to this vessel have taken place between the Department of Marine and Fisheries for the government of Canada, and the government of Great Britain, or the first lord of the admiralty, and that when the vessel is paid for, if parliament votes the money, the cheque will be sent for the full amount, whatever it may be, direct to the treasury of the British government.

Mr. J. D. REID. The Prime Minister found fault with me because I found fault with the Department of Marine and Fisheries. The record of the Department of Marine and Fisheries, I think, in the past is evidence——

Some hon. MEMBERS. Order, order.

Mr. J. D. REID. The evidence that has been produced with respect to the Department of Marine and Fisheries justifies any person in having a little suspicion of this transaction.

Mr. DEPUTY SPEAKER. With reference to the call of 'order,' I will say that the hon. gentleman is at liberty to refer to the Department of Marine and Fisheries by way of illustration, but not for prolonged discussion.

Mr. J. D. REID. You are right, Mr. Chairman, and I shall not attempt to discuss it, but what I want to say is that it has always been a mystery to me why the Prime Minister took this naval service out of the regular Militia Department and put it into the Department of Marine and Fisheries. I cannot understand what the Department of Marine and Fisheries has to do with the naval service. Why should it not be under the Minister of Militia? Does the Prime Minister want to tell the people that the Minister of Militia is not qualified to run that part of his department? Does he not know anything about the naval service? If he is not fit to administer that service he is not fit for the position that he occupies in the Militia Department. Why are you dividing the whole thing up? Why should not the two be put together under one head? What does the Minister of Marine and Fisheries know about the running of a man of war? I should think that the administration of this fleet should be under the Department of Militia. It seems to me that this was done for some purpose, and I would like to know what it is. The Minister of Marine and Fisheries has more work now than one minister can attend to. He has to attend to the fisheries protective service. That is all right enough. He has quite a lot of vessels with which to do that. You are going to make the Minister of Marine and Fisheries responsible for a naval service that he cannot look after. It will

look nice to see the Minister of Marine, who never served a day in the militia, going down and sailing one of those great big men of war around and telling them what to do, and the Minister of Militia sitting in his office afraid to go on board, because he has nothing to say about it.

Sir FREDERICK BORDEN. I am very much obliged to my hon. friend for the confidence which he seems to have in me, but I must say to him that I believe the method adopted is approved absolutely by the admiralty. I might say further than that, going back to 1898, when the Defence Committee was appointed to inquire into the defences of Canada, and an expert report describing the condition of the defences of Canada was made and submitted to the Colonial Defence Committee in England, and after it had been fully considered by the war office, and the admiralty, because it was referred to both, certain notes upon this report were sent to this government from the admiralty advising that if, and when a naval department should be established in Canada it should be placed under the Department of Marine and Fisheries, one of the reasons being that there existed already in that department a fisheries protection service which might be looked upon as the nucleus of a navy, and it would be decidedly in the public interest, and the admiralty itself should prefer that this course be taken. Now, I agree with my hon. friend—and it has been stated by my right hon. friend the Prime Minister—that the Department of Marine and Fisheries is a very comprehensive one, and has a great many different branches and a great deal of work to do. That was the reason why a department of the naval service has been created as a separate department for the time being at any rate to be under the control of the Minister of Marine and Fisheries, and in that naval department is included the services which were referred to by the admiralty as being the nucleus of the navy, namely, the fisheries protective service and two or three other services which properly belong to a department of this kind.

Mr. J. D. REID. I am surprised at the minister making, as an excuse, the statement that the naval authorities in England were perfectly satisfied with the government deciding to put this under the Department of Marine and Fisheries. Why should they object? They do not care what department it is put under, but now the minister states there will be separate department for this service. If the department is entirely separate from the Department of Marine and Fisheries, does the minister not think that he could have managed it just as well and have had all the militia business together in one department? I was surprised that the Prime Minister nudged the Minister of Militia to rise and reply to this instead of making his own excuse. I would have expected the Prime Minister to do that. I think the whole thing is a question of patronage. The Minister of Marine and Fisheries will have the patronage of all this service and he wanted to cut the Minister of Militia out of a little of this patronage and give it to the Minister of Marine and Fisheries. That, I think is why it was put under the Department of Marine and Fisheries. It does not seem right to me, and I have heard many people wondering why this was done. The people of Canada would like to know from the Prime Minister why this course has been adopted. It is well known that the Minister of Marine is not a militia man whereas the present Minister of Militia is and all future ministers of militia should be militia men.

Sir WILFRID LAURIER. My hon. friend commenced his remarks by charging a rake-off. He has now come down to patronage, and I hope he will end by being thoroughly ashamed of himself. Can he not suppose that sometimes men may be actuated by honest motives?

Mr. J. D. REID. Certainly.

Sir WILFRID LAURIER. Very well, then why does he not commence now and assume that we are actuated by honest motives in this? My hon. friend could take charge of this department, the minister who has charge could do it just as well and there is no reason why there should be any suspicion in my hon. friend's mind as to why the department should be allotted to one man or the other. But my hon. friend has it in his mind that there are to be rake-offs and charges of corruption. I invite him to the closest possible scrutiny, I invite him to be on the lookout, and to watch and be prepared to criticise every item of expenditure. I have only to say that the suspicions to which he has given expression are altogether wrong. There has been no middleman at all in this transaction, the transaction was simply on a report of Admiral Kingsmill, our adviser. The transaction has been completed, the money has not been voted and when it is, it will go direct from one government to the other, and that will be the last of it.

Mr. ARMSTRONG. I wish to ask a few questions for the information of the public. Rumours of different kinds are floating around the House and some of them have appeared in the press. For instance, how long was Admiral Kingsmill in the employ of the British admiralty? Why did he leave? How long was he in this

country, and what was his occupation? What general fitness has he for purchasing ships for the navy? I would like any general information that the Prime Minister can give, because he is a man who will occupy a very important position in this country, and it is due him and the people that we should know whether he is still in the employ of the admiralty or not.

Sir WILFRID LAURIER. My hon. friend asks me more information than I ever cared to ask for. I know that Admiral Kingsmill is a Canadian; he has received a nautical education in England, he has been in the imperial service and we obtained him from the imperial authorities. We asked him to come over to Canada to be our chief adviser in this matter. This is all I can say to my hon. friend.

Mr. ARMSTRONG. The Prime Minister cannot say why he left or anything about the position he now holds?

Sir WILFRID LAURIER. No, I cannot.

Mr. J. A. CURRIE. What rank does he hold in the imperial admiralty?

Sir WILFRID LAURIER. I am not aware. His whole services are given to Canada. He has the rank of rear admiral.

Mr. J. A. CURRIE. Has he the rank of read admiral in the British service?

Sir WILFRID LAURIER. Yes.

Mr. G. TAYLOR. How many men is it expected will be in training, say in the next four years?

Sir WILFRID LAURIER. The first year 228, the second year 414, the third year 448, and the fourth year 355.

Mr. G. TAYLOR. What does the minister estimate to be the cost for the board of men on the vessels for a year?

Sir FREDERICK BORDEN. The figures I have given for upkeep of the 'Niobe' are:

For the first year	$140,000
Second year	145,000
Third year	150,000
Fourth year	150,000

For the 'Rainbow' the figures are:

For the first year	$110,000
Second year	110,000
Third year	115,000
Fourth year	115,000

Mr. R. L. BORDEN. How long will the period of training be?

Sir WILFRID LAURIER. I understand the regular training will be three years. The higher training will continue for a longer period.

Mr. R. L. BORDEN. Will the 'Niobe' and the 'Rainbow' afford ample accommodation for all the men who are to be trained from year to year?

Sir WILFRID LAURIER. That is what I understand.

Mr. HUGHES. Why is there a departure from the usual custom of placing in the Bill an oath to be taken on enlistment?

Sir WILFRID LAURIER. There is to be one, the same oath as in the Militia Act.

Mr. ARMSTRONG. I would like to ask the Prime Minister if the present Admiral Kingsmill is the man who ran the battleship Dominion ashore at Gaspé at the time the Prince of Wales came out to Canada in 1901.

Sir WILFRID LAURIER. Admiral Kingsmill was in command of the 'Dominion' at one time. Whether he had an accident or not I do not know.

On section 9,

The Governor in Council may organize and maintain a permanent naval force.

Mr. J. HAGGART. I want to draw the attention of the House to the difference between the Act of 1868 and the Act of 1904 and the present Act. Under the Act of 1868 and from that time to 1904 the whole control of the militia was vested in Her Majesty. She had the power not only of calling out the whole militia for service in this country or in a foreign country, but also of enrolling, clothing, furnishing horses and all other material for the service. Under the Act of 1904 we altered that as much as we could by an Act of parliament, and under the present Act we are doing the same. We are taking the control from His Majesty, except the prerogative, which, as the hon. member for Ste. Anne clearly pointed out, we have no power to legislate upon, and are vesting the control in the Governor in Council. I am not saying whether that is good policy or bad policy; I am not arguing the question at all; I am simply drawing the attention of the House and the country to the fact that the control of the militia in every respect, which under Cartier's Act of 1868 was vested in Her Majesty, is vested now, by the Act of 1904 and the present Act, in the Governor General in Council, with the sanction to some extent of the parliament of Canada.

Sir FREDERICK BORDEN. I suppose the idea in 1904 was to bring the wording of the law into agreement with the practice which my hon. friend and his government had followed for many years before that

time. It is true that the words 'Her Majesty' can do so and so were used, but by full agreement of the House, without any dissent, the words 'Governor in Council' were substituted which was in accordance with the practice which existed and in accordance no doubt with the intention of the original Act.

Mr. J. HAGGART. It was neither the practice nor the intention of the original Act. The intention of the original Act was plainly to invest the control in Her Majesty, and with regard to the practice. Her Majesty at a certain time in this country called out the militia, or a certain portion of them, without consulting the executive. It was done as a matter of right, and instructions were given to the commanders of the various districts.

Sir WILFRID LAURIER. When?

Mr. J. HAGGART. In 1866, at the time of the Trent affair.

Sir WILFRID LAURIER. That was before confederation. The Trent affair was in 1861.

Mr. J. HAGGART. At any rate, the power was in Her Majesty alone. That was the practice from the time of the conquest of the country down to 1867, and under the British North America Act the control of the militia was vested in Her Majesty. By the Act of 1904 and by this Act it is transferred from His Majesty to the Governor in Council or the Executive of the country,

On section 10,

The Governor in Council may authorize the engagement of officers and seamen in the naval service upon such terms and conditions as may be prescribed, and may from time to time fix the maximum number that may be so engaged.

Sir WILFRID LAURIER. I desire to add the following subsection to cover the point raised by my hon. friend from Victoria:

(a) Every officer and seaman shall take and subscribe the following oath upon engagement to serve in the naval service:
I, A. B., do sincerely promise and swear (or solemnly declare) that I will be faithful and bear true allegiance to His Majesty the King.
(b) Such oath may be administered by any commissioned officer in the naval service.

Mr. HUGHES. The Minister of Militia has suggested an amendment in section 10 which has not been added after the words 'naval service.'

Sir FREDERICK BORDEN. That is to be covered by other words.

On section 13, relief from duty and retirement from force.

Sir FREDERICK BORDEN.

Sir WILFRID LAURIER. It is suggested that all the words in the second line after 'naval service' be erased. It is thought it would be preferable to have this covered by regulation than by the rigid law of a statute.

On section 14, conditions of discharge from service.

Sir WILFRID LAURIER. It is suggested that with the view of improving the language of the section, that the words 'but an increase may be granted whenever' in the 18th line, be struck out and the word 'unless' substituted.

On section 18, naval service men be at disposal of His Majesty in emergency.

Mr. R. L. BORDEN. I would like to know what will happen in case of war or in an emergency if the Governor in Council does not make any such order.

Sir WILFRID LAURIER. Then the navy does not take part in the war, but remains in inactive service.

Mr. R. L. BORDEN. Unless this country is independent you can never avoid taking part in a war. These ships are not on land. They are on the sea and the sea is one. It surrounds the world and all the continents. The ships of the enemy are on the sea and our ships are on the sea. I could understand how land forces might be kept in Canada when war was being carried on, although not in Canada. I can understand how they might not take part in such a war, but how our naval force can be kept practically neutral, in time of war, with a naval power, utterly passes my comprehension.

Mr. SPROULE. The Prime Minister said when England is at war, Canada is at war.

Sir WILFRID LAURIER. Undoubtedly, when England is at war, Canada is at war, but it does not follow that Canada is bound to take part in all the wars in which England is engaged. These wars may be very far from Canada. These wars may be of such a character that Canada might have no interest in them. They might be of serious moment or they might be insignificant. If the government of the day does not perform its duty according to the light of the people or of any citizen, the government can be attached, but in this matter as in all matters the government of the day are disposed to do their duty, and they do it at their peril and subject to their responsibility to parliament.

Mr. R. L. BORDEN. If our naval force was efficient and adequate, the whole fate of the empire might be decided while the government is making up its mind. The whole thing might be over in 10 days or two or three weeks and the abstension of an adequate Canadian naval force might

decide the fate of the empire adversely. But apart from that tremendous consideration, I do not see how this thing is practicable. I understand thoroughly, and every man in this House understands thoroughly, that there may be some little frontier war in India or with some savage foe in Africa of which we know absolutely nothing in this country, and in which we would have absolutely no part. In such a case, we are technically at war with that country wherever it may be, but so far as active participation in a war of that kind is concerned, we might have no active part in it whatever, But I am not talking of that kind of war. I am talking of a war in which the empire might be engaged in a struggle with one of the great naval powers. For my part, I do not see how it is possible, in the first place, to work out this scheme which is proposed by the government. I do not see how it is possible for this reason. When our ships are on the high seas they will I presume, be flying the flag of the empire, the British flag.

An hon. MEMBER. Will they?

Mr. R. L. BORDEN. I do not ask any question about that. I take it for granted.

Sir WILFRID LAURIER. Hear, hear.

Mr. R. L. BORDEN. If they are flying the British flag, then they will be subject to attack, and if they are subject to attack, what are they going to do. They will defend ourselves, I suppose; or will they signal to the enemy that the Governor in Council has not yet passed any order in respect of taking part in the war, and therefore that they cannot do anything. If they are going to do that, it is for them either to fly a neutral flag or strike the British flag, one or the other. I do not see any escape from that situation. How is it possible to work it out? There are two great considerations. In the first place, either our ships must go behind fortifications, or they must be liable to attack. If they are liable to attack, they must either fight or surrender,—or in the third alternative, they must fly some neutral flag; they must go out of the empire, which means that this country goes out of the empire. That is why I think this is unworkable. Then, I repeat, there is the tremendous consideration that, should there be two weeks' delay in deciding whether our fleet shall fight or not, that delay might decide adversely the fate of the empire. How will it work out on the other hand? Suppose that the British flag on one of our ships should be insulted—suppose provocation were given which would lead to war if we were an independent power—how will the converse of what I have been stating work out? Is the imperial government to say that their fleet shall take no part in the war until Great Britain herself becomes involved? If our fleet is to have a right, under the provisions of this proposed statute, to abstain from any war in which Great Britain may be involved with some great naval power, then if our coasts are attacked by the ships of that power, is it to be part of the arrangement between the mother country and the great dominions of the empire that the fleet of the mother country shall be permitted to be neutral? If the proposition seriously put forward by the government is one which we may expect to see consummated in the future, why should not Great Britain take precisely the same attitude when our coasts are attacked, or our ships are sunk? Why should not they say: We have not yet decided that we will take part in this war? If one proposition is sound, it seems to me the other is sound, and either one proposition or the other is absolutely inconsistent with the continuance of the integrity of this empire.

Mr. HUGHES. I desire to add a word to what the leader of the opposition (Mr. R. L. Borden) has said. Suppose that one of these ships goes beyond the three-mile limit in time of trouble, who is responsible for her? Is the British government going to assume responsibility; or will it be the Canadian government? And, if so, what is to be the consequence? I maintain now, as I stated when I first addressed the House on this matter, that this Dominion has no authority to create a fleet that will go beyond the three-mile limit of the coasts of Canada.

Sir WILFRID LAURIER. I have no quarrel with hon. members on the other side who take exception to the proposition involved in this section. It is an essential part of this legislation. Are we going to be automatically involved in all the wars in which England may be engaged, or are we to be allowed to have some judgment and some say in the matter? That is the proposition. We must have a navy—I take it that all parties agree to that now, I follow the discussion in this House with some care, and, as I analysed the speeches, particularly those made towards the end of the discussion, it seemed to me that every one was based upon the opinion that we must have a national navy of our own. True, there was some question as to whether we should have it now, or later, but I do not think that anybody maintains that Canada, having reached a population of nearly eight millions, can go on indefinitely without a navy. There are men in the city of Ottawa who can recall the time when there was not a uniformed policeman in this city. But Ottawa has grown, and the

policeman is a necessary part of our civilization. In the same way, armies and navies are part of the civilization of any country; we cannot dispense with them It is our duty, then, to have a navy, tiny though it may be. I am sorry that I cannot hope that it will remain a tiny navy: it will grow; it will have to grow. At all events, I lay it down as a simple national duty, one that we must discharge, to have a navy. What is to be the character of that navy? Shall it be a national navy or not? Hon. members on the other side tell us, if I understand them aright, that, automatically, this navy must go into war the moment there is a declaration of war against Great Britain. I believe that these hon. gentlemen cannot maintain that proposition. If I understood the leader of the opposition, (Mr. R. L. Borden) aright, he himself did not make the statement unqualifiedly in the expressions with which he has favoured the House. I understood him to say that there might be some insignificant way in which our navy would not be called upon to take part.

Mr. R. L. BORDEN. I said there might be a war in India or with some tribe in Africa which we would not hear about, and in which no navy would participate. But I asked the Prime Minister what would take place in case of a war with a great naval power.

Sir WILFRID LAURIER. The proposition, as I take it, involves the great mistake of assuming that a young country like Canada, should at once rank side by side with an old nation like England with duties and responsibilities equal to those that England has. Of course, if England were engaged in a life and death struggle —no, I will not say in a life and death struggle, but in a war which would tax her resources and put her in peril, or put her supremacy in peril—or, I would not say, in peril but in the balance, in the scales of destiny—then there could be no doubt that Canada, in a wave of enthusiasm, as I said on a former occasion, would carry every daughter nation to the assistance of Great Britain with all the resources at her command.

Mr. HUGHES. Is not the Prime Minister aware that the King of Prussia, in 1870, and for years before 1870, had absolute authority to call out the troops of Bavaria, Wurtemburg and Baden?

Sir WILFRID LAURIER. That has no relevancy to what I am saying. There is no doubt there may be cases in which, fortunately, the naval supremacy of Great Britain may be challenged. If, which God forbid, such an occasion should arise, then this navy of ours, small as it is, with all the resources of Canada behind it, will be placed at the command of England. But there are wars in which Great Britain may be engaged which will not tax her resources, which will not put her in peril, and in which, in my humble judgment, it would be folly for Canada to take any part at all. I instanced, in discussing the first reading of this Bill, the Crimean war. I state now, as I stated then, that it would be folly for Canada to take part in such a war as the Crimean war.

Mr. HUGHES. Why?

Sir WILFRID LAURIER. Because, as we know, everybody knows, the war in the Crimea was a causeless, senseless, useless war. Of course, it added to England's glory, for Britons remember with pride Inkerman, and still more Balaclava. But I say without hesitation that glory that is glory alone, is too dearly bought with war. The war of the Crimea was without cause and it proved to be without result—in my judgment, though others may not agree with me. My hon. friend may say that Canada should take part in such a war. I say, no. That is a matter upon which we can each have our own opinion. But I will go further. In 1881 there was a movement in Egypt under Arabi Pasha to free that country from the Khedive. I do not pass judgment at all whether it was a wise or unwise movement, but I call the attention of the House to the fact. England and France joined in a note to the powers that they would maintain the government of the Khedive. France withdrew from the trouble, but England went to war. She sent a fleet to Alexandria which bombarded Alexandria; she sent her army and reestablished the government of the Khedive. Will any one tell me that Canada would have had any cause to take part in such a war as that? What reason would there have been for Canada to send her fleet, if she had had one, to take part in that war in Europe? There would have been no cause whatever. But England thought that she was bound to take part in such a war, and she did take part in it.

Well, Sir, I will not try to sail under false colours in this matter, I will say that in my judgment, if such a war were to occur again, there would be no reason whatever why Canada should go forth and take part in a war like that. But my hon. friend may say: What will Canada do in case England is engaged in a war which will tax her resources, a war which may be concluded in ten days' time, what should Canada do under such circumstances? The question is: Who is to determine whether the war is of such a character that Canada should take part in it? If you say that Canada is to take part in all the wars in which England may be engaged, then I have nothing more to say. But I maintain my position, and will maintain it, and

let the people of Canada judge between us. If you say that there may be occasions in which Canada would have no reason whatever for taking part in a war, the question arises, when, and where, and who is to determine that? I answer that the question is to be determined by the men who, for the time being, are responsible for the welfare of Canada. My hon. friend will say: But what will happen if our ship is on the high seas and it is attacked? Sir, if it is attacked it will defend itself, and I have no doubt will give a good account of itself.

An hon. MEMBER. By running away.

Sir WILFRID LAURIER. Does any one believe that the men who are on that ship will run away?

Mr. HUGHES. I was only quoting from the right hon. gentleman's own organ, which said that the boat was built to escape.

Sir WILFRID LAURIER. My hon. friend should not bring up such a petty argument as that in a matter of this kind. We are discussing a grave subject. I say this, that if it should happen that our ships were attacked on the high sea, no matter under what government, no matter under what provocation, or without any provocation, I hold that under such circumstances any ship built in Canada, manned by Canadians, and sailing the British flag, would give a good account of itself.

Mr. R. L. BORDEN. Would the right hon. gentleman permit me to ask him a question? Suppose a Canadian ship meets a ship of similar armament and power belonging to an enemy, meets her on the high seas, what is she to do? I do not ask now what she will do, if attacked; but will she attack, will she fight?

Sir WILFRID LAURIER. I do not know that she would fight, I do not know that she should fight either. She should not fight until the government by which she is commissioned have determined whether she should go into the war. That is the position we take, my hon. friend takes a different position. He says that without any question, under all circumstances, we are bound to send our ships into the war. We take a different position, and we say: Let the country judge between us.

Mr. R. L. BORDEN. Would our ports and harbours be neutral like our fleet until an order in council had been passed?

Sir WILFRID LAURIER. I do not understand what my hon. friend means by asking if they should be neutral.

Mr. R. L. BORDEN. I understood the Prime Minister to say that our ships would not fight until they were ordered to do so, and, therefore, they would in effect be neutral until the Governor in Council had made an order that they should participate in the war. Have I misstated my hon. friend's position?

Sir WILFRID LAURIER. No.

Mr. R. L. BORDEN. Then, inasmuch as our ships, under the conditions mentioned, will be practically neutral, I would like to know whether our ports and harbours will also be neutral in the same way?

Sir WILFRID LAURIER. I do not understand what my hon. friend means by asking if they would be neutral. If he means after an enemy has come into our harbour, then it will be time to resist them with our fleet.

Mr. R. L. BORDEN. But if our ships do not attack the enemy when they meet the enemy on the high seas, on the same principle, may not the enemy's fleet come into our harbour without resistance or attack, without fear of aggression. Surely, that can be done; it is feasible for the country owning those harbours to maintain neutrality on the high seas?

Sir WILFRID LAURIER. That would be a question to determine any time that a warship entered a Canadian port.

Mr. R. L. BORDEN. The position of the Prime Minister is that ships flying the British flag should meet an enemy on the high seas and not attack them. That is a new tradition for the British navy.

At six o'clock, committee took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. R. L. BORDEN. I was alluding before six o'clock to some curious conditions which might be brought about as a result of the provisions of section 18 in view of the interpretation that the Prime Minister has placed upon that section. I would like to allude to one or two more. As I have already pointed out there are, of course, wars in which Canada would not be expected to participate, such as small frontier wars, and wars in which no navy would be engaged. In these it could not be expected that the Canadian naval forces would take any part. The British naval force would not take any part in them. Then there are operations such as those to which the Prime Minister alluded—the operations in Egypt in 1882, when the naval force upon the spot acted under the directions of the home government and acted without any formal declaration of war. Then there is a third-class of wars, those to which allusion was also made before six o'clock, wars in which the naval forces of the em-

pire would require to be exerted to the full, wars in which disaster might occur unless the naval forces of all the great dominions of the empire should take their due and proper part. Now, the Prime Minister, as I understand it, says that the Canadian naval force shall take no part in any such wars until after the government of Canada shall have taken the matter into consideration and determined whether or not it be a war in which it is proper that the Canadian naval force should take part. Until that declaration is made, under section 18, the Canadian naval force shall take no part. That is apparently the fair meaning and that is the interpretation placed upon it by the Prime Minister. I pointed out before six o'clock some curious results of that. One curious result is that the Canadian naval force will be, so to speak, neutral until that order in council has been made. The Prime Minister has distinctly stated that it will not attack a ship of the enemy, even if war shall have been declared unless and until an order in council has been passed. Therefore, it will not co-operate with the other naval forces of the empire. That is his direct and unequivocal declaration. He said if a Canadian ship were attacked it would resist, it would fight, but unless a Canadian ship were attacked it would take no part. I inquired whether that neutrality, because it is nothing less than neutrality in a war in which the empire is engaged, would extend to the ports and harbours of Canada, so that, pending the period during which no order in council was made, ships of the enemy could come for the purpose of obtaining supplies, and, if necessary, refitting, to the ports of Canada exactly as if Canada were not part of the empire at all. My right hon. friend did not give me any answer to that, and I do not see, why, if our ships are to be neutral, our ports and harbours should not be neutral too. If we are to assume the status of a neutral power in such a case in one respect I do not know any reason why it should not be legitimately followed by assuming the status of a neutral power in every other respect. Well, let us look at the conditions to which the declaration of the Prime Minister will bring us. He says that our ships will defend themselves if attacked, but if not, they will not attack a ship of the enemy. Every one who has studied modern conditions knows that nearly every great nation of the world, at all events, certain great naval powers, have merchant ships with guns in their holds. These ships, upon a declaration of war, and such declarations come very suddenly under modern conditions, mount the guns they have in their holds, hoist the naval flag of their country and prey upon the commerce of any other nation against which war may have been declared. Suppose that one of these ships mounts her guns, flies the flag and proceeds to prey upon British commerce under the very guns of a Canadian cruiser; according to the declaration of the Prime Minister that Canadian cruiser would not interfere until an order in council has been passed. Suppose that a Canadian cruiser upon the high seas in sight of British ships should observe those British ships to be attacked by the cruiser of a nation which had suddenly declared war against Great Britain, a Canadian ship is not to attack unless she is attacked herself. Then, I presume, she is to remain idly by while British ships are captured by the cruiser of the hostile power, and all this for the reason that no order in council has been passed at Ottawa. A British merchant man might very well appeal, one would think, to a ship of war flying the British flag for protection, but, under circumstances such as those the only answer that the Canadian ship could give would be that she could take no part whatever until an order in council had been passed at Ottawa, and pending that she must assume the status of a neutral vessel. All this seems to be very unworkable; it seems very absurd. But, further and more important than all that; it would simply have the result I have indicated; it would simply mean a declaration of complete independence from the rest of the empire. That is all it could possibly mean. Therefore, it seems to me, for these reasons, which I have very hastily and cursorily alluded to that section 18 as interpreted by the Prime Minister is, in the first place, unworkable if we are to remain in the empire, and, in the second place, if it is worked out on the lines indicated by the Prime Minister, then it means that Canada on the day and on the occasion when that section is worked out in that way ceases to be a part of the British empire and becomes an independent nation.

Sir WILFRID LAURIER. All the hypotheses to which my hon. friend has just given expression would apply in the same way to the royal navy as to the Canadian navy. What has the royal navy to do before a declaration of war has taken place in Great Britain? It may be attacked by the enemy, and it would repel an attack, but for all that I do not think it would precipitate an attack. Take the case of the war between Russia and Japan. It is, I believe, an historical fact now that the Japanese fleet at Port Arthur, before there had been a declaration of war, at all events before the declaration of war was known, attacked the Russian fleet and the Russian fleet had nothing to do under such circumstances, but to meet the attack and repel it. And so it is with regard to the Canadian navy. The Canadian navy will repel an attack, but will not attack until there is authority to do so. My hon. friend knows

that under such circumstances the modern practice is for ships commissioned in the apprehension of war to carry their sealed written orders with them, they do not wait to go to shore to get orders. In these modern days war is not precipitated without some notice. Even between Japan and Russia at the time of the last war it was well known for some time that the relations between the two countries were strained, and there is historical testimony that all the ships carried with them their sealed orders to be opened in case of necessity. And so it is to-day with the Canadian fleet, so it would be with the imperial fleet also.

My hon. friend referred to the neutrality of our harbours. I did not reply to my hon. friend because I did not think the question put was very serious, but he seems to attach importance to it. I stated on a former occasion that when Great Britain is at war we are at war, we do not admit any other condition. But section 19, which we are now discussing, reads:

In case of emergency the Governor in Council may place at the disposal of His Majesty for general service in the Royal Navy—

In case of emergency. What is an emergency? An emergency is defined in section 2:

Emergency means war, invasion, or insurrection real or apprehended.

In case of emergency the Governor in Council takes action immediately, or it would be his duty to take action immediately. He does not wait until hostilities have been opened, but if war is apprehended he does.

I presume that when the Governor in Council acts under section 18 war or insurrection or some danger of that kind has been apprehended. That means emergency and action has been taken. This is what takes place: We are in a state of war, our fleet is under orders and has to act accordingly. The question is under such circumstances whether the Governor in Council will place the navy at the disposal of the Royal Navy or whether he will not. My hon. friend in his opening remarks has given the whole crux of the difficulty we are now dealing with. My hon. friend has stated that there are wars in which the navy of Canada would not be bound to take any part, he admits that, he says they are insignificant, they are of no consequence, and therefore, we would not be called on to take any part in them. He says there are other wars in which all the forces of the empire would have to be drawn upon in order to meet danger. So be it. There are wars which would tax the energies and all the resources of the empire and there are wars which would not tax the energies of the empire. Where is the line to be drawn? Would my hon. friend tell me? The line has to be drawn somewhere. There are wars which would tax all the resources of the empire, there are wars which would not be of any consequence, in which we should not take any part. Where again is the line to be drawn, and who is to draw the line? My hon. friend says the line has to be drawn somewhere, but we are not to draw the line, we go mechanically into the war. Well we say on the contrary that the line has to be drawn by the government and parliament of Canada. This is the position we take. We assume that in this as in everything else since we have been endowed with responsible government, it is for us to resolve, and for us to act, and we act under the responsibility of parliament. I have no fault to find with my hon. friend for the position he takes, but I maintain that my hon. friend cannot support his position. He admits himself that there are wars in which we must take part, we ought to take part, and others in which we ought not to take part. When he has admitted that much it seems to me he has given his whole case away.

Mr. R. L. BORDEN. The Prime Minister has not quoted me in a way in which I desire to be understood or in the way in which I spoke. I said there were wars in which neither the Canadian naval forces nor the British naval forces took any part, and, of course, in such wars any question arising under section 18 becomes absolutely immaterial, because neither the Canadian naval forces nor the imperial naval forces are to be called upon nor can be called upon. I will tell my right hon. friend where I draw the line. I say that in any war where naval forces can be engaged, the Canadian naval force ought to be exactly in the same position as the imperial naval force; in a war of the empire, the Canadian naval force ought to be classed exactly in the same category as the other forces of the empire. I say that is the only practical and workable theory on which you can devise a scheme for maintaining a great naval force of the empire if the empire is to hold together.

I shall take up one or two matters to which my right hon. friend alluded. He says, in the first place, that there always will be a declaration of war. I have looked into that question pretty thoroughly, I have looked into the modern textbooks, and the modern doctrine is that no declaration of war is necessary. Japan made no declaration of war, she committed an overt act of war, and the declaration, if there was any, came afterwards.

Sir WILFRID LAURIER. Hear, hear.

Mr. R. L. BORDEN. And the modern rule seems to be that no declaration of war is necessary. When the relations between

two countries become strained, each one must be prepared for an overt act of war, and Japan was sustained by the opinion of the whole civilized world in the course which she took in attacking the Russian fleet before there was any declaration of war.

My right hon. friend says we will be in exactly the same position as the royal navy. I take issue with my right hon. friend. Let us take the two cases, first the case of an overt act of war before a declaration of war, some wanton act committed by a foreign fleet. Some such thing did bring about very strained relations between Great Britain and another naval power about eight or ten years ago in the North Sea. Every one remembers the occasion when some British fishing vessels were fired upon, and I think some of them sunk by the fleet of another power. Take an occasion of that kind. You have a Canadian cruiser attached for the purpose of manoeuvring or training to a British squadron. You have that British squadron engaged at once in battle with a hostile fleet, and the admiral flies the signal to engage the enemy. What is the Canadian ship to do? She is to turn about and run away, and the ships of the empire are to engage the enemy. This is the result of the right hon. gentleman's proposal. That is the case where there is no actual declaration of war. I take the other case to which the Prime Minister has alluded, where there has been an actual declaration of war, and hostilities between the two fleets immediately follow. Again, I say the Canadian naval force is not in the same position as the royal navy. After the declaration of war has been made and hostilities have been entered into by the opposing fleets, every ship of the royal navy is bound to obey the command of the commanding officer and enter into engagement with the enemy. The Canadian fleet is not bound to do anything of the kind; it is bound not to do it until an order in council has been passed at Ottawa. Therefore, it is of no use to say that under such circumstances the Canadian fleet is in the same position as the royal navy, and no argument can possibly alter that fact. I think I have taken up all the points that seem to be of importance brought out by the Prime Minister, and I still adhere strongly to the view that this is not only an absolutely unworkable proposition, but an absolutely dangerous proposition as well.

Mr. FIELDING. May I ask my hon. friend, would a British ship engage in any hostilities with a ship of another nation without receiving instructions from some competent authority, whether there was a declaration of war or not?

Mr. R. L. BORDEN. I think such cases have arisen and may arise.

Mr. FIELDING. I do not think ships of the British navy usually engage in hostilities without receiving instructions from the proper authority. The proper authority would be the commanding officer; the proper authority to him would be the Lords of the Admiralty; and if the British Admiralty can give directions, surely the Canadian authorities can give directions too. The telegraphic facilities are as open to the government of Canada as to any body else, and with the modern facilities which science has given to us for communicating with vessels wherever they may be, I would not think there were any such difficulties as my hon. friend suggests of our not being able to get into communication.

Mr. R. L. BORDEN. I was basing my remarks on something which the Minister of Finance seems absolutely to have overlooked. The Prime Minister has laid it down definitely and explicitly that there may be great naval wars in which the Royal navy will take part and in which the Canadian navy will take no part, because the necessary order in council will not be made.

Mr. FIELDING. I did not hear the first part of my hon. friend's remarks, but I understood that he himself admitted that there might be wars in which it would be desirable that Canada should engage, and there might be other wars in which it would not be so desirable.

Some hon. MEMBERS. No, never.

Mr. J. A. CURRIE. Would the hon. gentleman apply his rule to the case of the British-Chinese war? There a part of the British fleet acted and brought on a war without any instructions from home.

Mr. FIELDING. There may be peculiar circumstances which are exceptional, but as a general rule no ship of the British navy engages in hostilities with a ship of a foreign power until instructions are received from a competent authority. There seems to be little room for difference on this clause. To my mind it is essential to the purpose of the Bill. It has been pointed out that 'emergency' referred to in this clause means not only actual war, but 'invasion or insurrection, real or apprehended'. Suppose there were an insurrection in Saskatchewan. I am using an argument which I heard an hon. friend use this afternoon, so that it is not mine. That would be an emergency in the meaning of this Act. Would it be desirable that automatically we should instantly send our ships away to join the British navy? That would not be reasonable. Suppose the British government gets into difficulty with one of the petty republics of America. We know what happens: it sends

down a couple of ships and the whole difficulty is settled. Great Britain in a case like that, would not want the help of the Canadian navy. Would you send the Canadian ships in such a case to join the British navy? To come closer home to Europe, suppose Great Britain should unhappily—it is hardly conceivable—engage in a war with Switzerland, an inland country, with no navy. Great Britain might feel bound to declare war against Switzerland. Would it be necessary in such an event that we should automatically send our ships to join the British navy? These are all, I grant,, extreme cases, but extreme cases are possible in the matter we are now discussing.

Mr. ARMSTRONG. If the Canadian navy were under the British admiralty, does the hon. gentleman suppose that it would ask that the Canadian navy be sent to England under such circumstances as he has mentioned?

Mr. FIELDING. But why should we place it under the control of the British admiralty? I say that this clause deals with occasions when it is not necessary or expedient for any British purpose that the ships of Canada should be sent to join the Royal navy. But I will carry the argument further. I am going to suppose a war with a great power. Let us suppose that that German scare, which kept so many hon. gentlemen opposite awake at night during the early part of this session, results in a war with Germany. I say that the people of Canada, who have built and paid for these ships, are the persons to determine, through their constituted government and parliament, what part they shall take; and therefore I stand for the principle laid down in the clause, that the right of the people of Canada through their government to determine that question shall be maintained as it is in this Act. But while I maintain that that right is necessary and proper, I have no doubt as to the manner in which that right would be exercised. I say that whenever the British nation shall become involved in a war with a great power, I do not stop to consider whether it is a just or an unjust war—so long as we are part of the British empire, I care not what government is in power in Canada, it will be its duty instantly to join and help the mother country; and I say the government in power in such a crisis, be it Liberal or be it Tory, which will fail to respond to that sentiment, will be swept out of existence, and will deserve to be. All the same it is well that we should recognize, as we do in this Bill, that if we are to engage in these wars, we are going to engage in them, as we have done in the past, by the free voluntary action of the Canadian government and the Canadian people.

Mr. R. L. BORDEN. And so we would be doing it by a free and voluntary act of the Canadian people if we said that the Canadian naval force should be part of the naval force of the empire in time of war—a free act of the will of the Canadian people. Why does my hon. friend the Minister of Finance desire to becloud the issue in that way? If this parliament does that, it does it as the representative of the Canadian people, and speaking for the Canadian people. That is the free act of the Canadian people in the one case, just the same as it would be in the other case. My hon. friend the Minister of Finance speaks of war with Switzerland or a war with some inland power. The ships of the royal navy would not be engaged in such a war. The ships of the Canadian naval force would not be so engaged. One might remark in passing that the Swiss navy is about the only navy that our own supposed force could safely fight, so far as one can judge.

Some hon. MEMBERS. Hear, hear.

Mr. R. L. BORDEN. But when Britain is engaged in a naval war, it might be that not 25 per cent of her own fleet would be engaged in active hostilities; on the other hand it might be the whole of her fleet. I am not asking that the Canadian navy should be sent to South America, or to Egypt, or China on some trivial pretext. I am not asking or suggesting that; but I say that the only workable scheme is to declare that in time of war the Canadian naval force is part of the naval forces of the empire.

Some hon. members. Hear, hear.

Mr. R. L. BORDEN. I do not see any middle course. My hon. friend the Minister of Finance has perhaps not fully appreciated the attitude which the Prime Minister has taken. The Minister of Finance said: I would not stop to consider whether the war was just or unjust. The Prime Minister said: I shall very carefully consider whether the war is just or unjust. If the war, according to my appreciation, is a just war I will send the Canadian naval force to take part in it. If the war, according to my appreciation, is an unjust war, or one that does not specially concern the interests of Canada, then I shall take good care that the Canadian force shall not take a part in that war. Again, I say it is an unworkable theory, and more than that, a dangerous theory and a theory which, if persisted in, can have only one result and that is the severing of the ties which now bind this country to the empire.

Sir WILFRID LAURIER. I think my hon. friend has drawn upon his imagination if he reaches the conclusion from anything I have said on this occasion that we would judge as to the justness of the war

in which England might be engaged. I never said anything of the kind.

Some hon. MEMBERS. Hear, hear.

Sir WILFRID LAURIER. I did not say that I would stop to consider whether a war in which England might be engaged would be just or unjust, but what I stated this afternoon and what I repeat, and what my hon. friend will have to consider himself, is that the condition of Great Britain and the condition of her daughter nations are absolutely different as to the causes of a war in which she might be engaged. England is engaged in all parts of Europe, all the time and almost every day considering whether or not the horizon is clear or is not clear. It has been the case in the past and no doubt in the future she will be engaged upon some kind of petty war or a war perhaps of more or less importance in which we can have no interest at all, but in which we should have a very considerable interest. I cited the war in the Crimea this afternoon, and I cited also the war in Egypt. These were wars in which England was engaged and in which in my humble judgment, we would have absolutely no interest and take no part. My hon. friend (Mr. Borden) says that the Canadian navy should be at all times part of the imperial navy. Well, I repeat if my hon. friends on the other side entertain this view, I have no fault to find, but I do not share that view. This is the point of issue with my hon. friend. He admits that there might be a war in which we would have to take no part. The strength of the case is such that he had to make such an admission, and it is an admission that is patent to everybody that England might be engaged in a war in a part of the world in which the Canadian organized force would have no reason to take any part at all. It is possible that a case might arise in which hon. gentlemen on the other side of the House might consider we should take part and in which hon. gentlemen on this side of the House might think we should take no part. I gave the case of the Crimean war and I was taken to task for that. I was told it was disloyal on my part because I stated that Canada would have no reason to take part in any war such as the Crimean war. That is a point on which we might differ. A more glaring case was the case of the Egyptian war. The British government sent a fleet, an act of war, to Alexandria, and it bombarded Alexandria. Will any one tell me in this House that Canada should have taken part in such a war?

Mr. LENNOX. Sure.

Sir WILFRID LAURIER. Well I say no, and there we are in conflict. My good friend (Mr. Lennox) says we should take part in such a war. I say on this side of the House that we should not take part in such a war, and who is to judge as to whether we shall, or shall not. If we take the true Tory view maintained by my friend (Mr. Borden) that a Canadian navy should be part of the imperial navy under all circumstances, my hon. friend (Mr. Lennox) would be right. But if we take the other view, that we should not act mechanically on this question, but that we have a right to judge for ourselves whether it is or is not in our interests that we should take part in a war, then of course of necessity we must have the control in our own hands. Sir, there is only one question upon this point. The Canadian people have an aversion to war. The Canadian people will not be drawn lightly into war, and the Canadian people will not be drawn into such a war as my hon. friend from Selkirk (Mr. Bradbury) thinks they should be drawn. But the Canadian people will under all circumstances gladly go into a war when the supremacy of Great Britain is in peril. How is that to be determined? There is only one way of determining those questions, and it is by the will of the government, the will of parliament, and the will of the people.

Mr. W. F. MACLEAN. There is a middle course that suggests itself to me, and it may be the way that will be worked out practically. While we may not specifically put in this Act of parliament that automatically the Canadian navy is a part of the British navy, we can by a temporary Act of the government, or by an order in council declare that the navy may for the time being be considered as a part of the British navy. That would give this government an opportunity to revise the situation. As a matter of fact I believe that is the way it will be worked out, that when England is at war, a temporary order in council will be issued saying that the navy is to be considered a part of the British navy. It appears to me that it will work out in that way, namely, that Canada can keep control of her navy by setting out in the statute that it shall not automatically be part of the British navy, but that it can by temporary order in council be made a portion of the British navy.

Mr. BURRELL. I must confess that after listening to this debate, and particularly to the Prime Minister's remarks it has become exceedingly difficult to know whether this navy is to be one of the empire or one solely for Canada. That is one impression. I must say that the contentions of the Prime Minister seem to be absolutely untenable if the Canadian navy is to fly the Union Jack. I cannot understand, I do not think any man in this side of this House, can understand how a Canadian war vessel can fly the

Union Jack. and yet practically rest quiescent on the waves until she gets an order in council to know whether she is to attack the enemy of Great Britain or not. It is a simply impossible position. The Prime Minister has quoted—rather unfortunately for himself, I think—the case of the Japanese flotilla taking the Russian fleet, which would not put itself into action until actually attacked. If we follow the example of Russia in this case we shall be wiped off the seas as she was. He has referred to the war in Egypt, and also to the war in the Crimea. I think the case of Egypt was a rather unhappy illustration, for Canada sent the Canadian voyageurs, did she not?

Mr. TALBOT. Not at that time

Mr. BURRELL. It may have been at another time. But the Prime Minister's contention is that in the case of a war with Great Britain or any other power, there should be authority in the parliament of Canada, and the Governor in Council to decide whether that war is of sufficient importance for Canada to take part in it or not. He does not seem to take into consideration the moral effect upon other nations of our hesitating, and discussing when Great Britain is at war. The British navy, is the great safeguard of the empire, on which the defence of the integrity of the empire—which the Prime Minister sometimes seems to think so anxious should be defended—depends. Does not he think that those most likely to know whether assistance is necessary or not, are the central authorities of the admiralty, and that we could safely leave to those authorities in Great Britain to say whether they want our assistance or not instead of limiting in this cumbrous roundabout way, leaving it to the Governor in Council, and to the Canadian parliament involving serious delay? If we could trust those who are in authority in the councils of the empire at all, surely we could trust them to say whether they want our assistance or not. They would not call upon Canada to send their vessels unless Great Britain's supremacy were threatened. The Prime Minister says that if Britain's supremacy were threatened, the Governor in Council, and this parliament would decide to go to her assistance. But he does not seem to realize that, in naval wars in these times, after such a discussion it might be too late to do any good. For my part then, it is inconceivable that any part of the British empire, Canada, Australia, New Zealand or any other flying the British flag, should, in case of war, stand on one side until the question has been threshed out whether we should take part or not. And, if we are not to fly that flag, the sooner we know it the better.

Mr. MACDONALD. I would like to ask the hon. member (Mr. Burrell) a question. In the event of the Canadian navy being placed at the disposal of Great Britain, would it be Canada that would have to provide the money that would purchase the supplies and ammunition necessary to operate these vessels?

Mr. BURRELL. I dare say it might. But I do not think the question is very much to the point. My hon. friend (Mr. E. M. Macdonald) knows perfectly well what the British attitude was in the Boer war—they gave a pretty generous supply. The hon. member's question would reduce it to the argument that we who pay for the ships should have the final say—reducing it to a matter of dollars, altogether too low a level, in my opinion, when the supremacy of the British empire is challenged. I do not think these questions would arise, and I do not think they are relevant.

Mr. MACDONALD. Of course, the hon. member may propose to wipe away with a wave of his hand what might mean milions to the Canadian people. But he forgets that a parliament exists in England in which a ministry has to be consulted before war is declared. The principle upon which that right is exercised through government is at the very base of governmental administration everywhere for the government must provide the funds to carry on the war. The hon. gentleman says that in Canada it is a matter of indifference who is to pay the money necessary to operate the navy. But we must be practical. We cannot soar into realms of patriotism and forget that war is an intensely practical matter in which blood and money are concerned. If Canada is to supply the men and the ships, she must supply money before the force can be operated. And, if the money is to be supplied by Canada, how is it to be obtained except by executive act of the government of the day supplemented by parliament. And, if the government has to act, this section of the Bill is absolutely necessary in order that the power committed to the executive of the day to determine whether the necessary supply shall be given may be exercised. That is the case with the British government, and the enactment before us is neither more nor less than placing in this law the same principle that has guided the administration of affairs in England.

Mr. R. L. BORDEN. I did not know that the government could get money by executive action. I thought it was a matter of parliamentary appropriation. The hon. member (Mr. E. M. Macdonald) seems to be introducing a new constitutional principle.

Mr. MACDONALD. Let us clear that up. Does the hon. gentleman (Mr. R. L. Borden) mean to say that there is any way by which money can be got from this parliament, or from any British parliament, without the executive coming to parliament and asking for a vote?

Mr. R. L. BORDEN. Of course, they must come to parliament; that is just what I have said. But the hon. member said they got money by executive act.

Mr. MACDONALD. No.

Mr. R. L. BORDEN. The hon. gentleman has reduced the question of participation in a war in which Great Britain is concerned to a question of dollars.

Mr. MACDONALD. And does the hon. member (Mr. R. L. Borden) forget that altogether?

Mr. R. L. BORDEN. If a war should be a pretty expensive one, Canada will not join with the rest of the empire, but, if it is to be a cheap war, one that would not cost more than ten or fifteen millions, Canada will hoist the flag and pitch in at once. Of course, that is not a very high standard of action, but it is the one which the hon. member would establish. I would like to know what Canadian merchant vessels on the high seas would do in the meantime. They would require to be protected by some naval force. That is another question I would like to ask the Prime Minister. Canada has some ships on the high seas. If the empire is engaged in war, these ships will be liable to capture. If the war does not commend itself to the judgment of the Prime Minister, he will not have an order in council passed. Of course, our ships will be protected by the British navy, whether the order in council is passed or not, but they will not be defended by the Canadian navy unless there is an order in council. That is another extraordinary situation which would grow out of this section 18. I do not know what the Prime Minister's action would be.

Sir WILFRID LAURIER. The conundrums of my hon. friend (Mr. R. L. Borden) do not puzzle anybody but himself. What would be the position of the British navy in such a situation? True, we have ships on the high seas. Great Britain has far more than we have. 'War' under this measure means war or insurrection real or apprehended. It is quite possible that our ships might be attacked before there was a declaration of war. The hon. member has said that a declaration of war is not necessary. In modern practice, it is not necessary, I admit. But, in the case of war between civilized nations, they do not usually give up natural relations of amity and peace until they have sent away the ambassadors and put themselves in a state of war. Well, then, our position is exactly the same as the position of the imperial navy. The hon. member supposes that our ships are attacked—of course that would force us into war.

Mr. R. L. BORDEN. I mean our merchant ships.

Sir WILFRID LAURIER. Yes,—that would force us into war. In our day nations are forced into war most unwillingly. They are anxious not to fight and fight only under great provocation. The hon. gentleman says that I intended to be the judge of the justice of a war. I believe that to-day England would not go into an unjust war, that in the condition of civilization we have reached she would not go to war unless she had been provoked to a degree which would rouse her blood. In such a case as the hon. member has supposed, there would be no reasoning—we should have to act. That is, if our ships are attacked, we should have to go into the war.

Mr. R. L. BORDEN. A very large part of our merchant shipping is registered not in Canadian registers but in British. My right hon. friend (Sir Wilfrid Laurier) would find himself involved in some very fine distinctions. A ship is captured on the high seas; if she is a ship with a Canadian register, we are forced into war and the order in council goes through; but if she is a ship with a British register, then, according to the Prime Minister, we will not go to war, and there will be no order in council. But suppose a ship built with Canadian capital and registered on the other side as a British ship. I do not know what fine distinction he would make about that—

Sir WILFRID LAURIER. Nor do I.

Mr. R. L. BORDEN. Would that force us into war or not? The Prime Minister candidly admits that he does not know what he would do.

Sir WILFRID LAURIER. My hon. friend makes very nice distinctions and raises many objections in order that he may destroy them. He tries to make the reductio ad absurdum. He put a question and I answered it. We may be drawn into war by the attack of an enemy. I should rule the day, but it would have to be met.

Mr. R. L. BORDEN. But the right hon. gentleman says he will preserve a discretion. In some wars he will permit the naval force to engage, but in others he will not permit them to engage. I am trying to find out what principle will guide him in the matter, and I have not been very successful up to the present time. I say there is only one principle on which we can safely act, and it is this; when the empire is at war we are at war, when the naval forces of the empire are engaged the Canadian

naval force must be available for co-operation in that war. That is absolutely the only safe principle on which any scheme of this kind can be worked out. The moment you begin to split hairs and say: We will fight if one of our ships is captured, but will not fight if a British ship is captured; we consider this war just or that one unjust; we consider this war in the interest of Canada and the other as not in the interest of Canada;—the moment you get down to hair-spliting distinctions of that kind, you embark upon a path, which must, under section 18, lead to the complete separation of this country from the rest of the empire.

Mr. FIELDING. I accept the principle the hon. member lays down that when Britain is at war Canada is at war, and therefore it is not for the Governor in Council or for this parliament to say—in that sense—whether we should be at war or not. If Great Britain is at war with any other nation, Canada, as part of the empire, is at war. But it does not follow that in every one of these cases we shall, automatically or otherwise, place our ships to engage in that war.

Mr. R. L. BORDEN. The Prime Minister distinctly said that after war had been declared, and before this order in council was made, a Canadian ship meeting a ship of the enemy would not attack it, would not fight it, but that she would only fight if she was first atacked. Then I put this question to my right hon. friend, and I put it to the Minister of Finance: Supposing a Canadian ship sees a foreign cruiser capturing ships carrying the British flag and no order in council has been made, what is the Canadian cruiser to do?

Mr. FIELDING. My answer to that is that my hon. friend is entirely mistaken in creating any distinction between a Canadian ship and a British ship. There is, in this relation no such thing as a Canadian ship on the ocean; every ship of Canada is a part of the British fleet flying the British flag, subject to all the laws of Great Britain.

Mr. R. L. BORDEN. Why not put that in the Bill?

Mr. FIELDING. It is not necessary to put it in the Bill. There are some things so simple and so easily understood that they need not be stated. I say at once that if Great Britain engages in a war with any nation, and if that nation can get at us, they have a right to punish us because we are part of the British empire, unless we are strong enough to fight them off. But let us use an illustration. Suppose the British government proclaimed war against the Republic of Liberia. We are immediately at war, the whole British empire is at war with Liberia, Canada is at war with Liberia. But is there any particular reason why we should order Canadian ships to go off and help the British government to fight Liberia? The thing is preposterous and ridiculous. This clause enables us to distinguish between times when we are needed to assist the British empire, and times when there is no such need, and surely that is right. Now, as to the question of whether a war is just or unjust, I have already said that while I think we should insist upon the right of the people of Canada who pay the money—and I hope my hon. friend from British Columbia will not find fault if I refer to money, a Minister of Finance must think of such things—I say the people of Canada who have to pay the money are the proper persons to decide, through their competent authority, the Governor General in Council, and later through parliament, through the voices of the people, whether their ships should engage in that war. If it be a petty, insignificant war in which Britain is engaged and needs no help, then our ships will not take part in it, not because we are not at war with Liberia, but because Great Britain does not need any help to look after it. But if you come to a really great war, if you some to a war in which the commerce of Great Britain, and that means the commerce of Canada, is being attacked on the ocean, or liable to be attacked on the ocean, I say then that Canada should instantly go to the relief of the mother country. While we, by this Bill, would simply maintain our right of judgment, I have not the shadow of a doubt how that right would be exercised, I do not believe there would be much discussion whether the war was a just war or not—we would have a right to consider that, and it is right that we should maintain that position. But until we have developed some system by imperial federation, that magnificent dream—and we are all the better for dreaming it. Though we may fail to accomplish it—but until we have developed some system in which the various over-seas dominions shall have a voice with regard to the making of war, we must be content to accept the war-making machinery which now exists in the British empire. There will come a time, I have no doubt, when, in the development of the British system, Canada and the various great over-seas dominions will be consulted; nay, I believe they would even be consulted now before any great war would be undertaken by the British empire. There will come a time probably when they can be consulted in a more formal manner, but until that time shall come, until we have a constitutional right to take part in making a declaration of war, it seems to me that as loyal citizens of the empire we must be content to accept the judgment of the government of the day in

England, be it Liberal or be it Tory, which is the constituted authority to declare when the empire should engage in war. My belief is, it is only an opinion—and the opinion of every other member of the House is as good as mine—it is my opinion that whenever that time does come, I care not what government may be in power in Canada, when we shall have on the statute-book the right to determine whether or not we may send our ships to the help of the British navy, I have not the shadow of a doubt how the people of Canada will exercise that right. They will not stop to ask whether the war is just or unjust, for it will then be too late. It will be enough for them to know that the great empire of which we form a part is engaged in war, and then, in the words of the resolution of March last, every resource of the Canadian government and the Canadian people will be placed at the disposal of the empire.

Mr. J. A. CURRIE. I like to listen to the Minister of Finance because he can always sound the trumpet and beat the drum so loudly on questions of this kind. But let us get down to facts. The question put by the leader of the opposition to the right hon. gentleman is a question that should be answered. Let me assume that the British empire is at war with Liberia. Now, everybody knows that the republic of Liberia has no great fleet, or that it has no fleet of any consequence. Let us assume that the Canadian government has considered the question of whether we shall be at war with Liberia, and they shall decide that we are not at war with Liberia, according to the principle laid down to-day by the Prime Minister. Now, this is something that might easily happen, something like the warship 'Alabama,' the history of which we all remember. There is nothing to prevent a fast cruiser being sent by a foreign nation to Liberia and turned over to the Liberian government, commanded by Liberia to start out on a cruise of destruction against British commerce. Now, the case of the 'Alabama,' flying the Confederate flag, is analogous. Now, we will follow the reasoning of the hon. gentleman. Great Britain is at war with Liberia, but Canada is not at war with Liberia. That fast cruiser commissioned by the Liberian government, makes its way where it would naturally go, to the North Atlantic, possibly, probably, to the Gulf of St. Lawrence. When it reaches the Gulf of the St. Lawrence it comes under the observation of a Canadian warship. The captain of the Canadian warship sees this ship flying the flag of Liberia, and says: Well, we are not at war with Liberia, and I have no right to attack this ship until such time as the Canadian parliament is summoned, or an order in council is passed to that effect. Whilst this warship of Liberia is under observation, it sights a British ship, say one of the Canadian Pacific railway steamers, which I understand are registered under British registry. The Liberian warship attacks this British merchant ship, fires at her, captures her, and the Canadian warship look on, and the captain says: I dare not fire a shot or interfere in any way, because Canada is not at war with Liberia. This Liberian cruiser—it is a possibility, bear in mind, a modern possibility—make a prize of this Canadian merchantman which is under British register. Well, it continues its career a little further on, still under the observation of the 'Niobes' and the 'Rainbows,' and it runs across a Canadian vessel that is registered under a Canadian register. It fires on the Canadian merchant ship, calls her to halt, the ship refuses to halt, the cruiser fires upon her, and kills a few men, and take the Canadian ship a prize. Then, of course, the Canadian warship would be justified, possibly, in taking action, under the old idea that there is a difference between hostilities and a declaration of war, in other words, that would be a case of hostilities, and the Canadian warship would proceed to fight the battle out with the Liberian warship, and would take the Liberian warship a prize and haul her into a Canadian port. Then again, under the laws of war, would the Canadian seamen be entitled to prize money? There are all kinds of conditions arising in that event, and these are all actual possibilities. The only clear cut way is to brush aside this argument that the Canadian fleet must be under the control continuously of the Canadian government, and that it could exist without being in the state of war when England is at war. The Liberian government, or the government of Hayti, might commission a vessel of this kind to make war on Great Britain. All these things have historical analogies, and I have instanced the case of the 'Alabama.' Would it be right for a Canadian war vessel to refrain from firing on a Liberian war vessel if attacked? Everybody knows that a declaration of war and hostilities are altogether different things. The Chinese war was begun by a British warship boarding a Chinese junk. One or two of the greatest wars in history were commenced without any declaration of war, even by the British navy. In fact, the war between China and Japan was commenced by a Japanese war vessel firing on a Chinese troop ship without a declaration of war having been made. Would a Canadian warship be entitled to remain idle if a British merchant ship were attacked by a foreign cruiser when there was no declaration of war?

Sir WILFRID LAURIER. I think under such circumstances we would declare war

Mr. J. A. CURRIE. Who would declare war?

Sir WILFRID LAURIER. The Canadian government; we would pass the order in council.

Mr. J. A. CURRIE. Do you think the captain would have to lie-to until he communicated with the government?

Mr. FIELDING. All those ships have wireless.

Mr. EDWARDS. In the event of war between England and some foreign power, and in the event of the Governor in Council deciding that Canada would not take part, would the Prime Minister consider an attack, by that foreign power, on any of Canada's vessels, a violation of international law?

Sir WILFRID LAURIER. I would not see any violation of international law in that, because if England were at war we would be at war, and liable to attack.

Mr. J. D. REID. The Prime Minister agreed to give me some information as to the annual cost of maintaining and operating the 'Niobe'.

Sir WILFRID LAURIER. I will give it to my hon. friend before we get out of committee.

On section 19; calling of parliament when naval service on active service,

Sir WILFRID LAURIER moved:

That section 19 be amended by inserting the word 'two' after the word 'the' in the 40th line, and adding the letter 's' at the end of the word 'section'

He said: It will then read:

Whenever the Governor in Council places the naval service or any part thereof on active service, as provided in the two preceding sections, &c.

Amendment agreed to.

Sir WILFRID LAURIER. I have another amendment to move as section 19a as follows:

When the Governor in Council declares that an emergency has arisen in which it is expedient for the public service that His Majesty should have control of any dock, shipyard, pier, wharf, machine shop, repairing or salvage plant, factory, warehouse, store or other building, the minister may by warrant under his hand empower any person or persons named in such warrant to take possession of the same in the name and on behalf of His Majesty, and to use it for the service of His Majesty in such manner as the minister directs, and all persons, officers, servants and employees employed thereon shall obey the directions of the minister in connection with the management or operation of the same.

2. Such warrant shall remain in force so long as in the opinion of the minister the emergency exists.

3. There shall be paid to any person whose property is taken possession of in pursuance of this section out of moneys to be provided by parliament such full compensation for any loss or injury he so sustained as is agreed upon between the minister and the said person, or in case of difference as is fixed upon reference to the Exchequer Court of Canada.

4. Where any property is taken possession of under the provisions of this section all contracts and agreements between the persons whose property is so taken possession of and the directors, officers and servants of such person, or between such person and any other person in relation to the working or maintenance of such property, which would if such possession had not been taken, have been enforceable by the said person shall during the continuance of such possession be enforceable by His Majesty.

This is taken from the Militia Act.

Mr. J. D. REID. I should think the Prime Minister would have given some notice of that. It is impossible to understand it from just hearing it read.

Sir WILFRID LAURIER. The amendment is obvious, it is taken from the Militia Act, it is the law of all nations, and it is recognized by everybody.

Mr. J. A. CURRIE. As I understand it the clause will impress the men in any of these works to work for the government.

Sir WILFRID LAURIER. That is the clause.

Mr. J. A. CURRIE. Not only take possession of the property but of the workmen and compel them to work for the government whether they want to or not.

Sir WILFRID LAURIER. So it does, war is not always pleasant.

Mr. J. A. CURRIE. I should think that in justice to the workmen so impressed, provision should be made in the Act referring to pensions and annuities to grant to any workman so employed, who happens to be injured, the same annuities or pensions as would be granted to an enlisted man.

Sir WILFRID LAURIER. I have no objection to that.

On section 20; constitution of reserve.

Mr. J. D. REID. How are the men selected?

Sir WILFRID LAURIER. That clause is also taken from the Militia Act.

Mr. J. D. REID. As I understand the admiralty select their own men; in this

country the government, I suppose under a patronage list. Will they be selected by Rear Admiral Kingsmill so that they will be taken irrespective of politics, the best men possible?

Sir WILFRID LAURIER. If my hon. friend will join the service, we will be glad to take him as a reserve man. He cannot be forced, no one will be forced, and I dare say my hon. friend might join himself.

Mr. J. D. REID. The Prime Minister knows that only a limited number are taken, only about 400 men. There will be many more applicants than can be taken and I have no doubt influence will be used to get men into the service. In any militia force there should be a system by which there would be no possible chance of politics creeping in. I feel that this is a case in which the recommendation of party politicians should not be considered.

Sir WILFRID LAURIER. It is a very wise suggestion.

Mr. J. D. REID. I hope the minister will act on it.

Sir WILFRID LAURIER. Hear, hear.

Mr. J. A. CURRIE. As I understand the men volunteer to serve in this navy, but after they have volunteered they are in the same category as men who have enlisted for an indefinite time in the British navy.

Sir FREDERICK BORDEN. No, they enlist for a certain period.

Mr. J. A. CURRIE. 12 years is the period in the British navy, I understand. Does the Prime Minister not think, in view of the fact that we are establishing this navy and that it is necessary for us possibly to have a larger number of men than the enlisted men, he should seriously consider the methods adopted in other countries to acquire that large number of men? Our navy is small, they are virtually training ships. In the German navy, for instance, they have three categories, the active or standing navy, composed chiefly of petty officers and officers, the naval militia, in which men serve three years in the navy and automatically go on the reserve, and then there are those men who will volunteer to serve in the navy in the same way as the volunteers in the militia. Suppose it is impossible to get men to serve in the navy, for instance to replace deserters in time of war, what steps will the government take to get men? Will any clause be inserted to permit of forcible enlistment or balloting as is provided for in the Militia Act?

Sir FREDERICK BORDEN. That balloting provision of the Militia Act is never exercised except in time of war. I suppose it never would be used.

Mr. J. A. CURRIE. The minister knows it has been exercised in the militia of Great Britain, in fact it was exercised here in the war of 1812. It is within the realm of possibility and in making legislation of this kind it is useless to close our eyes and make a sham law, we should make a law that will be of real use in time of trouble. The time to pass such legislation is in time of peace.

Sir WILFRID LAURIER. My hon. friend, I am sorry to say, can never be a moderate man. He goes from one extreme to the other. At the outset he was very much opposed to this Bill, and now he wants to go in for compulsion. I have to say to him that we do not propose anything of the kind, we do not propose to put any compulsion in this Bill. We take our chances on that, and I really believe that this Act will be so popular that we will not have to use compulsion to bring people in but to keep them out.

Mr. J. A. CURRIE. I do not see why one section of the armed forces should be dealt with differently than with any other, and so I would suggest that the Prime Minister withdraw the compulsory balloting clauses from the Militia Act. Every man who wears the uniform in this country realizes that he is liable to service and every young man realizes that he is bound. Why should there be any exception in the case of the navy?

Sir WILFRID LAURIER. My hon. friend says we should remove the compulsory clauses from the Militia Act. Considering that for 100 years there has been no compulsory balloting in this country we shall not remove it, we shall let it lie there as a dormant section of the Act not to be called on for another 100 years.

Mr. J. A. CURRIE. The Prime Minister should be logical. He says he never expects this fleet to fight. Then if he does put that clause in what harm can it do?

On section 23, target practice.

Mr. J. A. CURRIE. I notice that rifle ranges are to be used for this naval service. Is this navy, amongst its many wonderful conditions, going to be placed on wheels so that it can go ashore and practice?

Sir WILFRID LAURIER. Is my hon. friend serious or simply joking?

Mr. J. A. CURRIE. I am very serious. The right hon. gentleman and the Minister

of Militia know that at the various naval stations there are armed forces of infantry, and small arm ranges. Why should these ranges be duplicated when they can be used for nothing?

Sir WILFRID LAURIER. I understand that in England the navy has its own targets, and ranges everywhere.

On section 24, property vested in His Majesty.

Mr. DOHERTY. What is to be understood by 'moneys subscribed by the naval service?'

Sir WILFRID LAURIER. This means private property in the mess, silver or anything of that kind.

Mr. J. A. CURRIE. I think the commission might also be issued by order in council.

Sir WILFRID LAURIER. My hon. friend is not satisfied yet. I propose to add a new section after 26, and I hope this section will meet with the approval of my hon. friend from Simcoe (Mr. Currie). I move that between sections 26 and 27, the following be inserted:—

26 (a). When an officer or seaman is killed in active service, or dies from wounds or disease contracted on active service, drill or training, or on duty, provision shall be made for his widow and family out of the public funds at the prescribed rates.

26 (b). Every case of permanent disability arising from injuries received or injuries contracted on active service, drill or training, or on duty, shall be reported on by a medical board and compensation awarded under such regulations as are made from time to time by the Governor in Council.

Mr. J. A. CURRIE. Does that cover cases where men are impressed, who are not enlisted men?

Sir FREDERICK BORDEN. It will cover the cases mentioned by my hon. friend, all persons engaged.

Mr. J. A. CURRIE. In the navy there is a difference between able seamen and the artisan. I think the gentleman who is giving you information will tell you that there are different branches.

Sir FREDERICK BORDEN. 'Seaman' includes petty officers and all other persons engaged.

Mr. SPROULE. Would the provisions contained in 26a and 26b apply to those engaged in the fishery protection service as well as to officers and seamen in the navy proper?

Sir WILFRID LAURIER. Yes, after they have been four years engaged.

On section 28, application of R.S.C., c. 111.

Mr. DEPUTY SPEAKER. It is moved that in the 17th line of section 28, there be inserted the words 'tidal survey.'

On section 33, training and pay.

Sir WILFRID LAURIER. I want to make a slight alteration there, I move that the word 'pay' be struck out and the words 'capitation or other remuneration' be substituted.

Mr. J. A. CURRIE. Should it not be remuneration or allowance?

Sir WILFRID LAURIER. The words suggested to me are 'capitation or other remuneration.' The section will then read, 'naval volunteers shall receive such training and capitation or other remuneration as may be prescribed.'

Mr. J. A. CURRIE. Such training did you say? I think there is some error, is there not?

Sir WILFRID LAURIER. No, the word is capitation.

Mr. J. A. CURRIE. I still fail to see that that clearly expresses the idea intended to be conveyed. I could understand it, if it meant that the men were to receive capitation grants or pay or allowances.

Sir FREDERICK BORDEN. That is the idea.

Mr. J. A. CURRIE. But the word 'capitation' does not express anything. Capitation might be his share of the grub on board.

Sir FREDERICK BORDEN. Remuneration is understood.

On section 34, active service in emergency,—increase of pay for merit. &c.

Sir WILFRID LAURIER. In line 45 we wish to make some correction. The words 'but an increase may be granted whenever' should be struck out and the word 'unless' inserted.

Mr. DEPUTY SPEAKER. It is moved that in line 44 the words 'rate of pay' be struck out, and the word 'remuneration' be inserted instead.

Amendment agreed to.

On section 35, relief from duty.

Sir WILFRID LAURIER. We propose to strike that out.

Mr. J. A. CURRIE. Why?

Sir FREDERICK BORDEN. It is to be provided for by regulation.

Sir WILFRID LAURIER. The next sections have to do with pensions. We do not propose to go on with that part of the Bill now. We do not expect to organize the pensions until the rate of pay is established. The question of pay has not been fully

considered yet. We cannot adopt the pay of England—we must make it higher. That is a subject for consideration, and we shall not proceed with that part of the Bill until another session.

Mr. SPROULE. Then, it is proposed to strike out the four sections.

Sir WILFRID LAURIER. They are printed in italics and should have been presented by resolution. They are not a part of the Bill.

Mr. DEPUTY SPEAKER. Sections 36, 37, 38 and 39, being in italics, do not form a part of this Bill.

On section 40,

There shall be an institution for the purpose of imparting a complete education in all branches of naval science and tactics.

2. Such institution shall be known as the naval college of Canada, and shall be located at such place as the Governor in Council may determine.

On subsection 1,

Sir WILFRID LAURIER. It is proposed to add the word 'strategy'—'naval science, tactics and strategy.'

Mr. J. A. CURRIE. Would the Prime Minister explain the difference between tactics and strategy?

Sir WILFRID LAURIER. In such a case, I would have to apply to my hon. friend (Mr. J. A. Currie).

Mr. SPROULE. Would it not be better, instead of saying 'There shall be an institution,' to say 'there shall be a naval college'?

Mr. W. F. MACLEAN. The name is given in the next section. Besides this is in accordance with the style of drafting of the Bill. Section 7, for instance, provides: 'There shall be appointed an officer,' and so on.

Mr. SPROULE. It does not matter, if the form can be improved. I think it would be much better to enact directly 'There shall be a naval college.'

Sir WILFRID LAURIER. I do not know that my hon. friend's drafting would be preferable. The draughtsman who was in charge has put it this way. The meaning is the same, after all.

On subsection 2,

Mr. BLAIN. May I ask if the report abroad is correct that this college is to be established at the city of Halifax?

Sir WILFRID LAURIER. There are excellent reasons why it should be at Halifax. Does not my hon. friend (Mr. Blain) think so? The matter has not been determined yet.

Mr. EDWARDS. I have heard it intimated that the naval college was to be established at Kingston. It is thought that it would be nice to have the naval college and the military college side by side. The cadets could fraternize. There is a strong impression that the naval college is to be located at Kingston.

Sir WILFRID LAURIER. What would my hon. friend advise as to that?

Mr. EDWARDS. I should be happy to advise if the Prime Minister would take the advice.

Sir WILFRID LAURIER. I should be quite ready to take the advice, but I do not know that I could follow it. I think the leader of the opposition (Mr. R. L. Borden) would like to give his advice also.

Mr. J. A. CURRIE. I think the observation of the hon. member for Frontenac (Mr. Edwards) is quite apropos. We have over four thousand seamen on the great lakes. When you compare that number with the very small number we have on the ocean, exclusive of the fishermen, and when you consider the number of ships on the lakes and the need for technical education of these seamen, also when you consider the splendid force that they would provide in case of an emergency if they had a slight training, I think the question is one that ought to receive the serious attention of the Prime Misister.

On section 42, superintendence of naval college; staff

Mr. J. A. CURRIE. Does this follow the lines of the British service, of having the officers trained in a college instead of on board ship? I understood they caught these youngsters at about ten and trained them aboard the warships and training ships.

Sir FREDERICK BORDEN. Sixteen and upwards.

Mr. EDWARDS. Would not a part of the instruction of the naval cadets be in line with that of the military cadets? Could not part of the instruction for those training for the navy be given by professors in the military college?

Sir FREDERICK BORDEN. I should think not. It is not done in England.

On section 43, requirements for admission.

Mr. J. A. CURRIE. I would ask again, is it not a fact that in the British naval service it is only after an officer has been a midshipman for two years that he decides whether he shall go into navigation scientific or the gunnery department and specialize in that department?

Sir FREDERICK BORDEN. I think so.

Mr. J. A. CURRIE. Then, why should this section specify that the service up to that age shall be the same for all of them?

Mr. EDWARDS. I asked if part of the training would not be practically the same as for the military cadets, but the Minister of Militia did not answer.

Sir FREDERICK BORDEN. I think I answered my hon. friend. I understand that it would not be, and in England there is no such training of these military and naval cadets together.

Mr. JAMESON. Will admission to the naval college be by nomination, or will it be open to any person who makes an application?

Sir WILFRID LAURIER. I suppose we will follow the practice of the military college, an application will have to be made.

Sir FREDERICK BORDEN. Entrance to the military college is by competition, the cadet who makes the highest marks comes in first.

Mr. BLAIN. Is there a medical examination for entrance to the military college, and will the examination to the naval college be uniform with it?

Sir FREDERICK BORDEN. Presumably.

On section 44—period and conditions of service.

Mr. J. A. CURRIE. That is a little different from what it is in the military college. The minister undertakes that where a pupil is educated in this naval college and passes his examination, he must serve a certain length of time in the Canadian navy. Now, there is no such condition attached to the Royal Military College service. Will the minister explain why there is a difference?

Sir FREDERICK BORDEN. The Royal Military College was established at a time when there was no permanent force at all in Canada. The object was very largely to give an opportunity for military training and a course of teaching which would fit young men to enter civil life, or the engineering professions, and at the same time give them instructions in military matters which would be of use when they became part of the active militia. An arrangement was also made with the imperial authorities by which six or seven commissions were given every year to the best men coming out of the Royal Military College. The position now is entirely different. We are starting with a permanent militia, we have no officers at all, and this course is to be limited to the preparation of cadets for the naval service and that only. The object of this college is purely to fit young men for service as officers in the navy.

Mr. J. A. CURRIE. Will a certain number of commissions be secured in the Royal Navy for graduates of this college?

Sir FREDERICK BORDEN. At first we shall require the services of all the cadets here, but later on there may be an exchange made.

Mr. SPROULE. Is it intended, when we have enough graduates of our own naval college to fill all the positions, to bring in others from the Royal Navy of England?

Sir FREDERICK BORDEN. The intention is to educate those young men for the naval service of Canada.

Mr. JAMESON. I understand there is a certain number of cadets on the Dominion ship 'Canada'; will these cadets pass automatically into this college, or will they be required to undergo a certain examination?

Sir FREDERICK BORDEN. They will pass automatically, but they will have to pass an examination for their commission.

On section 45—regulations for naval service generally.

Sir WILFRID LAURIER. This is a complement of section 9, which says that the Governor in Council may organize and maintain a permanent naval force, while this section gives the Governor in Council power to make regulations therefor.

Mr. W. F. MACLEAN. It should be 'make such other regulations'.

Sir WILFRID LAURIER moved:

That section 45 be amended by inserting after the word 'organization' the word 'training,' and after the word 'efficiency' the word 'administration.'

Section as amended agreed to.

On section 48; Acts of United Kingdom, and 'King's Regulations' to apply.

Mr. J. A. CURRIE. It says the 'King's Regulations and admiralty instructions now in force'. That would mean the 'King's Regulations' in force to-day, but not at any future date.

Sir FREDERICK BORDEN. Why not strike out the words 'now in force'?

Mr. HUGHES. Why limit the 'King's Regulations'?

Mr. W. F. MACLEAN. It is not the intention to apply those subsequently in force. We want those words in.

Sir FREDERICK BORDEN. They are constantly changing their regulations.

Mr. W. F. MACLEAN. You will have to change them by order in council hereafter. I think it is right as it is.

Sir FREDERICK BORDEN. In the militia we are governed by the 'King's Regulations' and when the 'King's Regulations' change, if they are inconsistent with our regulations, they have no effect. Otherwise they are operative and we change our own orders in council if we wish to adopt them. Why not strike out the words 'now in force'?

Mr. SPROULE. It seems to me that if you made it read 'the parliament of the United Kingdom in force' and the 'King's Regulations and admiralty instructions in force' it would then suffice for all time.

Mr. J. A. CURRIE. Leave out the word 'now'.

Sir FREDERICK BORDEN moved:

That section 48 be amended by striking out, in line 40, the words 'and now in force,' and in line 41 the words 'now in force.'

Mr. R. L. BORDEN. The difficulty about that is that it might be construed to bring into force Acts passed by the United Kingdom which have been repealed. I imagine that the words 'now in force' were inserted for that reason.

Mr. J. A. CURRIE. There is considerable force in the argument advanced by my hon. friend the leader of the opposition. My hon. friend called the attention of the committee to the fact that the words 'now in force' in line 40 were intended to exclude Acts that have been repealed so far. That is quite right. The draughtsman had that, no doubt, in his mind. I suggest that it be made to read in this way:

'The Naval Discipline Act, 1866,' and the Acts in amendment thereof passed by the parliament of the United Kingdom, and which may from time to time be in force, and the King's regulations and admiralty instructions which may from time to time be in force, in so far as the said Acts.

I think that would perhaps make it much clearer.

Sir FREDERICK BORDEN. The clause in the Militia Act says 'the Army Act for the time being in force in the United Kingdom.'

Mr. J. A. CURRIE. That would be a better wording.

Sir FREDERICK BORDEN. I would move that section 48 be amended in that manner.

Section as amended agreed to.

On section 53, R.S.C., 1886, c. 41, repealed.

Sir FREDERICK BORDEN

Mr. J. A. CURRIE. This afternoon I quoted some law for which I was brought to task by the hon. member for the Yukon (Mr. Congdon). I quoted the old Act of Charles 1661. The work from which I quoted was the Manual of Military Law, published by the war office, in which it is stated that the Act of 1661 was still in force and not repealed. If the hon. member for the Yukon thinks that is drastic legislation, I will be pleased to give him the manuel so that he will know what the law is.

Sir WILFRID LAURIER. I move to add after section 53, the following as section 53a:

The schedule to the Department of Marine and Fisheries Act, Revised Statutes of Canada, 1906, chapter 44, is amended as follows:—

Clause 5 by adding thereto the following: Except steamships and vessels belonging to the naval service.

Clauses 15 and 20 are repealed.

Clause 23 by adding thereto the following: Except the fisheries protection service which is under the control and management of the Department of the Naval Service.

Clause 24 by adding: Except such matters as are under the control and management of the Department of the Naval Service.

Motion agreed to.

Sir WILFRID LAURIER. I move to add as section 53b:

The Governor in Council may transfer to the Department of the Naval Service, any officer, clerk or employee of the Department of Marine and Fisheries, whether or not such officer, clerk or employee is at present connected with any one of the branches of the latter department which is by this Act transferred or assigned to the Department of the Naval Service, and the money voted by parliament for the financial year ending 31st March, 1911, applicable to the payment of the salary or the increase of salary of any such officer, clerk or employee shall be available for the payment of his salary or increase of salary in the Department of the Naval Service in the same manner and to the same extent as if such officer, clerk or employee had not been so transferred.

Mr. SPROULE. You transfer them without consulting the Civil Service Commission?

Sir WILFRID LAURIER. These officers are already in the service, but they are transferred from the Department of Marine and Fisheries to the new department; their qualification is established, they are simply transferred from one department to the other.

Mr. HUGHES. Why limit it to the Department of Marine and Fisheries? Could there not be in another department an officer who might be very useful in the naval service?

Sir WILFRID LAURIER. We transfer to the Naval Department several services

which are now in the Marine and Fisheries Department. That is the only change.

Mr. SPROULE. But you have formed another department, and the officers of that department must be put under some classification, I assume. Will it not be necessary that that shall be done either under the Civil Service Act or by some provision in this Act?

Sir WILFRID LAURIER. No, because they come under the same classification that they are under to-day. There is no change whatever except that instead of being in the Marine Department they will be in the Naval Department.

Mr. J. D. REID. I cannot see the object of transferring men from the Marine Department, as I take for granted that the staff there now are all required for the Marine Department.

Sir FREDERICK BORDEN. There is now the Fisheries Protective Service, which is a complete branch by itself. That branch as a whole is transferred to this new department. There is no change other than that.

Mr. J. D. REID. Then all the vessels called fisheries protective vessels will be in this naval service?

Sir FREDERICK BORDEN. Yes.

Mr. J. D. REID. Including those on the upper lakes?

Sir FREDERICK BORDEN. Yes, everywhere.

Mr. J. D. REID. In case officials of the Militia Department knowing something about military work are required in this Naval Department, there is no method of transferring them. The Minister of Militia is not taking power in this Bill to give these officials a chance in this new service; he sits idly by and does not attempt to protect them. I think the militiamen should be looked after a little better. The Prime Minister is looking well after the Marine and Fisheries Department, and all the patronage has to go through that department. I think this is unfair to the militia, and they should understand that they are not getting a chance in this new department. The Prime Minister has not given me an answer to the question I asked this afternoon about the cost of the upkeep of the steamship 'Niobe.'

Mr. R. L. BORDEN. The hon. gentleman is not half as badly off as I am, because there are about a dozen questions which I asked which have not yet been answered.

Sir WILFRID LAURIER. I am glad to be able to answer the question of my hon. friend the leader of the opposition, and, perhaps, in so doing, I shall answer the question of my hon friend from Grenville also. With regard to the question about the drydocks, we have paid $10,000 for the Halifax drydock and have been paying for two years. The admiralty simply asked when we would take the Esquimalt drydock, and the reply was that it would be convenient to do so after the Navy Bill was passed and there would be money for its upkeep as a naval yard.

Mr. SPROULE. How many new officials is it anticipated will be necessary to carry out the provisions of this Act?

Sir WILFRID LAURIER. It is anticipated—and provision will be made in the supplementary estimates for that purpose—the Navy Department will be composed as follows:

Office of	Deputy Head.	1-B.	2-A.	2-B.	3-A.	3-B.	Messengers.	Total.
Deputy Minister	1	..	..	1	1	1	..	4
Accountant	..	1	1	1	..	2	..	5
Director of Stores	..	1	1	1	..	1	..	4
Records and Correspondence.	..	..	1	2		2	..	5
Director of Gunnery	..	..	..	1	..	1	..	2
Chief of Staff	..	..	..	1	..	1	.	2
Naval Engineer	..	..	..	1	.	1	..	2
Director Naval Service	..	..	..	1	1	..	..	2
Messengers	..	..	..	..	..	..	2	2
	1	2	3	9	2	9	2	28

Mr. SPROULE. Will the Civil Service Act apply to these various classes in this new department without any amendment to the law or any provision in this Bill to bring them under it?

Sir WILFRID LAURIER. It will apply to these. Of course, several officers of special qualifications will be appointed. All the clerks, etc., will be appointed under the provisions of the Civil Service Act, that is, by competition.

Mr. J. D. REID. The Prime Minister has not answered my question with regard to the estimated cost of the upkeep of the steamship 'Niobe.'

Sir WILFRID LAURIER. The approximate upkeep of the Niobe for one year is as follows: Cost of nucleus crew and training personnel, $267,000; victualling and medicine, $60,000; clothing gratuity, $15,000; upkeep, $140,000; total, $482,000.

Mr. J. D. REID. That includes fuel?

Sir WILFRID LAURIER. Yes, that includes coal.

Mr. J. D. REID. Well, the hon. member for Leeds (Mr. Taylor) said the coal would cost over $700,000.

Sir WILFRID LAURIER. That shows how little confidence should be put in Mr. Taylor's estimates.

Mr. R. L. BORDEN. I think it means that the vessel is never going to get up steam.

Mr. DEPUTY SPEAKER. Shall the Bill be reported?

Mr. R. L. BORDEN. I do not think the Prime Minister has answered all the questions he was asked.

Sir WILFRID LAURIER. Have I not?

Mr. R. L. BORDEN. I think perhaps the Prime Minister had better let the Bill stand in committee and look over 'Hansard.'

Sir WILFRID LAURIER. I think not. I will answer the questions of my hon. friend to-morrow morning.

Mr. R. L. BORDEN. Very good that will answer. But the Prime Minister should look over 'Hansard" and answer on Thursday.

Bill reported.

SUPPLY.

House in Committee of Supply.

Mr. PUGSLEY. Mr. Chairman, we had reached the item for a public building at Fort William. The item is $1,500. This work is under way and we are asking for $1,500 towards the completion of the work. It will still leave about $1,000 to complete it.

Mr. BRADBURY. I would like to ask the hon. minister a question. I learn from the reply the hon. gentleman gave in answer to a question of mine regarding Winnipeg pier, that the contract has been let. Now, I am in receipt of a wire to-day asking me to ascertain whether the work is going to be pushed forward.

Mr. PUGSLEY. Yes, the works will be pushed forward as rapidly as possible.

Mr. J. D. REID. I would like to ask the minister when he intends to start building in Kemptville. The site, I think, was purchased.

Mr. PUGSLEY. There is no item in the estimates for Kemptville, but the matter is under consideration. Beyond that, I am not able to inform my hon. friend.

Gananoque post office addition—revote of $3,600 lapsed, $4,000.

Mr. PUGSLEY. This is to make certain improvements to the public building which seem to be very much needed.

Goderich public building addition—revote of $4,960 lapsed, $10,000.

Mr. PUGSLEY. This is to make provision for an annex to the public building, also for an alteration of the interior fittings of the post office as requested by the Post Office Department.

Mr. BLAIN. When was this building erected?

Mr. PUGSLEY. I am sorry I cannot give that information to my hon. friend just now. Unfortunately, though I have sent for the chief architect, he has not yet arrived.

Mr. BLAIN. It is of very recent construction.

Mr. PUGSLEY. Comparatively recent, Goderich is a growing place, business is increasing and these improvements are absolutely required by the Post Office Department. They were asked for as long ago as 1900.

Guelph armoury, $3,000.

Mr. PUGSLEY. This is to complete payments in connection with the erection of the armoury.

Mr. J. D. REID. What is the total cost of that armoury?

Mr. PUGSLEY. I think I will have to give it in detail. The contract for the building was $80,000, and the total expenditure up to November 30, 1909, was $142,464.94.

Mr. J. D. REID. What was the original contract?

Mr. PUGSLEY. The original contract was $80,000, and then there was an additional storey erected costing $34,825. Then there was the electric wiring, $1,825; heating apparatus, $4,000; electric light fixtures, $885; and then there was an addition to the heating apparatus, $3,250; an addition to the electric wiring, $511; a contract for interior fittings, $3,300; and a payment for supervision of the architect, who got 2 per cent commission.

Mr. J. D. REID. Did the same contractor get the whole of these contracts?

Mr. PUGSLEY. Oh no, not all. For the electric fixtures, MacPherson & Co. are the contractors.

Mr. J. D. REID. How much did the original contractors get out of it?

Mr. PUGSLEY. Their contract was for $80,000. The additional storey over the gun shed went to the same contractors and they had also the electric wiring $1,825, and the contract for the apparatus $4,000.

Mr. J. D. REID. What was the extra storey put up for?

Mr. PUGSLEY. It was put up for exercise and drilling purposes. The Militia Department seemed to think it necessary.

Mr. HUGHES. And for the officers, was it not?

Mr. PUGSLEY. For the officers as well.

Mr. J. D. REID. What I cannot understand is this. The Militia Department first submitted a memorandum to the Department of Public Works stating that they wanted an armoury at Guelph, and the department gave them a plan of the building and let a contract for $80,000; and then a month or two afterwards, I suppose, they come along and say: 'We want another storey costing $34,000 or about half as much more money as was to be spent on this building as first estimated. Now, the Minister of Public Works at the time—I do not know whether it was the present minister or not—informed this House of the amount it was intended to spend on this building and the members here, and the public took it for granted that the statements made by the minister as to the amount in the estimates was absolutely correct. But, instead of that, every year the expenditure on the building is from fifty to one hundred per cent more than that stated in the information given.

Mr. PUGSLEY. The building of the additional storey over the gun shed was not contemplated when the original contract was entered into. I hesitated for a good while, but I was pressed very strongly to put on this additional storey, and, after getting all the information we could, it seemed as if it was the reasonable thing to do.

Mr. J. D. REID. Who pressed the minister to put on the extra storey?

Mr. PUGSLEY. I was pressed most strongly by the member for the constituency. He represented that there was a very strong feeling among the people that we should do this.

Mr. J. D. REID. But, merely because the member for the constituency asked for it, that is hardly a reason for adding almost fifty per cent to the expenditure. Here was a building being erected at the request of the Militia Department. A contract is entered into for $80,000. Then, an additional storey is put on simply because the hon. member representing the constituency asked for it, though the cost was almost half the original contract and though the Militia Department has not requested the change. The Militia Department was to use this building, and the Minister of Public Works would have been justified in refusing the request of the member for the constituency until the Militia Department requested a change. I think the minister is open to censure for failing in this way to recognize the Militia Department.

Mr. BLAIN. At page V-79 of the Auditor General's Report, I find, under the title 'Guelph Armoury' this entry:—

Clerk of works, W. A. Mahony, services, 2 per cent commission on accounts examined.

I do not recollect any case of a clerk of works being paid by a commission on the accounts he passes.

Mr. PUGSLEY. Sometimes architects are employed to supervise construction and they are paid a percentage.

Mr. BLAIN But he was clerk of works.

Mr. PUGSLEY. He is an architect. That is why he was paid a commission. It is the usual way where architects are employed.

Mr. BLAIN. I have been a rather close student of the Auditor General's Report, and it strikes we that this is rather a new departure. I understood that the clerk of works had a daily remuneration for the number of days he was at work. Among the accounts passed by Mr. Mahony, I notice, that of Taylor-Forbes Co., putting in two boilers. This gentleman examined these accounts and is paid a percentage.

Mr. PUGSLEY. Not for examining the accounts, but for supervising the construction of the building, which, of course, involves the certifying of the accounts.

Mr. BLAIN. I see it stated also that Mr. Mahony is charged with:

Five per cent commission on accounts for plans and superintendence.

I feel confident that this is a new departure.

Mr. PUGSLEY. In some instances architects have been employed to prepare plans and superintend, and I think 5 per cent is the usual fee given to these architects.

Mr. BLAIN. Did this clerk of works prepare the plans?

Mr. PUGSLEY. I am not sure of that. But the amount paid him is not large, though he was paid 2 per cent on the accounts—

Mr. SPROULE. Did not he get 5 per cent on any plans?

Mr. PUGSLEY. Hon. members will see that the total paid him is only $1,254.57, while 5 per cent on the total cost would have amounted to something in the vicinity of something like $7,000.

Mr. BLAIN. But he was paid some in a former year. This item says 'less paid in 1905-6.'

Mr. PUGSLEY. I am not able to give my hon. friend information on the point he has raised. If he will be good enough to let me do it later, I shall be glad to get the exact amount paid to Mr. Mahony and also the basis on which he was paid?

Mr. J. D. REID. Let the item stand.

Mr. PUGSLEY. I would be quite willing unless it were thought desirable to close up the Ontario list of buildings if we could. However, I have no objection one way or the other.

Mr. BLAIN. Did the minister state that Mr. Mahony prepared the plans for this building?

Mr. PUGSLEY. I am not able to state that to-night.

Mr. BLAIN. Is not that a new departure? to pay a percentage to a clerk of works for examining the accounts?

Mr. PUGSLEY. The percentage is not paid for examining the accounts.

Mr. BLAIN. It says here, 'commission on accounts examined.'

Mr. PUGSLEY. That would be on the amount of the accounts. But it would mean that the supervising architect also supervised the work to which these accounts appertain. He would then be allowed his commission of 2 per cent on the expenditure.

Mr. BLAIN. Is not that a new departure.

Mr. PUGSLEY. In some cases, a supervising architect is employed. When 5 per cent is paid, he draws the plans and supervises the construction of the building. It may be that in this case—I have not the information with me to-night—Mr. Mahony drew the plans and was supervising architect. That is not often done. Ordinarily the plans are prepared in the department.

Mr. BLAIN. Surely the minister does not say that the clerk of works prepared the plans for this building.

Mr. PUGSLEY. Mr. Mahony is stated to be the supervising architect, therefore he is not clerk of works in the ordinary sense.

Mr. SPROULE. I do not see a difference between a supervising architect and a clerk of works. You pass the plans over to the clerk of works, and he is a supervising architect, he must be enough of an architect to understand the plans and see that the structure is put up according to those plans. To a clerk of works the usual price paid is about $3 a day. But you commence to give him a percentage. Architects charge from two to five per cent, but in the latter case they drew all the plans, and also supervise the erection of the building. I do not remember seeing or hearing of a case of this kind in the Public Works Department.

Mr. PUGSLEY. My hon. friend may perhaps call to mind that during the session of two years ago there were one or two cases where outside architects had been employed to draw plans, there was some discussion over it, and some hon. members, I remember particularly Mr. Fowler, took the ground that outside architects should not be employed. The defence which I made was that at that time, there was a good deal of pressure upon the department in connection with public buildings a large number of which were under way, and I think in two instances outside architects were employed. In those cases they were employed upon these terms, that for preparing the plans and specifications, and supervising the work of construction, they were allowed five per cent. But I am not able to say at this moment, without the chief architect being here, whether these plans were prepared by Mr. Mahony or not.

Mr. SPROULE. Then it would be better to leave this item until you get the information.

Mr. PUGSLEY. I have no objection.

Mr. RUSSELL. Did this man receive any other money for his services besides the two per cent, or did he receive pay as clerk of works and the two per cent extra?

Mr. PUGSLEY. Any percentage would cover his entire fee.

Harriston—public building—revote of $2,980 lapsed, $15,000.

Mr. SPROULE. I would like to know why these are called revotes. I think he ought to give us the year that this money was voted originally, and also some information as to why the money was not spent. On this one page alone there are no less than fourteen revotes. That is a new way of presenting them to the House. No doubt there is a purpose in it.

Mr. PUGSLEY. If my hon. friend will look at page 58 of the estimates he will see there is a column for revotes. In that column the only amounts which are contained are those in respect of which there were votes at the last session of parliament. The other items are simply put there in order to inform the committee that there had at some time been a vote for this specific public work which had been allowed to lapse. These amounts were voted in the session of 1908, and they were not used. The object of putting them in is to inform the committee that there had been at a previous session of parliament a vote

for this specific public work which had not been used. This public building at Harriston is required for a post office and customs house. We have paid for the site to the town of Harriston $2,556, to Matthew Hastey, $450, and other travelling expenses, $18.45, making $3,018.45. The appropriation which we had during that session was $5,000. Deducting that from the appropriation leaves $1,981.55. There must be a misprint here as to the amount which lapsed, it should be $1,981.55.

Mr. SPROULE. All these revotes were voted in one year, and lapsed. That confirms what I have often said when the estimates were being voted. That year I asked if it was seriously intended to go on with all these public works that year, and I was assured it was. I wanted to know if it was not intended to pad out the estimates preparatory to a general election, and if it was seriously intended that these public works would all be commenced that year. The very fact that we have so many of them on one sheet, all revotes, all for the same year, and now revived, rather seems to me to indicate that the government have possibly another general election in view. I would like to ask again if it is seriously intended that these votes shall be used the present year. It seems to me the system we are confronted with this year in the estimates indicates that we are padding out the list again, we are padding out the estimates again with many revotes that should not appear in them at all. There is no justification whatever for putting a vote in the estimates for any public work that is not intended to be gone on with during the present year, and I can hardly imagine that many of these will be taken up, because they are new works, during the present year. Although the money was voted in 1908 none of it has been spent up to the present time, but now it is intended to vote it again for 1910. I think that is a pernicious principle. If that is going to be the rule in future, why do you not give us the votes that lapsed twenty years ago as well as two, four, or five years, because there are many cases in which we have not spent the amount that has been voted? Why do you take up the votes that lapsed in 1908, and bring them into force while the votes passed in 1905 or 1906 do not appear at all? There is some purpose behind it, and the only purpose I can see is to provide for the possibility of a general election. It is a pernicious practice and should not be allowed, and we ought to have some better explanation of why it has been thought proper to change the established form that we have had heretofore and bring these votes in again. The money voted last year and not spent should appear in the revote column. All the money not spent goes back into the consolidated revenue fund, and should remain there until voted again.

Mr. PUGSLEY. As my hon. friend has such a strong view upon this question I would have supposed that he would have expressed himself as being against the first item that we reached, and which was exactly similar to this. It was the item for Gananoque and when it was called my hon. friend called 'carried' at once.

Mr. SPROULE. The hon. member did not open his mouth in regard to it.

Mr. PUGSLEY. There is a revote of $3,600, exactly the same as in this case. We took this amount in the session of 1908, but it was not expended. We are now asking for $4,000, and for the information of the committee we show that $3,600 is the amount which has lapsed. I will say to my hon. friend, and I am sure it will be very consoling for him, that as far as I am aware there is no danger of a general election in the near future. I have never heard anything of the kind, and my hon. friend need not be alarmed upon this subject at all.

Mr. SPROULE. That is a very innocent consolation.

Mr. PUGSLEY. I have no doubt that it is a consoling thought to my hon. friend because I would expect that he would contemplate a general election with a good deal of fear and trembling.

Mr. SPROULE. It is the very reverse.

Mr. PUGSLEY. In Harriston it is bona fide intended to go on with this work and we have placed this amount in the estimates for the present year. The reason that this building was not gone on with last year was that we used the small vote which we got for the purpose of purchasing a site. It was expected that at the last session we would ask for a larger amount to go on with the building, but in view of the declining revenues we asked the House to bear with us for another year and assist us in economizing. We did succeed in cutting down the estimates of the Public Works Department several millions of dollars, but in order to do it we had to let these public works stand over. Now that the revenues are reviving we have thought it only right that we should implement the assurances which were given to the House in 1908 when we asked for votes for these different public works. We intend to proceed with them during the present year.

Mr. SPROULE. At the time the estimates for the year were made up the revenue was showing a perceptible decline, it could have been as well foreseen when

the estimates were made up, and if the desire was to economize these votes could have been kept out as well as put in. Therefore, that is not a good argument. The minister says that I did not object to the vote for Gananoque. It was called so quickly that I did not know what the estimate was, and it was declared carried immediately. Some one said 'carried', but it was not I. I have brought this matter up twice before, and I have got no satisfactory answer. This was never done without being first considered by some of the cabinet ministers. Estimates should never be voted in that way without being considered, and a conclusion arrived at as to whether it is wise to do that. I do not think a reasonable explanation has yet been given why this practice has been adopted. I think the explanation is that these estimates were padded out in anticipation of a general election, and that it was not intended at that time to commence any of these public works. No one can reach any other conclusion that that. If a public work is not needed a vote for it should not be put in the estimates. If it is needed then the money, or a portion of it, should be spent, and the work commenced, and it would save a great deal of trouble and time in the House asking questions if money was not placed in the estimates that it was never intended to expend.

Mr. PUGSLEY. In this case we actually bought the land, which is pretty good evidence of our bona fides.

Mr. SPROULE. That is so much to the good, and shows evidence of a desire to go on. What are these public buildings in Harriston?

Mr. PUGSLEY. The building is for post office and customs purposes.

Mr. BLAIN. From whom was the site purchased?

Mr. PUGSLEY. The larger portion of the site was purchased from the town of Harriston, and a small piece of land from Mr. Matthew Hastey, to whom we paid $450. We paid the town $2,550.

Mr. SPROULE. What was the total price of the site?

Mr. PUGSLEY. The site, including $18.45 travelling expenses, cost $3,018.45.

Mr. SPROULE. How much land have you bought?

Mr. PUGSLEY. Approximately 80 feet 6 inches on Elora street, and 77 feet on Maitland street.

Mr. SPROULE. What is the size of Harriston?

Mr. PUGSLEY. In 1901 the population was 1,637; postal revenue, $4,168.86; customs duties, $29.06; money orders $8,738.47; money orders paid, $16,356.51.

Mr. SPROULE. Have you an outport of customs there?

Mr. PUGSLEY. It must be one.

Mr. SPROULE. And the collections are only $29 a year?

Mr. PUGSLEY. It is very small; it is an outport of Guelph.

Mr. SPROULE. In my hon. friend's riding there is a revenue of thousands of dollars, but no outport.

Mr. PUGSLEY. He hopes to get it.

Mr. SPROULE. That hope is not shared by the minister.

Mr. PUGSLEY. I think there is a great deal to be said in favour of it.

Mr. SPROULE. What is this building to cost?

Mr. PUGSLEY. We will endeavour to keep the cost down to $15,000 or $16,000 for the building completed and furnished, not including the land.

Kincardine—public building, $4,500.

Mr. PUGSLEY. This building is nearly completed. The total cost is estimated at $29,600.

Mr. BLAIN. What qualifications has Angus Kerr, clerk of this work?

Mr. PUGSLEY. We do not appoint any man inspector of public buildings unless he is experienced and thoroughly competent for the work.

Mr. TOLMIE. Mr. Kerr is a first-class carpenter.

Mr. BLAIN. Was it upon my hon. friend's recommendation he was appointed?

Mr. TOLMIE. Certainly.

Mr. GOODEVE. The clerk of works on the Guelph armoury was paid a commission of two per cent, and on this building I see the clerk was paid $3.50 a day.

Mr. PUGSLEY. When the clerk of works is an architect we allow him the usual two per cent commission.

Mr. SPROULE. Who made application for this building?

Mr. PUGSLEY. It was urged very strongly by the hon. member who represents the constituency, and the interest the town took in it is shown by their giving a site free of cost. It is required for post office and customs and examining warehouse purposes.

Mr. GOODEVE. The clerk of the works who is not an architect receives much more than the architect, he gets about ten per cent. You are paying him five times what you pay an expert architect to supervise the building.

Mr. PUGSLEY. Of course the architect gets his commission no matter whether it takes a long or a short time to erect the building, while a clerk of works is paid by the day.

Mr. SPROULE. I could understand the locality and the men applying for a building, and I do not see anything wrong in either, but I do think that where a building is intended for the use of any department there should be a request from that department, because they know better than any one else the need for a building in a particular locality and whether it is possible to secure a suitable building for the purpose.

Mr. PUGSLEY. The Militia Department always does apply.

Mr. BLAIN. What is the total amount paid to the architect and the clerk of works?

Mr. PUGSLEY. Nothing was paid to the architect; the plans were prepared by the chief architect. I have not the amount paid to the clerk of works, but I can get that if my hon. friend desires it.

Kingston post office—addition to building and alterations, $25,000.

Mr. PUGSLEY. This is to make provision for the construction of two stories addition to the Kingston post office building, and also alterations in the interior fittings, &c. This is asked for by the Post Office Department.

Mr. EDWARDS. Can the minister inform us when he expects to commence that work?

Mr. PUGSLEY. The plans and specifications will be prepared and tenders called for early in the coming season. I think I can assure my hon. friend that the work will be started early in the coming season.

Kingston Royal Military College—improvements, $15,000.

Mr. PUGSLEY. This is to make provision towards the erecting on the college grounds of a covered skating rink and drill hall combined, for use in wet weather and in the winter time. The proposed building is to be 235 feet long by 120 feet wide. This is asked for by the Militia Department.

Mr. EDWARDS. I would like to know the object of tearing down the stone cottages formerly occupied by the servants of the Military College. Is it intended to build on that site?

Mr. PUGSLEY. This rests entirely with the Militia Department, and I am not able to give the information; but, if my hon. friend desires it, I will get it from the Minister of Militia.

Mr. EDWARDS. The reason I ask is that it occurred to me and some others that those buildings might, with a very small expenditure, be made use of for ordnance stores, to take the place of the building you are renting in Kingston, and will be for the next five years at, I believe, $1,000 a year, and I doubt if the building itself cost more than $10,000 or as much when first erected. Is it the intention of the government to erect a building in Kingston to take the place of the one they are renting?

Mr. PUGSLEY. I am not aware of its being the intention. That is a matter that would rest with the Militia Department.

Leamington—public building, $15,000.

Mr. PUGSLEY. This is to provide for the completion of a public building which is now under construction. The total estimated cost is $32,278.49, including the site, heating, electric wiring, fittings, furniture, lock boxes, &c.

Mr. BLAIN. Has the minister before him a list of the newspapers in which the advertisement asking for tenders for this building was inserted?

Mr. PUGSLEY. No, I am sorry to say, I have not, but I shall be glad to get it for my hon. friend.

Mr. BLAIN. I ask for that because I see that the hon. gentleman paid $362 for advertising for tenders for this small building.

Listowel—public building, $15,000.

Mr. PUGSLEY. This is to provide for the erection of a building for post office and customs purposes.

Mr. BLAIN. On whose recommendation was this?

Mr. PUGSLEY. It has been urged very strongly by Dr. Rankin, the present member, and Mr. Hay. The site has been bought, consisting of lots 1, 2 and 3 on the corner of Main and Dodd streets.

Mr. BLAIN. On whose recommendation was the site purchased?

Mr. PUGSLEY. I am not sure, but our custom is to send an expert from the department to select a site, and I have no reason to suppose that was not done in this instance.

Mr. EDWARDS. Is the minister able to tell me whether the building used for customs purposes in Kingston is a rented building or belongs to the government?

Mr. PUGSLEY. It belongs to the government.

Mr. EDWARDS. The reason I ask is that in many of these places you are putting the post office and customs house in one building, and I thought that if the building used for customs purposes at Kingston were not owned by the government, it would be well to follow that rule there.

Mr. SPROULE. How much is the building at Listowel expected to cost?

Mr. PUGSLEY. From $20,000 to $25,000 in addition to the site. The population in 1901 was 2,693.

Mr. SPROULE. Did the town supply the site?

Mr. PUGSLEY. No, we bought the site.

Mitchell—public building, $15,000.

Mr. PUGSLEY. This building is for post office and customs purposes. The lot fronts on two streets—on one 75 feet and on the other 105 feet.

Mr. SPROULE. What is this building to cost?

Mr. PUGSLEY. This would cost about the same as the one in Listowel.

Mr. SPROULE. About $25,000.

Mr. PUGSLEY. $20,000 to $25,000. In 1901, the population was nearly 2,000. It is a town which does quite a business. I see the postal revenue is upwards of $4,000; money orders issued, $22,549; money orders paid, $14,548. It is quite a prosperous town. There are five mills there and two banks.

Mr. SPROULE. You can find towns by the dozen quite as large.

Mr. RUSSELL. Did I understand the minister to say that the department was going to spend $25,000 on this building. I understood that he had decided to spend from $10,000 to $15,000 on these small towns.

Mr. PUGSLEY. I was figuring upon a more expensive building for Mitchell, somewhere about $20,000.

Mr. BLAIN. Customs and post office?

Mr. PUGSLEY. Yes.

Mr. SPROULE. Is there a customs outport there?

Mr PUGSLEY. There is a customs office there at present. It is the outport of Stratford.

Mr. SPROULE. What were the collections last year?

Mr. PUGSLEY. I have not the customs revenue.

Mr. SPROULE. What do you pay the customs officer there?

Mr. PUGSLEY. He is paid by the Customs Department. I would not have that information. We rent a building for him at present as well as for the post office.

Mr. SPROULE. It would be some additional information to enable one to understand the importance of the place. Now, you mentioned a place where the total collection in the year was $26, and I take it that the customs officer would be paid $300 or $400 for collecting that $26. It seems to me to be unjustifiable to establish a place like that as an outport of customs, especially when you can find other places all over the country in large numbers where ten, fifteen or twenty times as much is collected, and where they have not the advantage of being outports of customs

Mr. PUGSLEY. I hope the hon. member is not applying his remarks to Mitchell.

Mr. SPROULE. I am not talking of Mitchell. I was talking of a place mentioned by the minister where they collected only $26 a year.

Mr. PUGSLEY. The fact that we have rented buildings there would be some evidence that in the opinion of the Minister of Customs it is desirable to have a customs officer. I find that the building now proposed was asked for by the town council, also by the board of trade, who impressed upon me very strongly the inadequacy of the accommodation afforded to the public by the building at present used for the post office and customs office. The building occupied was, it was alleged, unsuitable, and the upper room for the customs house was also unsuitable. The London post office inspector visited the place and made a report to the conclusion that a public building was regarded by the people and also by him as very necessary in the public interest.

Mr. FIELDING. A comparison between the amount collected and the salary of the collector is apt to be misleading. There are points where it is necessary in the public interest to keep customs officers, though you would not collect a penny. So the mere fact that a small amount is collected and a considerable sum is spent in collection, would not necessarily convey the impression that the appointment of a customs officer is a mistake. I am not applying that to this particular case, but generally. There are points where it is necessary to keep a customs officer for the pro-

tection of revenue and he may collect very little.

Mr. SPROULE. I would think that these points are on the frontier. They would not be ordinary villages in the country that are not on any lines of navigation or on any of the main lines of railways carrying trade from one country to another. Now, I am not objecting to the establishment of a customs house at Mitchell if it is needed—but I do think it is quite indefensible in a small place like that cited here within the last half hour, to establish an outport of customs where only $26 is collected in the whole year.

Mr. DEPUTY SPEAKER. Mitchell is in the riding I represent, and as there appears to be some ignorance as to the position of Mitchell, and as to the necessity for a collector of customs, I may say that the town has been for a long time considered worthy of a collector of customs. The present collector, Mr. Cull, was appointed about 20 years ago, so that for a long time back, Mitchell has been considered worthy of having a customs outport.

Mr. HUGHES. It is a good little town.

Mr. DEPUTY SPEAKER. Yes, it is a good town. Its population does not increase very rapidly, but like other towns in Ontario, it is improving steadily. I cannot give you what the customs collection is, but I should think it is considerably more than the salary that is paid to the officer, and that I think would be $700 or $800, for he has been a long time in the service. While other towns may have very strong claims, it certainly has strong claims to better post office and customs accommodation than it has. The post office was in one of the shops in the main street and was very small and cramped and poor in quality. There appeared to be no particular site in the town where a better building could be obtained, but the town council and the Board of Trade urged that the requirements were such that a better building should be supplied, and they offered at a small cost a portion of the main square on which their market hall stood. The arrangement was made in that way, the town moving their town hall to one side and giving for a small price the most important position in the town for the post office. That is the condition of affairs there, and with regard to the recommendation, I may tell my hon. friend from Peel (Mr. Blain) that the movement was entirely a local movement in Mitchell, the Board of Trade first initiating it and the town council following it up. At a later period, I was applied to to urge upon the Public Works Department the needs and requirements of Mitchell. I informed the minister pretty much in the terms I have just stated of the requirements, and I still think that the town should get what the Public Works Department is now proposing to give.

Mr. HUGHES. It is a good little town.

Mr. SPROULE. It may be a good little town. I am not objecting to that at all, nor am I objecting to the expenditure. I know something about the town, but take for the purpose of comparison such towns as Georgetown, Bronte, Shelbourne, Dundalk. These are towns of about similar size, doing quite as much business as Mitchell, but there is no information about these being supplied with a customs house, nor are they made ports of customs. The complaint I have is that, while, in many places of considerable inportance where collections are made of thousands of dollars, the place is left without an outport of customs, in other places where, not so much money is collected, there is a customs branch and a public building. I am not complaining that there should be a building at Mitchell, but asking for information as to that place. I had reference more particularly to the case we had under consideration a short time before where the collections were only $26. There is another feature of it to which the member for the constituency drew attention which, to my mind, is a much better justification for putting up this building. I have always contended that, where you could get a suitable building to rent at an amount less than would pay the interest on the money necessary to put up a public building, you were not justified in making the expenditure necessary for a public work. But this, I understand, is not the case in Mitchell; a suitable place is not to be had for rent. That would be a strong reason for the construction of a building.

Mount Forest—public building—revote of $1,330 lapsed, $15,000.

Mr. PUGSLEY. In this case the site has been purchased. The building is for customs and post office purposes. The amount of postal revenue is $4,873; money orders issued $19,751, paid $26,593. It is urged strongly that the present accommodation is very insufficient.

Mr. SPROULE. I thought they had a post office there?

Mr. PUGSLEY. No, a very poor building. Accommodation for the public is only 19 by 14 feet.

Mr. BLAIN. In what county is this?

Mr. PUGSLEY. In Wellington North. Mount Forest is a thriving manufacturing town.

Mr. BLAIN. What will the building cost?

Mr. PUGSLEY. About the same as the one at Mitchell—$20,000.

Mr. BLAIN. It is urged by the sitting member, I suppose?

Mr. PUGSLEY. Yes, and he presented requests from the Board of Trade and the municipal council.

Mr. BLAIN. I was wondering what the hon. minister was doing for ridings represented by the opposition. Could he give us a list of buildings in Ontario erected in such counties?

Mr. PUGSLEY. If the hon. gentleman will look over the list, he can judge as well as I. I might remind him of Toronto with its public buildings, harbour improvements and so on. Then there is Uxbridge; who represents the county in which Uxbridge is situated?

Mr. BLAIN. The hon. minister will know. I have not noticed many in the list. I assume that the minister finds us rather indifferent in pressing our claims and would like us to press them more vigorously before giving us these public works. I will not urge it now, but I hope that at some future time the minister will give us a list of the counties represented on this side of the House in which he is constructing post offices.

Mr. HUGHES. In the absence of the Postmaster General (Mr. Lemieux), the First Minister (Sir Wilfrid Laurier) and the Minister of Railways (Mr. Graham) I may call the attention of the Minister of Public Works (Mr. Pugsley) to the fact that a monument to Samuel de Champlain was promised to Fenelon Falls some years ago.

Niagara Falls—armoury—revote of $10,000 lapsed, $50,000.

Mr. PUGSLEY. The city has offered to provide the site for this building.

Mr. SPROULE. What is this building to cost.

Mr. PUGSLEY. We have not yet received the sketch plans from the Militia Department. Niagara Falls is an important place.

Mr. SPROULE. This seems a rather loose way to ask the House to vote money. We do not know whether we are committing ourselves to an expenditure of half a million or twenty thousand. Before estimates are submitted, one would think, data would be furnished to the minister which he would present to council. If this were before us, we would know to what we are committing the country.

Mr. PUGSLEY. The expectation of our department is that the cost will not exceed the amount we are here asking for, $50,000. But we have not yet received the plans from the Militia Department. It may be that they will ask for something involving a larger expenditure than this, in which case it will be a matter of negotiation between us.

Mr. EDWARDS. Would it not be better to leave these militia items until the Minister of Militia is here.

Mr. PUGSLEY. I have no objection.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House.

Mr. SPROULE. What business will be taken up to-morrow?

Mr. FIELDING. The third reading of the Naval Bill, the third reading of the Civil Service Bill, and immediately after that a motion will be made for Committee of Supply.

Motion agreed to, and House adjourned at 11.55 p.m.

HOUSE OF COMMONS.

WEDNESDAY, April 20, 1910.

The SPEAKER took the Chair at Eleven o'clock.

INTERNATIONAL WATERWAYS CANAL AND CONSTRUCTION COMPANY.

Mr. GUTHRIE moved that Bill (No. 119) to incorporate the International Waterways Canal and Construction Company be withdrawn, and that the fees paid thereon be refunded less the cost of printing and translation, in accordance with rule.

Mr. SPROULE. While I do not rise to oppose this motion, I think it would be a proper thing to do to penalize the parties who had the Bill in charge for bringing such a Bill before the House. It is only one of a number that has taken up a lot of valuable time in this and previous sessions, and if these parties are going to exploit these things, bring in Bills of this kind, keep the House from week to week spending a great deal of time in protecting the interests of the country and then make application to have the fees refunded, they should be punished by not receiving a cent.

Motion agreed to, and Bill withdrawn.

FIRST READING.

Bill (No. 211) to incorporate the Pioneers Loan Company.—Mr. Turriff.

GOVERNMENT ANNUITIES ACT AMENDMENT.

Mr. FIELDING moved for leave to introduce Bill (No. 212) to amend the Govern-

ment Annuities Act of 1908. He said: This is to correct an error in the recent proceedings of the House in connection with a measure dealing with this subject. We had before us a Bill from the Senate to which this House in Committee of the Whole made an amendment, striking out a certain clause in the old law which had become unnecessary. By some error the Bill stands recorded as having been reported by the Committee of the Whole without amendment. The consequence is that an amendment which the Senate intended to make, but which they overlooked, and which this House intended to make, by some error has not been made, and now requires to be dealt with. The effect of the Bill now introduced is simply to repeal the section of the old law, as was intended and explained to the committee when we had the other Bill before us.

Motion agreed to, and Bill read the first time.

QUESTIONS.

PROTECTION OF QUEBEC AND ST. LAWRENCE RIVER.

Mr. J. P. TURCOTTE:

1. How many war vessels went up the St. Lawrence river to Quebec in the summer of 1908?

2. What was the tonnage and the draught of water of each of these vessels?

3. To what nation did each of these belong?

4. How many war vessels were anchored at the same time in the roadstead of Quebec in 1908?

5. How many of these war vessels went up to Montreal?

6. How many of these war vessels, by reason of their draught of water, were unable to go up to Montreal?

7. What war vessels, by reason of their draught of water, were obstructed in their navigation between the Gulf of St. Lawrence and Quebec?

8. What effective means did the Canadian government provide in 1908 to prevent these war vessels, or one of them, from going up the River St. Lawrence to Quebec under a hostile flag?

9. What effective means did the Canadian government provide in 1908 to prevent these war vessels, or one of them, from making descents upon each of the parishes situated on both sides of the River St. Lawrence, from the Gulf up to Quebec, and taking possession of every part of the country?

10. What effective means did the Canadian government provide in 1908 to prevent these war vessels from seizing upon Quebec?

11. Was the city of Quebec fortified so as to sustain a seige in 1908?

12. Could the city of Quebec at the present time prevent a hostile fleet from seizing its citadel; and what were the effective means it provided then to organize its defence?

13. In case one of the larger war vessels which visited Quebec in 1908 had met with a serious accident, could the Canadian government place at its disposal in the port of Quebec or in any place whatever on the River St. Lawrence, a dry dock or a maritime workshop for the necessary repairs?

14. What rank did the city of Quebec occupy in 1908 as a stronghold?

15. Is the Canadian government more prepared in 1910 than it was in 1908 to defend Quebec from the possible invasion of an army by way of the St. Lawrence, and in what do these defence works consist, made since 1908?

16. What measures does the Canadian government intend to take for the purpose of protecting Quebec against the sudden attack of an army by way of the St. Lawrence, and to provide for the repairs of the largest vessels which frequent the St. Lawrence?

Hon. CHARLES MURPHY:

1. Eleven warships anchored in the harbour during the season of 1908.

2. Tonnage and draught of water: 1. 'Indomitable,' 17,250 tons, 28·8 feet draught. 2. 'Monitaur,' 14,600 tons, 28·7 feet draught. 3. 'Arrogant,' 5,750 tons 22·2 feet draught. 4. 'Exmouth' 14,000 tons, 27·10 feet draught. 5. 'Albemarle,' 14,000 tons, 27·6 feet draught. 6. 'Russell,' 14,000 tons, 26.10 feet draught. 7. 'Duncan,' 14,000 tons, 28·3 feet draught. 8. 'Venus,' 5,600 tons 23·6 feet draught. 9. 'Leon Gambetta,' 15,400 tons, 28 feet draught. 10, 'Admiral Aube,' 14,000 tons, 27·1 feet draught. 11. 'New Hampshire,' 16,000 tons, 25·6 feet draught.

3. The first eight ships were British the two next were French, and the last was American.

4. Eleven warships were anchored in the harbour at the same time, also numerous Canadian and foreign steam and sailing yachts.

5. None of the warships went to Montreal.

6. The depth of water in the channel between Montreal and Quebec was sufficient to allow any of these war vessels to proceed to Montreal.

7. None.

13. No.

It is not in the public interest that questions 8, 9, 10, 11, 12, 14, 15 and 16 should be answered.

CANADIAN INLAND MARINE.

Mr. MIDDLEBRO:

1. What was the total number of steam and other ships, respectively, of the Canadian inland marine at the end of the fiscal year, 1900?

2. What is the corresponding number and tonnage at the end of the fiscal year 1910, or for which the records are complete?

3. During the same period, what number, tonnage and kind of said inland marine was built in Great Britain, United States and Canada, respectively?

4. What dry docks in Canada have received government aid, or are entitled to or have applied for same, and what is the size and estimated cost of each dry dock and the amount of such aid or proposed aid?

5. Is it the intention of the government to ask for legislation or other authority to provide for an increase in the present statutory

amount of such aid to any special dry docks, or to aid any ship-building company, and has any application been made therefor or negotiations in respect thereto? If so, what are the names of such applicants and the nature of the applications?

Mr. MURPHY :

1, 2 and 3. Canadian registered vessels are not entered specially for inland coast or foreign navigation, being free to ply on all these waters, and no special record is kept of vessels employed on inland navigation only.

4. The following dry docks have been built and are maintained by the government : Levis, P.Q.—Dimensions, 600 feet long, 73 feet wide at bottom; depth of water on sill, 26½ feet at high water spring tides. Cost: $987,773.51. Kingston, Ont.—Dimensions, 315 feet long, 70 feet wide at coping level and 20½ feet deep. Cost: $560,661.25. Esquimalt, B.C.—Dimensions, 480 feet long, 90 feet wide at coping level and 33½ feet deep. Cost: $1,172,920.86.

The following dry docks have received subsidies from the government : Halifax, N.S.—An annual subsidy of $10,000 for the twenty years which ended on September 30, 1909. Size of dock, 585 feet long, 89¼ feet wide and 30 feet deep. According to a statement prepared by the manager of the company, the value of the property, in 1902, was $1,912,938. Collingwood, Ont.—An annual subsidy of $15,000 for the twenty years which commenced on November 16, 1903. Size of dock: length over all, 530 feet; width at coping level, 78 feet; depth on sill at ordinary water, 16½ feet. Estimated cost: $500,000.

The following companies are entitled to a subsidy of 3 per cent on the amount determined upon before subsidy agreement entered into: The Vancouver Dry Dock and Ship-building Company: (Floating dock). Size of dock, length over all, 486 feet; width of entrance at keel blocks level, 66 feet. Estimated cost: $1,077,394,01. Under construction. The Western Dry Dock and Shipbuilding Company, Port Arthur, Ont. Size of dock, 700 feet long, 85 feet wide at bottom and 15 feet deep over the keel blocks. Estimated cost, $1,258,050. Construction commenced.

The following companies have also asked for government aid, and their applications are being considered : The Sault Ste. Marie Dry Dock and Ship-building Company. Annual subsidy of 3 per cent on total cost. Size of dock, 620 feet long; width of entrance, 62 feet at bottom, 67 feet at top; 18½ feet deep from normal water level to sill. Estimated cost, as represented by the applicants : $772,510.80. The Canadian Shipbuilding Company, Niagara river. Annual subsidy of 3 per cent total cost. Size of dock, length on floor line 645 feet; width 80 feet; depth 14½ feet on keel blocks. Estimated cost, $860,000. New plans to be submitted. The Collingwood Ship-building Company, Dry Dock No. 2. Annual subsidy of 3 per cent on total cost. Size of dock 420 feet long, 105 feet wide at coping level, and 16 feet deep on sill at low water. Estimated cost, as represented by the applicants : $370,094. The Grand Trunk Pacific Railway Company, floating dock at Prince Rupert, B.C. Annual subsidy of 4 per cent on total cost. Size of dock, 500 feet long, 100 feet wide. Estimated cost, as represented by the company, $2,000,000. The Thunder Bay Dry Dock and Ship-building Company, and the National Dry Dock and Ship-building Company, (Montreal) have also applied, but have not filed any plans nor estimates.

5. (a) Yes. (b) An application has been received from the Grand Trunk Pacific Railway Company, for a subsidy of 4 per cent of the total cost of their proposed floating dock at Prince Rupert, B.C.

NEW WESTMINSTER PENITENTIARY FISH CONTRACT.

Mr. J. D. TAYLOR :

1. Has a contract been made for a supply of fish to New Westminster penitentiary for 1910-11? If so, to whom and at what prices?

2. Were tenders asked for? If so, to whom were they addressed, was any date fixed for their receipt and by whom were the tenders opened?

Mr. MURPHY :

1. The contract has been awarded by the acceptance of the lowest tender, but the department has not yet been notified that the contract is actually executed, and in these circumstances it is not in the public interest to announce at present the name of the firm or the prices involved.

2. On February 20, quotations were asked, by the purchasing agent, from : Royal City Fish Company, St. Mungo Canning Company, Bensing & Ayling, Fraser Fish Company, M. Monk & Company, and British Columbia Packers Association, all of New Westminster. No exact date was fixed for their receipt. The quotations were addressed to the purchasing agent, Montreal, and opened by him on March 23, 1910.

PAYMENTS TO L. F. CLARRY.

Mr. LENNOX :

Has L. F. Clarry, lately of Hastings, been paid for his services as agent or solicitor of the Department of Justice in connection with the investigating titles to lands alleged to be flooded or drowned in the townships of Alnwick, Percy and Asphodel, and in the village of Hastings? If so, when and what amount?

Hon. G. P. GRAHAM :

Nothing has yet been paid Mr. L. F. Clarry by this department in this connection.

THE PILOTS' ASSOCIATION.

Mr. DELISLE:

1. What amount did the Association of Pilots at Montreal have on hand in 1904, when it fell under the control of the government?
2. What has been the annual receipts and expenses since?
3. What amount is on hand to the credit of the association?

Hon. W. S. FIELDING:

1. Decayed pilots' fund.. .. .. ..$55,623 52
   Pilots' expense account.. .. .. 1,439 79

   Total.. .. ..$57,063 31

2. Decayed pilots' fund—

	Receipts.	Expenditure.
1904-5..	$4,697 20	$4,439 57
1905-6..	6,440 46	5,980 84
1906-7 (9 mos.)..	3,299 43	4,864 55
1907-8..	6,035 02	7,061 52
1908-9..	7,617 70	6,917 53
1909-10 (accounts not closed.)		
Pilots' expense account—		
1904-5..	$ 72 44	
1905-6..	86 03	
1906-7..	88 68	
1907-8..	300 61	
1908-9..	201 45	25 00
1909-10 (accounts not closed.)		

3. $56,911.37 (April 18, 1910).

OBSCENE LITERATURE.

Mr. BOYCE:

1. Were any books or publications addressed to Messrs. King & Skill, of Toronto, or to the Toronto Antiquarian Book Company, detained by the Post Office Department on the ground of being obscene and an infringement of the Postal Act?
2. If so, when did such detention occur, who were the senders, what were the books, and the names of their authors?
3. What action, if any, was taken by the department with reference to the matter, and was there any ruling of the department with reference to the nature of the literature? If so, what was it?
4. Did the department confiscate the books and did it direct or request any prosecution with reference to the matter? If so, with what result?
5. Will the Postmaster General lay on the table all the papers relating to the investigation?

Hon. RODOLPHE LEMIEUX:

1, 2, 3 and 4. The records of the Toronto post office indicate that a number of books posted at Paris, France, addressed to the Antiquarian Book Company, 5 Jordan street, Toronto, which had been transferred to the customs for examination, &c., were returned by the customs officer with an intimation that they were considered obscene. They were consequently forwarded to the superintendent of the chief Dead Letter Office, Ottawa, in special dead returns as follows:

June 8, 1907—4 books. 'Fair and Gallant Ladies,' vols, 1 and 2. 'Morbid Manifestations,' vols. 1 and 2.

June 19, 1907—1 copy of 'Aphrodite,' 1 copy of 'Morbid Manifestations,' 1 copy of 'Chastisement of Monsour.'

July 2nd, 1907—2 copies of 'Weird Women, vols. 1 and 2.

July 13th, 1907—'Fair and Gallant Ladies,' vol. 2.

These books were returned to the French post office as non-transmissible through the Canadian mails. The department subsequently received a comunication from the Post Office Department, Washington, transmitting two special reports of Inspector Anthony Comstock, together with a circular mailed by the Toronto Antiquarian Book Company, advertising alleged obscene books. This correspondence was referred to the Post Office Inspector at Toronto, who submitted the case to the Crown Attorney, by whom information was laid against Messrs. S. J. Skill and J. E. King, managers of the Toronto Antiquarian Book Company, which resulted in their conviction before His Honour Judge Winchester, on the 3rd January last.

5. Yes.

PRINCE EDWARD ISLAND RAILWAYS.

Mr. FRASER:

1. Was a survey for a branch line of railway made in the autumn of 1908, from Montague, in Kings county, P.E.I., to a point or points on Murray Harbour railway in Queens county?
2. Has the report of the engineers been received by the Railway Department?
3. If so, will it be included in the return asked for by one of the members for Queens, P.E.I., respecting the engineer's report of the survey of the New London branch lines, surveyed also in the autumn of 1908, and previously?
4. If not therein included, would the minister give the result of the survey, favourable or otherwise?
5. How many trial lines were surveyed?
6. Does the government intend to proceed with the construction of these lines or any of them? If so, which of them, and when?

Hon. GEO. P. GRAHAM:

1. Yes.
2. Yes.
3. No, not in that return.
4. Plans and estimates were laid on the table of the House in return of March 7 last.
5. Two, one direct and one by via Kinross.
6. Branch line construction is engaging the attention of the government.

I may say in addition that I think all the information asked for in this question was laid on the table in the shape of a return; but lest it should not have been, I have asked my department to give the hon. gentleman a copy.

THE GOVERNMENT RAILWAY BOARD.

Mr. LAPOINTE:

1. Does the government intend to increase the number of members on the board of control of the Intercolonial? If so, when will the government do so?

2. Does the government intend to give the province of Quebec a representative on the said commission?

Mr. GRAHAM. I announced on a previous occasion in this House that it was the intention of the government to appoint an additional member to the board of management of the government railways. That additional member will be from the province of Quebc, through which a large portion of the Intercolonial runs.

LORD KITCHENER.

Mr. CURRIE:

1. Is the government aware that Lord Kitchener, a distinguished soldier of the empire, late Commander in Chief in India, on his way from Australia to Great Britain, passed through the United States avoiding Canada and the All-red route, the importance of which from an imperial strategical standpoint, it should have been his duty to examine?

2. Is there any official reason why Lord Kitchener did not visit Canada in his travels?

3. Did the government of Canada, or the Department of Militia and Defence extend an invitation to this distinguished soldier to visit Canada? If not, why not?

4. Did any correspondence, official or unofficial, pass between the imperial authorities and the government or any department or official of this government relative to a proposed visit by Lord Kitchener? If so, when and what was the nature of the correspondence?

Sir WILFRID LAURIER:

1. The government has no more information on this subject than what has been detailed in the press and what my hon. friend has himself.

2. There is no official reason why Lord Kitchener did not visit Canada.

3. The government of Canada did not advise Lord Kitchener to visit Canada. It did not occur to the government that it was opportune to do so

4. There is no correspondence on this subject.

MESSAGE FROM THE GOVERNOR GENERAL—SUPPLEMENTARY ESTIMATES.

Hon. W. S. FIELDING presented a message from His Excellency the Governor General transmitting Supplementary Estimates for the year ending March 31, 1911.

On motion of Mr. Fielding, His Excellency's message, together with his Estimates were referred to the Committee of Supply.

WARSHIPS ON THE GREAT LAKES.

Mr. BOYCE. I would like to ask the Prime Minister whether the report is correct that there has been a ruling by the United States government that the construction of any part of the proposed Canadian navy or any warship on the great lakes would be an infringement of the Rush-Bagot treaty, an whether he has been officially informed of that ruling?

Sir WILFRID LAURIER. Neither officially nor otherwise.

THE HOUSE OF COMMONS STAFF.

Mr. J. A. CURRIE (North Simcoe). Before the orders of the day are called, I would like to refer to a notice of motion which is on the order paper with reference to the reclassification of the staff of the House of Commons. When that question comes up for discussion in the House, I would like the Prime Minister to have the opinion of the Department of Justice as to the legality of the proposed schedule, also an official report from the Civil Service Commission, and also from the deputy Minister of Justice, and such other papers bearing on the subject that we will be able to discuss this subject intelligently. I know the right hon. gentleman does not wish to do anybody any injustice.

QUESTION OF PRIVILEGE—ST. PETER'S INDIAN RESERVE.

Mr. BRADBURY. Mr. Speaker, I wish to speak to a question of privilege. A few evenings ago, when I had the honour of addressing the House on the surrender of St. Peter's Reserve, I stated that an account had been rendered by one E. Rayner, who claimed that his work was to have cost something like $500, and when the account was rendered to the Department of Indian Affairs, the department refused to pay it. I pointed out that this money had been paid, and I suggested that the extra land that had been given to the chief and councillors had been used for that purpose. This was the only part of the serious charges which I brought before the House against the department that the hon. Minister of the Interior, in his three hours speech replying to me, attempted to refute. In that attempt he denied the accuracy of my statement in regard to the extra land which the chief and the councillors had received, and in doing so quoted what I understood him to say were the official figures from his department, and he asked the House to accept them rather than the statement made by myself. The facts, Mr. Speaker, which I intend to lay before the House are shown by a sworn return of J. O. Lewis, an Indian agent at Selkirk, which I have here of the payments to the Indians of the $5,000 which

the deputy superintendent general of Indian Affairs, Mr. Pedley, had promised them if they voted for the surrender. This return gives the names of each man of the band and the number of his children and the amounts the different Indians received of this $5,000. So that there can be no doubt that each family was fully represented under the head of such family, and the head of such families was there to make the family look as large and numerous as possible, so that his share of the $5,000 would be as great as possible. This I am sure will not be questioned by any hon. member of this House. Then Mr. Speaker, this pay roll which I hold in my hand shows beyond any doubt the number of children each councillor and the chief had. I will now read to the House the headings under which the members of the family are accounted for. I will also read the declaration attached to this pay roll. I have, Mr. Speaker, in my hands the pay roll for the distribution of the $5,000 that Mr. Pedley took to St. Peter's Indian reserve and distributed among the Indians after they agreed to the surrender and it is headed in this way:

Treaty No. 1. St. Peter's Band, paid at St. Peter's Reserve, September 23, 1907. Land Fund.

The different headings follow. It is made out in regular form showing how many men, women and children there were. It starts with men, women, boys, girls, males and females. We will take just one of these men in question. We will take the chief, Wm. Prince. According to this sworn return we find that he had just himself and his wife. He received $18.60 out of that fund. That money was paid by Mr. Pedley himself according to the book. Wm. Henry Prince according to this sworn return had two of a family, and got $14.60 and that was paid by Mr. Pedley. Each of the councillors received their money directly from the hands of Mr. Pedley. Now what I rose in my place this morning to correct was the statement made by the hon. minister denying my statement that the chief and the councillors had received more lands than they were legally entitled to under the surrender. The hon. gentleman denied that fact and he says, and I am quoting from 'Hansard' of the 14th:

My hon. friend explained that Mr. Rayner had got back the extra money that he had paid to the Indians, because the chiefs had got a certain proportion more land than they were entitled to under the terms of the surrender. That is to say that Chief William Prince got 20 acres more, and the several councillors a certain number of acres more, in the neighbourhood of 20 apiece over and above what the terms of surrender called for. Chief Wiliam Prince was entitled to 212 acres by reason of his extra allowance as chief, and by reason of the number of members in his family, and he received actually 215.53, that is 3½ acres more than his allowance. Councillor Harper was entitled to 232 acres, and he got 233·16. Councillor James was entitled to 200 acres, and he got 206·88. Councillor Henry Prince was entitled to 168 acres, and he got 172·50. John Prince was entitled to 136 acres, and he got 136 acres. The explanation is that in the laying out of the lands when the survey was made, the lots ran into one or two acres more than the allowance called for, and the block was allowed to go as it was surveyed. My hon. friend stated last night that these people received in the neighbourhood of 20 acres at least more than they were entitled to, and that this extra allowance of land was in some way, which he did not explain, used to repay Rayner the money that he said it was rumoured had been paid to the Indians.

Mr. BRADBURY. The minister has given the amount of acreage. I would like him to tell the House how many of a family each man had.

Mr. OLIVER. Chief William Prince had two of a family, Councillor Harper seven, James William five, Henry Prince three, and John Prince one. My hon. friend said last night that these men got about an average of 20 acres apiece more than they were entitled to. The figures I have given the House are the figures given to me by the officers of the department, and I am sure my hon. friend will pardon me if I say I am rather willing to accept their figures than the figures he has given, and that I ask the House to do the same.

Mr. SPEAKER. I am sorry to interrupt the hon. member but a question of personal explanation according to Bourinot, must be confined purely and simply to personal explanation of the language used. I could read the authority, but I suppose it is hardly necessary. The hon. member cannot return to the debate on the St. Peter's Indian Reserve for the minister could not speak at this point so the hon. member will confine himself strictly to his personal explanation.

Mr. BRADBURY. I am nearly finished. It is absolutely necessary that I should state these facts to the House before I can make a proper explanation. What I wanted to point out, Mr. Speaker, on my responsibility as a member of this House, was that this actually gives a correct statement as to the families of the chief and councillors, and this fact is sworn to by J. O. Lewis, Indian agent. Now let us see——

Mr. FIELDING. I really submit to my hon. friend that he should not persist further in the light of the Speaker's ruling. What he means to say is that he has a difference with the Minister of the Interior, and he is trying to make a case out against him. I might have a difference with an hon. member opposite in a matter discussed some days ago, but surely I could not be allowed under a personal explanation to revive the debate.

Mr. SPEAKER. I may read what Bourinot says on the matter :

There are certain cases where the House will permit a member who has already spoken to a question to make some further remarks by the way of explanation before the debate finally closes. For instance, when a member conceives himself to have been misunderstood in some material part of his speech, he is invariably allowed through the indulgence of the House to explain with respect to the part so misunderstood, and this privilege of explanation is permitted without leave being actually asked from the House. But such explanation must be confined to a statement of the words actually used when a member's language is misquoted or misconceived or to a statement of the meaning of his language when it has been misunderstood by the House; for the Speaker will call him to order the moment he goes beyond that explanation and replies to the remarks of members in the debate.

Mr. SPROULE. I respectfully submit this, that the hon. member (Mr. Bradbury) made a statement to this House which was denied and he is endeavouring to explain the grounds upon which he made that statement and if necessary he is prepared to quote from official documents upon which he grounded his statement. That is justification for an explanation. Further I would think it would properly be a matter of privilege and quite within his rights to do what he proposes. He is not dealing with any other one who took part in the debate except the one who contradicted his statement.

Mr. FIELDING. I might have had a discussion with my hon. friend some weeks ago and the hon. gentleman might have contradicted something I said. Would I be at liberty under cover of personal explanation to revive that discussion? I do not think so. I do not wish to press the point, but I am afraid that we shall lose the order of the House.

Mr. R. L. BORDEN. I recollect one occasion when the Minister of Finance (Mr. Fielding) did the very thing which he says now cannot be done.

Mr. FIELDING. What was it ?

Mr. R. L. BORDEN. During a controversy which the hon. member (Mr. Fielding) had with Sir Charles Tupper in this House. He came into the House afterwards with a letter from Mr. H. M. Whitney, I think it was, intended to corroborate his statement of the case, and introduced it into the debate, doing exactly the thing he says should not be done.

Mr. FIELDING. I think the hon. member's (Mr. R. L. Borden) case is not happily chosen. Speaking from memory. I may not state the facts exactly, but my recollection is that the discussion referred to arose on a tariff or fiscal measure. And, when, at a later stage, on a new motion, the subject was again before the House, I referred to the letter spoken of. But I did not, on a question of privilege, undertake to do anything of that sort. I think that my hon. friend, if he will consult the record, will find that he is mistaken.

Mr. R. L. BORDEN. The procedure may have been as the hon. minister states; I have not a sufficiently clear recollection of the case to contradict him. By my recollection is that he was not corrected in the course he took. My hon. friend from Selkirk (Mr. Bradbury), I take it, could again bring up the whole matter on motion to go into supply.

Mr. FIELDING. Certainly.

Mr. R. L. BORDEN. I do not see any reason why he should be driven to that. He has only a short explanation to make, as I understand it, endeavouring to put himself right on a matter in which he conceives himself to have been misrepresented.

Mr. FIELDING. But he is assailing another member.

Mr. BRADBURY. I have no desire to infringe on the rules of the House. But the Minister of the Interior (Mr. Oliver) criticised the statement I made the other night in language which calls for some explanation from myself. He characterized my statement thus :

May I add my humble appreciation by saying that I believe never, since this chamber was erected, has there been delivered in its walls such a persistent and sustained tirade of unwarranted assertion, of unwarranted insinuation, a tirade that, in its gratuitous inexactitude, is an offence against the privilege of parliament and an insult to its intelligence.

Now I hold that, as a member of this House, I have some rights here. I have a right to justify what I said in the House.

Mr. FIELDING. With the hon. member's permission, I would respectfully suggest that he is endeavouring to justify himself in a matter arising out of a previous debate. Unless there is some thing in which he has been misrepresented or something of that kind—

Some hon. MEMBERS. Oh, oh.

Mr. FIELDING. No, the hon. member has not a right to proceed in this way on a question of privilege. His statement must be confined to a personal explanation. The hon. member must see that his speech will challenge a reply—

Mr. BRADBURY. No.

Mr. FIELDING. Then the hon. member wants to have it one-sided. Unless that is his wish, I have only to point out that

what he says is likely to challenge a reply, and so we lose the order of the House.

Mr. BRADBURY. I am simply making a statement correcting what the minister (Mr. Oliver) said in regard to the statement I made before. He said that when I stated that the chief and councilmen had received more land than they were entitled to, I stated that which was not in accord with the facts. I have laid before this House this return which is sworn to by the Indian agent, which is absolutely correct and proves the correctness of my statement and the incorrectness of the minister's explanation.

Mr. FISHER. If I may be permitted to interrupt, the hon. member (Mr. Bradbury) says he has a right on a question of privilege to justify a statement he made in a former debate. I ask your ruling, Mr. Speaker, on the question whether the hon. member can do that on a question of privilege. As I understand it, he has a right to correct a statement of his own or to make a personal explanation, but not to justify his former argument. The hon. leader of the opposition (Mr. R. L. Borden) has pointed out that the hon. member for Selkirk will have an opportunity, on going into supply, to bring up this question. That is perfectly right. And the only objection to his bringing it up now is that he is violating the rules of the House and indulging in a procedure which has been, I regret to say, somewhat abused.

Mr. J. A. CURRIE. The hon. member has risen—

Some hon. MEMBERS. Order.

Mr. SPEAKER. The hon. Minister of Agriculture (Mr Fisher) has the floor.

Mr. J. A. CURRIE. I rise to a point of order.

Some hon. MEMBERS. Order, order.

Mr. J. A. CURRIE. I am speaking on the question of order.

Mr. FISHER. The hon. member for North Simcoe (Mr. J. A. Currie) desires to interrupt me, but I claim to be heard as I have the floor.

Mr. J. A. CURRIE. Mr. Speaker, the hon. member (Mr. Fisher) cannot speak on a question of privilege for the hon. member for Selkirk (Mr. Bradbury) has the floor on that question. He (Mr. Fisher) can only speak on a point of order. That is my point of order.

Some hon. MEMBERS. Order, order.

Mr. R. L. BORDEN. The hon. member for North Simcoe rose to a point of order. The Minister of Agriculture should have taken his seat at once.

Mr. FISHER. If Mr. Speaker says I am out of order, I will sit down.

Mr. SPEAKER. If hon. members will permit me, I would suggest that the hon. member for Selkirk (Mr. Bradbury) ought to confine himself to a personal explanation. If he is anxious to carry the matter further, he can do so when we go into supply. I think that is the sense of the House.

Mr. BRADBURY. I desire to fall in with the suggestion of the Chair, having no wish to violate the rules of the House. But at present I merely wish to clear myself of the charge made by the minister—

Mr. CONMEE. And reopen the debate.

Mr. BRADBURY. Keep quiet. It will be necessary for me to show exactly how much land these Indians get. I can do that in a few minutes. William Prince, chief—

Some hon. MEMBERS. Order.

Mr. SPEAKER. I think the hon. member must confine himself to a personal explanation. If he wants further opportunity he will—

Mr. BRADBURY. It is utterly impossible for me to explain the position without submitting the facts I have here. William Prince, chief—

Some hon. MEMBERS. Order.

Mr. BRADBURY. —and his wife—

Some hon. MEMBERS. Order.

Mr. SPEAKER. I think the hon. gentleman (Mr. Bradbury) had better be allowed to conclude his remarks.

Mr. BRADBURY. Mr Speaker, I was saying when I was interrupted that Chief William Prince had a wife and on her account he was entitled to 16 acres of land. Under the terms of the treaty he was entitled to 180 acres for himself, a total, 196 acres. Yet according to the minister's statement, he received 215 acres, or 19 acres more than he was entitled to. William H. Prince, councillor, had a wife, on whose account he was entitled to 16 acres. He himself was entitled to 120 acres, or a total of 136 acres. According to the statement of the minister, he received 172½ acres, or 36½ acres more than he was entitled to under the treaty. John Prince, councillor, had no wife, and was entitled to 120 acres. He received 136 acres, or 16 more than he was entitled to under the treaty. James Williams, councillor, had a wife and three children, on whose account he was entitled to 64 acres, together with 120 of his own account, a total of 184 acres. But he received, according to the minister's statement, 206¾ acres, or 22¾ acres more than he was entitled to. William Harper, councillor, was according to this

sworn return, entitled to 16 acres on account of his wife, and 16 for one child. I may say in passing that the man had no wife; his wife was dead, and 120 acres for himself, he was entitled under his claim to only 152 acres. He received, according to the minister's statement, 232¼ acres or 80¼ acres more than he was entitled to. In these extra allotments four men received, not a hundred acres, as I stated to the House before, I was too moderate, for they did receive 174 acres more land than they were entitled to under the terms of the surrender, and I am now satisfied that that land supplied the money to pay the chief and council for betraying their band. The facts entirely justify my statement and proves the hon. minister entirely wrong.

Mr. OLIVER. If it is my privilege——

Mr. SPEAKER. The minister can speak on a question of privilege, or give a personal explanation.

Mr. OLIVER. I have no explanation to make, but my hon. friend has seen fit to revive a discussion which took place the other day, and it seems to me that if he wished to revive it he had much better have done it when the estimates were under discussion and when all these questions could be threshed out. If I am privileged, however, to continue this discussion——

Mr. SPEAKER. Under the circumstances the minister would do better to let the question stand, unless he wishes to avail himself of his right to give a personal explanation.

Mr. OLIVER. I have nothing to explain, and nothing to apologize for. I do not wish to break the rules of the House for the purpose of keeping up a discussion which, it seems to me, occupied as much time of this House the other day as was fairly warranted under the circumstances; and unless my hon. friend can find some new matter to bring to the attention of the House on this occasion, I would suggest to him that he be merciful, even if he is strong.

RULES OF THE HOUSE.

Mr. J. A. CURRIE. Before the orders of the day are called—I understand a committee of this House has been appointed to revise the rules of the House, and we have been waiting now for about four months to hear from that committee. There is a certain vague rumour going around the corridors that in a few days, after the work of the House is nearly all done, the rules will be brought in here with a closure in them. I would like to ask the Prime Minister if the amended rules might not be placed before the House so as to give us an opportunity of discussing them before the session closes, and deciding whether it is necessary to have the closure.

Mr. BRADBURY.

Sir WILFRID LAURIER. I am happy to inform my hon. friend that this committee will have its last sitting on Saturday, and the report will be brought down on Monday. I think my hon. friend will find the rules quite satisfactory to this House.

THIRD READING.

Bill (No. 205) to amend the Civil Service Act.—Mr. Fisher.

NAVAL SERVICE OF CANADA.

Sir WILFRID LAURIER moved the third reading of Bill (No. 95) respecting the Naval Service of Canada. He said: I promised my hon. friend the leader of the opposition yesterday to give him some information, which I now present to the House.

Mr. R. L. BORDEN. I have expressed my views at considerable length on two occasions with regard to the measure that is now before us for the third reading; for that reason it will not be necessary for me to inflict upon the House any lengthy remarks at the present moment. I do not intend to go over matters that I have already debated; there are, however, one or two considerations which I feel it my duty to present to the House before the third reading is passed. I have not found an absolute wealth of information available with regard to the details of this measure. Yesterday I put a number of questions to the government which, owing to some confusion in the arrangement of their documents, they were not able to answer at the moment. I cannot see that the memorandum which I have received from the Prime Minister this morning is very illuminating, as it consists for the most part of a reference to matters that have already been set forth on the pages of 'Hansard.' In fact, so far as the details of the measure are concerned, I would be inclined to think that the government are wandering in a sort of Serbonian bog in which there is not much light respecting the proposals that are before the House.

Now the problem of co-operation in the defence of the empire is undoubtedly a very grave one. Two considerations present themselves immediately when that question is before us. The first consideration is how we may best give aid in what I consider to be the present emergent condition of the empire; the second is what will be a reasonable basis of permanent co-operation by Canada in the naval defence of the empire. So far as I am concerned, I have endeavoured to keep those questions absolutely distinct, as I think they are distinct in themselves. Ever since we first discussed this question on the floor of the House in the month of March, 1909, it has seemed to me that an immediate and effective aid to the empire in the present emerg-

ent conditions can only be accomplished, or at least can best be accomplished, by placing a certain sum of money at the disposal of the imperial authorities of Great Britain as represented by the admiralty, and inviting them to make the best disposal of that money, in their judgment, for the purpose of increasing the united naval strength of the empire I have set out my views on that matter in the resolution which I moved in this House on the second reading, and I need not repeat my observations thereon. I shall come to one or two details of the government measure in a moment. I desire to say at this juncture that I regard the subject of permanent co-operation by Canada in the naval defence of the empire as one that should be properly submitted to the people of this country before any plan of permanent co-operation is entered upon by Canada. Some very strong criticism of our position in that regard has been made by the Prime Minister, by the Minister of Militia and Defence and by other hon. gentlemen opposite. I have not observed anything in those criticisms which alters the opinion I have expressed. If I were inclined, I could quote this morning from speeches made in the past by the Prime Minister himself upon the proposal to build the Canadian Pacific railway, from speeches made by the Minister of Militia and Defence himself upon that proposal and upon other proposals; I could quote the remarks and the votes of those hon. gentlemen in this House, who, in respect of matters that had been canvassed in this country for years, declared that measures should not pass parliament until the actual proposals had passed through the ordeal of a general election, that they should only be passed by a parliament that came back with a mandate from the people in that regard. For example, although the proposal to build the Canadian Pacific railway had been before this country for no less than 8 years, and had been discussed upon every platform in the country, both of these hon. gentlemen voted in this House for a resolution which declared, 'that the contract should not be ratified till after the people had had the opportunity of expressing their opinion through the medium of a general election.' As neither the Prime Minister nor the Minister of Militia said a single word in support of that motion they must be regarded as concurring in the arguments used by one of their supporters at that time, who made the motion on their behalf.

Sir FREDERICK BORDEN. Was not that expression of opinion given in face of the fact that a much more favourable offer to build that railway had been made by another company?

Mr. R. L. BORDEN. The hon. gentleman may be correct or not correct in that regard. The point of my contention is that he declared 'that the contract should not be ratified till after the people had had an opportunity of expressing their opinion through the medium of a general election.' That parliament had been elected to a certain extent on that issue, and I will invite my hon. friend to consider the reasons to which he committed himself for his silent vote. Mr. Bechard, who made that motion, speaking for his colleagues, used the following language:

'I contend this whole subject should be laid before the people for their decision at the polls. The ground on which I base my contention is that in a question of such great consequence for the weel or woe of the country, the people should have an opportunity of pronouncing on this new policy and scheme submitted by the government. True this Pacific Railway question has been before the people for years, and that it has been the settled policy of the country to build a road connecting the eastern with the western provinces, and that this road should be continued to the Pacific coast; but it is equally true that the policy now before us to attain that end is completely new to the people. . . .

'We do not know what is the real sentiment of the people at present with reference to this scheme. . . .

'I believe it is difficult for any of us to say what is the real sentiment of the people with regard to the question, and I think that the only way of ascertaining it would be an appeal to the judgment of the people.'

I say that every one of these considerations is an infinitely stronger consideration why the mandate of the people should be sought at a general election on the present occasion than it was when the Prime Minister and the Minister of Militia voted for that particualr motion in 1881. This proposal has not been before the people at all. My right hon. friend the Prime Minister cannot deny that. What was his attitude in 1907 at the imperial conference? His attitude—and upon that attitude he went to the country in 1908—was exactly the reverse of the policy he has presented to the House in this Bill. He declared at the imperial conference of 1907, in language which has been quoted over and over again in this House, in language as explicit and forcible as it would be possible for any man to use, that he would have absolutely none of the policy that he is presenting to the House today. So I say as far as our position is concerned in seeking the mandate of the people at a general election with regard to a basis of permanent co-operation for the defence of the empire, we had nothing to retract. We stand, as we have always stood in that respect, on two considerations—first, that the emergent conditions of the empire do demand immediate and effective aid, and, in the second place, that before a basis of permanent co-operation in the naval defence of the em-

pire is entered upon, the people of this country have a right to be consulted and to give their mandate.

A great deal has been said about the resolution of March, 1909, and at the risk of wearying the House I wish to say one or two words in that connection. It has been charged over and over again by hon. gentlemen on the other side of the House that the Conservative party in opposing this Bill, is departing in some way from the terms of that resolution. I desire to challenge that statement as directly as it can be challenged in parliamentary language. I say that those who have departed from the resolution of 1909 are the hon. gentlemen on the treasury benches. Can there be any doubt upon that? Let me invite once more the attention of the House to the following clause which was contained in that resolution:

The House will cordially approve of any necessary expenditure designed to promote the speedy organization of a Canadian naval service in co-operation with and in close relation to the imperial navy, along the lines suggested by the admiralty at the last imperial conference, and in full sympathy with the view that the naval supremacy of Britain is essential to the security of commerce, the safety of the empire and the peace of the world.

In order to ascertain whether or not the proposals of the government follow the resolution of March, 1909, it is necessary in the first place to ascertain whether those proposals are along the lines suggested by the admiralty at the last imperial conference, that is, the conference of 1907. Those lines were laid down and declared in the clearest possible terms by Lord Tweedmouth, at that time the First Lord of the Admiralty. This is what he said:

The only reservation that the admiralty desire to make is that they claim to have the charge of the stragetical questions which are necessarily involved in naval defence, to hold the command of the naval forces of the country, and to arrange the distribution of ships in the best possible manner, to resist attacks and to defend the empire at large whether it be our own islands or the dominions beyond the seas.

We thoroughly recognize that we are responsible for that defence. We want you to help us in that defence. We want you to give us all the assistance you can, but we do not come to you as beggars; we gladly take all that you can give us, but at the same time, if you are not inclined to give us the help that we hope to have from you, we acknowledge our absolute obligation to defend the King's dominions across the seas to the best of our ability.

No question there, as to whether the emergency in question affects the British isles or not, no question there of going to the help of any of the Dominions beyond the seas provided the war is just or provided the interests of the British empire as a whole are concerned, but a broad, loyal, generous declaration that whatever may be the emergency the mother country will gladly come to the aid of the Dominions beyond the seas.

What is the reservation which Lord Tweedmouth claimed in that statement?

The only reservation that the admiralty desire to make is, that they claim to have charge of these strategical questions which are necessarily involved in naval defence, to hold the command of the naval forces of the country, and to arrange the distribution of ships in the best possible manner to resist attack and to defend the empire at large, whether it be our own islands or the dominions beyond the seas.

How is that carried out by the proposals of the government? Can any man, taking a reasonable view of this Bill say that it is on the lines suggested by Lord Tweedmouth in the quotations I have just read?

I have here section 18 of the Bill. The section provides:

In the case of an emergency the Governor in Council may place at the disposal of His Majesty, for general service in the Royal navy, the naval service or any part thereof, any ships or vessels of the naval service, and the officers and seamen serving in such ships or vessels, or any officers or seamen belonging to the naval service.

What is the meaning of that proposal? The Prime Minister has set forth its meaning in the debate in committee. I shall not attempt to give the committee the whole of his observations, but I shall read one passage which I think ought to be placed before the House in connection with the quotation I have already made. On page 7626 of the unrevised 'Hansard' I find:

Mr. R. L. BORDEN. Would the right hon. gentleman permit me to ask him a question? Suppose a Canadian ship meets a ship of similar armament and power belonging to an enemy, meets her on the high seas, what is she to do? I do not ask now what she will do if attacked, but will she attack, will she fight?

Sir WILFRID LAURIER. I do not know that she would fight. I do not know that she should fight either. She should not fight until the government by which she is commissioned have determined whether she should go into the war. That is the position we take, my hon. friend takes a different position. He says that without any question, under all circumstances, we are bound to send our ships into the war. We take a different position, and we say: Let the country judge between us.

Mr. R. L. BORDEN. Would our ports and harbours be neutral like our fleet until an order in council had been passed?

Sir WILFRID LAURIER. I do not understand what my hon. friend means by asking if they should be neutral.

Mr. R. L. BORDEN. I understand the

Prime Minister to say that our ships would not fight until they were ordered to do so, and, therefore, they would in effect be neutral until the Governor in Council had made an order that they should participate in the war. Have I misstated my hon. friend's position?

Sir WILFRID LAURIER. No.

You could not have anything much plainer or more explicit than that.

Mr. R. L. BORDEN. Then, inasmuch as our ships, under the conditions mentioned, will be practically neutral, I would like to know whether our ports and harbours will also be neutral in the same way?

Sir WILFRID LAURIER. I do not understand what my hon. friend means by asking if they would remain neutral. If he means after an enemy has come into our harbour, then it will be time to resist them with our fleet.

Mr. R. L. BORDEN. But if our ships do not attack the enemy when they meet the enemy on the high seas, on the same principle, may not the enemy's fleet come into our harbour without resistance or attack, without any fear of aggression, surely that can be done, it is feasible for the country owning those harbours to maintain neutrality on the high seas?

Sir WILFRID LAURIER. That would be a question to determine any time that a warship entered a Canadian port.

Mr. R. L. BORDEN. The position of the Prime Minister is that ships flying the British flag should meet an enemy on the high seas and not attack them. That is a new tradition for the British navy.

I do not think there can be any misapprehension as to the position of the two parties in this connection. The Minister of Finance and other hon. gentlemen opposite have endeavoured to becloud the issue. I am not proposing that the naval forces of Canada shall be sent to every little war. Great Britain may be engaged in naval wars in which not one-tenth of her naval forces would be called upon to act. What I contend for is the principle that in time of war there shall be one united naval force for the whole empire and that naval force shall be available to meet any enemy that may assail the integrity of the empire. Suppose it were declared that the naval forces of Canada should be part of the naval force of the empire in time of war. It is conceivable that there might be a naval war in which Great Britain might not require or demand any assistance whatever from the naval force of this country. But there is something beyond and above all that. If the naval forces of the mother country and all the dominions form part of one great united naval force of the empire in time of war what follows? Any enemy assailing the British empire knows that it must meet those forces in time of war, that they are available for attack or resistance, for upholding the integrity of the empire and the supremacy of its sea control. What is the other alternative? Under the proposals of the government what may an enemy anticipate? It may anticipate that it will have to meet the naval forces of the mother country plus a potential order in council which may not come into force until the integrity of this empire shall have been destroyed. That, Sir, is the difference between the two proposals as it lies in my mind and I, like the Prime Minister, am ready to leave to the country to judge which proposal is truly in the interests of Canada, and in the interests of the whole empire.

The proposals of the government seem to me in one aspect to be absurd and unworkable, but in another aspect they are dangerous and revolutionary. In so far as they are not unworkable they are dangerous; in so far as they are not absurd they are revolutionary because it is absolutely inconceivable that if Great Britain were engaged in a naval war and the Canadian naval force acted as if it belonged not to the empire or to Canada but to some neutral country, such a condition would not lead or at least conduce to the early separation of this country from the British empire. I would recall some of the illustrations adduced in the debate yesterday. A Canadian ship is on the ocean, no order in council has been passed, war has been declared or an overt act committed and hostilities have actually commenced; a Canadian ship is on the high seas, flying the British flag, a cruiser of the enemy approaches, the Canadian ship is not to attack or to fight unless she is attacked. Within sight of her, on high seas, a cruiser of the enemy may be capturing vessels flying the British flag. Under the statement of the Prime Minister, the Canadian cruiser will not interfere because no order in council has been passed. Is such a position tenable is it not absurd, is it not dangerous and revolutionary? Can it have any other outcome than to bring about the separation of this country from that empire whose flag flies over us to-day?

The Prime Minister seems to consider that it is possible that our ports and commerce shall also be neutral as our fleet would be under his own statement until that order in council has been passed. That would only emphasize the position I have already taken. My hon. friend the Minister of Finance says that if Great Britain became involved in any great or serious war no government in this country could live unless it sent the Canadian naval force to the assistance of the empire. Well, there are one or two considerations to be regarded in that connection. I pointed out before, and I repeat it to-day, that a delay such as that which took place at the

hands of this government in connection with the South African war might spell disaster to the whole empire; and although condign punishment might be visited upon a government which hesitated in such an emergency, it would be small consolation to us afterwards that certain gentlemen should be driven from the treasury benches or even out of public life, when in the meantime the fate of this empire had been decided by a great naval battle in which no Canadian naval force took part. So I do not think the question can be met in that way.

I desire further to say that if by the free act of this parliament the naval forces of Canada were placed at the disposal of the admiralty of some central authority in time of war, that would not in the least interfere with our autonomy, the danger of which has been so greatly on the minds of hon. gentlemen opposite. That course would be taken by the free will of the people of Canada expressed through their representatives in parliament. It would, in fact, be more the act of the people of Canada than the passing of an order in council, as proposed by hon. gentlemen opposite.

I am desirous, Mr. Speaker, that this country shall co-operate upon some permanent basis in the naval defence of the empire. I do not see how it is possible for us to remain within the empire without taking some responsibility in that regard. What will the proposal of the government work out to? If we are to abstain from taking part in some war which may concern Great Britain or other dominions of the empire chiefly, will Great Britain, on the other hand, when our Pacific coast may be assailed, say that she will take no part on our behalf, and that her navy shall remain in the North Sea? I am disposed to think that there is only one way of dealing with the naval forces of the empire, and that is to have them united under some central control, and let the world know that those united forces are available for the maintenance of the sea supremacy of the empire in time of war. They may not be called upon when certain wars occur, even wars involving the employment of the naval forces; but the mere fact that they are available is the important consideration. This is the principle I stand for and the principle I desire to see carried out. It is desirable, in the first place, that we should co-operate upon some permanent basis. It is desirable, in the second place, that if the conditions of the empire at the present time are emergent, we should bear some immediate and effective aid to the empire as a whole. I still maintain, notwithstanding all the arguments that have been advanced to the contrary, that the proposal I submitted to the House involves the true principle in that regard; and that the true solution, the wise solution, of the great problem that is before the people of Canada to-day would be, in the first place, to bring immediate and effective aid in the manner I have already indicated to the House on the second reading of this Bill, and, in the second place, to mature more carefully and wisely the proposals for permanent co-operation by Canada in the naval defence of the empire—to bring these proposals into parliament and discuss them, then to submit them to the people at a general election, and after that to have them carried into force according to the mandate and the direction of the free people of Canada.

Hon. W. S. FIELDING. Mr. Speaker, with the exception of the few remarks I made yesterday in Committee of the Whole, I have not yet taken any part in this discussion. Now that my hon. friend the leader of the opposition, by his speech has reopened the whole question, I ask the permission of the House to make some observations which, perhaps, I might more fittingly have made at an earlier stage, but which, in the desire to shorten the discussion, I refrained from making. The question before us to-day is one of the greatest importance, perhaps the most important that has ever come before the parliament of this Dominion. Some may think that it involves a new principle; but if we look more closely into the matter, we shall discover that what we are doing to-day does not involve a new principle, but is merely an enlargement of a principle which the people of Canada have long accepted and had in operation. It is the history of all colonies that in their earlier stages they must look to the mother country for support; but as a colony grows in population and strength, it naturally takes upon itself some share of those responsibilities which in the earlier stage have to be assumed by the mother country. Canada has passed through that stage. In her earlier days she had to look to the mother country, as all other colonies have had to do; but as she has grown in wealth and in population she has taken upon herself those responsibilities which a self-respecting country should be ready to bear whenever she has the ability to do so. And so in the progress of time we have taken upon ourselves some share of the obligations in regard to our military defence. We had our military organizations, more or less efficient, in the various provinces before confederation, and at the time of the union there was a sort of understanding that Canada should recognize her imperial responsibilities by expending a very considerable sum for us in those days, roughly estimated at $1,000,000, for the mainten-

ance of her militia organization. From time to time progress was made in that direction until to-day we are spending some $6,000,000 or $7,000,000 a year in the maintenance of our militia system. Now, when we undertake to apply the same principle to the naval organization, the House will see on reflection, that it is not the introduction of a new principle; it is simply an extension of an old principle, an extension which we ought to make by reason of the fact that Canada is growing more rapidly in wealth, in population and in all her resources. Whatever differences there may be amongst us on matters of detail, we all recognize the fact that we belong to a world-wide empire, and that the maintenance of that empire requires a great naval force; and when the time has come that the naval organizations of other countries seem to be coming nearer to those of Great Britain, that the supremacy of Great Britain on the sea may seem to be challenged, or, if it is not challenged, the moment may not be distant when it will be challenged, the overseas dominions will be wise to take upon themselves some share of responsibility in naval affairs, and the only question is one of detail as to what is the best form in which that assistance can be rendered. It is too much to expect that the British islands, with their comparatively small population, shall forever bear the burdens of this great naval organization.

I accept in the fullest degree, that if we are to be citizens of this great empire, and share in all its glory, and in all its prestige and all its power, we must be prepared to share in its responsibilities. It is a burden and we must not be too niggardly as to the amount we may be called upon to spend for such a useful, such a noble and such an imperial purpose. I want to call the attention of the House now to the question of the differences of opinion that exist between us as to the proper methods of dealing with this question. If we are all agreed that Canada must take up her share of responsibility, then we come to the consideration of the best method. Now, it is a pity that there should be differences of opinion amongst us to-day. There were none a few months ago. I really do not think that there are good reasons for such differences of opinion. However that may be, I think we shall do well to again place on record the resolution of the House of the 29th of March, 1909:

> This House fully recognizes the duty of the people of Canada, as they increase in numbers and wealth, to assume in larger measure the responsibilities of national defence.
>
> The House is of opinion that under the present constitutional relations between the mother country and the self-governing dominions, the payment of regular and periodical contributions to the imperial treasury for naval and military purposes would not, so far as Canada is concerned, be the most satisfactory solution of the question of defence.
>
> The House will cordially approve of any necessary expenditure designed to promote the speedy organization of a Canadian naval service in co-operation with and in close relation to the imperial navy, along the lines suggested by the admiralty at the last imperial conference, and in full sympathy with the view that the naval supremacy of Britain is essential to the security of commerce, the safety of the empire and the peace of the world.
>
> The House expresses its firm conviction that whenever the need arises the Canadian people will be found ready and willing to make any sacrifice that is required to give to the imperial authorities the most loyal and hearty co-operation in every movement for the maintenance of the integrity and honour of the empire.

I think that resolution should be quoted again and again, because I believe that on the 29th March, 1909, it correctly expressed the sentiments of the Canadian people; and now at the close or near the close of this long debate on this important measure, I venture to read it once more and to say that the words of that resolution to-day express the deliberate judgment of the people of the Dominion of Canada. The House, in this resolution, recognized the necessity of participating in the naval movement. The House distinctly declared its conviction that the payment of a money contribution was not the most satisfactory way.

An hon. MEMBER. Hear, hear.

Mr. FIELDING. The House declared in favour of a Canadian naval service in co-operation with the imperial navy, the service which this Bill proposes to give to the empire. The House declared the readiness of the Canadian people whenever the need arises to make any sacrifice that may be necessary for the maintenance of the empire. It was the unanimous declaration of the Canadian parliament, a notice to the world of the determination of Canada to stand by the empire when a case of need should arise. We would plead to-day, if it were possible, for the same unanimity which characterized the parliament of Canada at that moment. The need of co-operation with the imperial navy is frankly recognized. We are without experience in such matters, but it is both sensible and patriotic that we should communicate with the admiralty and profit by their larger knowledge and by their greater experience, and that is exactly what we have done. The fact that we do not do all that the British government may have desired us to do, is by no means a proof that the policy we are pursuing is not entirely consistent with their views. On the contrary, so far as we are able to know, we are entirely in

harmony with the wishes of the British admiralty. We are proposing a scheme which the imperial authorities themselves laid down for our advice and our guidance.

Some hon. MEMBERS. No, no.

Mr. SCHAFFNER. By no means.

Mr. FIELDING. Let us see what the British government asked us to do. Their first proposal was for a monetary contribution. That was the first suggested. No one doubts that that would be the most convenient form of assistance from the home point of view of the British admiralty, and it is now claimed that our government should respond to this demand. It was not so claimed in the resolution of a year ago. But, Mr. Speaker, Canada has been on record for years against monetary contributions for naval purposes in that form. At the conference of 1902, Lord Selborne, who was then first Lord of the Admiralty, made a similar suggestion. The proposal for a monetary contribution was emphatically rejected by the Canadian ministers attending that conference. Lord Selborne's memorandum submitted to the conference has references to contributions from the colonies, and then it says:

Sir Wilfrid Laurier informs me that His Majesty's government of the Dominion of Canada are contemplating the establishment of a local naval force in the waters of Canada, but that they were not able to make any offer of assistance analogous to those enumerated above.

That was the declaration the Prime Minister of Canada made on behalf of the government and parliament and people of this Dominion. At a later stage, the Canadian ministers submitted a memorandum which has been read in this House before, and only a part of which I will read now:

In conclusion the ministers repeat that while the Canadian government are obliged to dissent from the measures proposed, they fully appreciate the obligation of the Dominion to make expenditures for the purposes of defence in proportion to the increasing population and wealth of the country. They are willing that these expenditures shall be so directed as to relieve the taxpayer of the mother country from some of the burden which she now bears; and they have the strongest desire to carry out their defence schemes in co-operation with the imperial authorities and under the advice of experienced imperial officers, so far as this is consistent with the principle of local self government which has proved so great a factor in the promotion of imperial unity.

Thus Canada, in the most emphatic way, placed herself on record against the contribution of money from the treasury of Canada for the building of Dreadnoughts or for any other expenditures by the British admiralty for naval purposes. That record has been before the country since 1902. We have had discussions in parliament from time to time on various matters of a more or less imperial character, but down to the time of the present session, down to the opening of the discussion when hon. gentlemen opposite took such a strange course at variance with their action of a year ago, the wisdom of that declaration by the Prime Minister of Canada was never called in question. We have had two general elections since that declaration was made.

Mr. SCHAFFNER. Never was heard of.

Mr. FIELDING. My hon. friend is right. They never heard of it. We have two general elections in which hon. gentlemen opposite had an opportunity to arraign this government—two appeals to the grand jury of the country. They have had these opportunities to appeal to the people and challenge the wisdom of this declaration. Now, my hon. friend from Manitoba (Mr. Schaffner) comes here to-day and confesses that in these two general elections he never heard of it.

Mr. BURRELL. Will the hon. Minister of Finance inform the House whether he or any of his friends or any of the government supporters ever heard it brought up?

Mr. FIELDING. Never brought up? There never was a reason for bringing it up. It was simply consistent with the whole policy of Canada whereby we are prepared to do whatever is best to the utmost limit of our power to help the empire. But we propose to do it in our own way, consistent with the position of Canada as a daughter nation of the empire.

Mr. BURRELL. I do not like to interrupt——

Some hon. MEMBERS. Then, don't do it.

Mr. FIELDING. It is all right.

Mr. BURRELL. If the hon. minister (Mr. Fielding) would not mind answering another question that I think is quite relevant, I would like to ask what did the government do to inform the country as to their attitude at the conference of 1907?

Mr. FIELDING. When I say it was never brought up, I mean that it was never brought up at a general election. It was brought up in the reports of the conference laid before this parliament and sent to every member. It was brought up in the sense that we bring up any matter by giving the records to parliament, and inviting public discussion and critcism. The declaration of the Prime Minister of Canada was the expression of the will of the Canadian people—just as the resoultion of March 29 of last year was an expression of the will of the Canadian people; the only difference between us and hon. gentlemen opposite on

that point being that we have stood to our guns while these hon. members have not stood to their guns. I say, Sir, that, with that record of the conference before the country for all these years, with hon. members opposite looking for every possible ground of attack upon this government in view of the general election, with these hon. members running from one end of the country to the other—as was their right and duty—to arraign this government for its faults, when we find that, during all these years, no man ever raised the question, we have the most complete evidence that the action of the government of Canada was the action of the Canadian people as a whole.

The British government's next suggestion was for a fleet unit on the Pacific. Now it is important to emphasize the words 'on the Pacific'. In many cases—in most cases—when reference is made to a fleet unit, these words 'on the Pacific' are omitted. The suggestion was that a fleet unit should be established on the Pacific. Now, we are all proud of the great importance of our Pacific coast, yet it is the simple truth to say that the greater body of the Canadian people are to be found nearer the Atlantic than to the Pacific. A naval policy which simply provided a fleet unit on the Pacific and ignored the Atlantic coast might be a policy to be talked of by the advocates in Downing street of a particular theory, but it is not a policy that could be presented in a manner acceptable to the Canadian people. If we were to establish a fleet unit on the Pacific, that would be followed, inevitably followed, by a fleet unit on the Atlantic, and the cost of these two fleet units would be enormous. I have not made up the figures, but I think it will be admitted that if we had undertaken to establish two fleet units, one on the Pacific, and one on the Atlantic, the cost would have been a great deal more than hon. gentlemen opposite would be disposed to approve. So, the idea of a fleet unit on the Pacific was not a practical one, it was not one that hon. members on the other side, I believe, would be prepared to adopt.

Thus, these two suggestions were offered —first, a cash contribution, and second, a fleet unit on the Pacific. I have given the reasons which led our government to think that neither of these proposals could be accepted. The admiralty had anticipated the possibility that we would not be able to agree with their views. They felt bound to present these views, but they had an intimation—not from us, but in the light of their own knowledge and experience—that these proposals might not be found satisfactory. A memorandum was prepared by the admiralty before the conference of 1909. It is well to observe that, though this appears in the records of 1909, it was prepared by the admiralty in advance of the occasion.

It has, however, long been recognized that in defining the conditions under which the naval forces of the empire should be developed, other considerations than those of strategy alone must be taken into account. The various circumstances of the oversea dominions have to be borne in mind. Though all have in them the seeds of great advance in population, wealth and power, they have at the present time attained to different stages in their growth. Their geographical position has subjected them to internal and external strains varying in kind and intensity. Their history and physical environment have given rise to individual national sentiment, for the expression of which room must be found. A simple contribution of money or material may be to one Dominion the most acceptable form in which to assist in imperial defence. Another, while ready to provide local naval forces, and to place them at the disposal of the Crown in the event of war, may wish to lay the foundations upon which a future navy of its own could be raised.

One might think that this was a memorandum prepared by the Canadian Minister of Militia, it reads so like an expression of Canadian opinion. I think it worth while, therefore, to call attention to the fact that this is the British admiralty memorandum:

A third may think that the best manner in which it can assist in promoting the interests of the empire is in undertaking certain local services not directly of a naval character, but which may relieve the imperial government from expenses which would otherwise fall on the British exchequer.

Canada did that. Canada undertook certain expenditures at Halifax and Esquimalt, which largely relieved the British taxpayer from expenses which would otherwise have fallen upon them.

Mr. R. L. BORDEN. If I may be permitted, I asked about that yesterday, but I have not received any satisfaction yet. Perhaps the Minister of Finance (Mr. Fielding) would allow me to ask now: What were those expenses?

Mr. FIELDING. I cannot give the figures at this moment, but, whatever the amount, they were expenses entailed upon the British treasury through the army and navy by their garrisoning of Halifax and Esquimalt. These being assumed by the Canadian government, to that extent, Canada took upon herself burdens which up to then had been, and otherwise would have continued to be, burdens of the British taxpayer.

Mr. R. L. BORDEN. I do not wish to interrupt, but perhaps I may be allowed at this stage to say that, I would like to have an understanding before the session closes, as to the position at Esquimalt, both as to the amount and as to control. I say this because the Minister of Militia (Sir Frederick Borden) on the 17th of

January, I think it was, stated, in answer to a question of my own, that Esquimalt was still under the control of the imperial authorities.

Sir FREDERICK BORDEN. Not the garrison.

Mr. FIELDING. My recollection is that while it had been agreed that the stations should be taken over, some time elapsed before the documents passed which would give the technical control to Canada. But that it not involved in my present statement, and I do not pretend to give this as information, because it may not be exact. I continue to read from the admiralty memorandum:

The main duty of the forthcoming conference as regards naval defence will be, therefore, to determine the form in which the various Dominion governments can best participate in the burden of imperial defence, with due regard to varying political and geographical conditions. Looking to the difficulties involved, it is not to be expected that the discussions with the several defence ministers will result in a complete and final scheme of naval defence, but it is hoped that it will be found possible to formulate the broad principles upon which the growth of colonial naval forces should be fostered.

While laying the foundations of the new Dominion navies to be maintained in different parts of the empire, these forces would contribute immediately and materially to the requirements of imperial defence.

That is the memorandum of the admiralty as to the various methods in which the over-seas dominions might contribute to imperial defence, and the closing words that I have quoted are worth repeating:

While laying the foundations of the new Dominion navies to be maintained in different parts of the empire, these forces would contribute immediately and materially to the requirements of imperial defence.

That is what the government of Canada are doing.

Mr. COWAN. Will the minister read the next section of that report?

Mr. FIELDING. I have not the report, I have an extract from it which I made, because the extract bears upon the subject I am considering. The admiralty quite understood and appreciated that the different sections of the empire might not be able to act upon a uniform plan, but that each might wish to adopt its own methods, and that one of the methods whereby they could assist in imperial defence was by the creation of local naval forces, and that is what we are doing.

Mr. LANCASTER. To be under the immediate control of the imperial government.

Mr. COWAN. I have the report here, I will send it over.

Mr. FIELDING. I am sure my hon. friend has not any section which is at variance with what I am reading, because it is not the habit of the British admiralty to write one paragraph and then write another one to contradict it.

Mr. COWAN. I understood the minister to say that the reason why he did not read it was because he did not have it before him.

Mr. FIELDING. No, I said it did not bear upon the question I was discussing. What is the section my hon. friend wishes me to read?

Mr. COWAN. Section 5.

Mr. FIELDING (reading):

In the opinion of the admiralty, a Dominion government desirous of creating a navy should aim at forming a distinct fleet unit; and the smallest unit is one which, while manageable in time of peace, is capable of being used in its component parts in time of war.

In the carrying out of that suggestion it was proposed that a fleet unit be placed on the Pacific, and this government took the responsibility of saying that a fleet unit on the Pacific was not a system of a local naval force which would be satisfactory to the people of the Dominion of Canada, and that position we take to-day.

Mr. BRISTOL. I would ask the minister to read just three lines more in paragraph 11 of the same memorandum, beginning at the first line.

Mr. FIELDING (reading):

As the armoured cruiser is the essential part of the fleet unit, it is important that an 'Indomitable' of the 'Dreadnought' type should be the first vessel to be built in commencing the formation of a fleet unit.

Mr. BRISTOL. I thought that, taken in connection with section 5, this might give the minister some light.

Mr. FIELDING. The information it gives is that which I gave the House some time ago, that the admiralty would have preferred a fleet unit on the Pacific; that was their proposal, let us not get away from that.

Mr. BRISTOL. If the minister will pardon me—if I understand the memorandum, what the admiralty is recommending is that if possible fleet units should be placed on the Atlantic and the Pacific, but failing that, if a single fleet unit is to be commenced, they recommend the building of a Dreadnought first.

Mr. FIELDING. My recollection is that the admiralty did not propose a fleet unit on the Pacific and one on the Atlantic. They knew that the cost of these two fleet units would be enormous, and they did not make the proposal that Canada should assume that burden. They did

propose a fleet unit on the Pacific, and the view of the government was that a fleet unit on the Pacific would require another fleet unit on the Atlantic, that the people of Canada would not be satisfied with less. My hon. friend beside me has handed me a memorandum containing Mr. Asquith's statement in parliament:

As regards Canada, it was considered that her double seaboard rendered the provision of a fleet unit of the same kind unsuitable for the present. It was proposed accordingly.

Mr. COWAN. Considered by whom?

Mr. FIELDING. It was considered by the conference, I would take it. Mr. Asquith was stating to parliament the results of the imperial conference; and if my hon. friend has any communication from Mr. Asquith which enables him to say that what Mr. Asquith meant is not expressed in this memorandum, I have no such communication.

Mr. BRISTOL. I do not want to interrupt the hon. minister, but I want to understand him. I understood the minister was arguing something about a fleet unit on the Pacific, and he said in connection with section 5 that it was certainly the opinion of the admiralty that the Dominion government should provide for a distinct fleet unit. They did not say on the Atlantic in that memorandum, but on the Pacific, and they said: 'If you start to build a fleet unit, the first thing is to build a Dreadnought'.

Mr. FIELDING. My hon. friend will find in another part of the document that the proposal of the admiralty was a fleet unit on the Pacific. These two fleet units would cost an enormous sum of money, and even the British admiralty did not ask Canada to do it.

Mr. BRISTOL. The minister is making his whole speech on the recommendation that the admiralty said there should be a fleet unit on the Pacific. I would like to know where that is.

Mr. FIELDING. It will be found somewhere in the records.

Mr. MIDDLEBRO. If I understand the result of that conference, it is that the maximum would be given by each dominion for the assistance of the empire, and the maximum of each colony is that that which was suggested by each colony.

Mr. FIELDING. Then is my hon. friend leading up to the point that we are not giving enough in money value?

Mr. MIDDLEBRO. That we are not giving what was recommended by the admiralty.

Mr. FIELDING. That does not deal with the question of the maximum amount. My hon. friend a moment ago said it was a question of the maximum amount that would be expended, and does my hon. friend think that this parliament is not expending enough? That has been the trend of many of their speeches.

Mr. MIDDLEBRO. I said the minister was leading this House to believe that a fleet unit was not being put upon the Pacific because the admiralty suggested that it should not. I understand the reason a fleet unit is not being put upon the Pacific is because the Canadian representatives at that conference did not want it.

Mr. FIELDING. I do not think the reason is because the admiralty did not want it, because I have already stated that the admiralty did suggest a fleet unit on the Pacific; but for the reason which I have stated, the government of Canada thought that was not a naval policy which would commend itself to the people of Canada.

At one o'clock House took recess.

House resumed at three o'clock.

Mr. FIELDING. Mr. Speaker, when you left the Chair at one o'clock I was inviting the attention of the House to the several proposals or suggestions that had been made in the Imperial Defence Conference in London in 1909. I had pointed out that the first suggestion of the imperial authorities was a monetary contribution, and I had stated the grounds upon which the Canadian government were unable to agree to that proposal. I then stated that the second proposal or suggestion was for a fleet unit on the Pacific. I was rather surprised to find some hon. gentlemen question the accuracy of my statement that the proposal for a fleet unit had reference to a fleet unit on the Pacific. There is really no room for debate on that question. Every reference that is made to a fleet unit in the proceedings of the conference clearly shows that a fleet unit on the Pacific was contemplated.

Sir FREDERICK BORDEN. Hear, hear.

Mr. FIELDING. To guard against mistakes, I propose to read from the proceedings as set forth in the Canadian Blue-book at page 26:

The Canadian representatives explained in what respect they desired the advice of the admiralty in regard to the measures of naval defence, which might be considered consistent with the resolution adopted by the Canadian parliament on the 29th March, 1909.

It is to the next paragraph that I wish to call attention because it is the one which bears on the question:

While, on naval strategical considerations it was thought that a fleet unit on the Pacific, as outlined by the admiralty, might in the future form an acceptable system of naval defence, it was recognized that Canada's double seaboard rendered the provision of such a fleet unit unsuitable for the present.

There, in the official record, is the statement that the proposal of the admiralty was a fleet unit on the Pacific. The reasons why the Canadian government did not feel free to accept that proposal, I stated in the earlier part of my remarks. Then came the third suggestion. Since then, Canada was not willing to make a monetary contribution, and since Canada for the reasons stated was not able to agree to a fleet unit, the question was, Canada being disposed to do something, what form should her aid take? It is on this point that I wish to continue the reading of the report.

It was represented on the part of the admiralty that it would be difficult to make any suggestions, or to formulate any plans, without knowing approximately the sum of money which Canada would spend. The Canadian representatives then suggested that two plans might be presented: one incurring an annual expenditure of £400,000, and the other an expenditure of £600,000, omitting in both cases the cost of the present fishery service and hydrographic surveys but including the maintenance of Halifax and Esquimalt dockyards, and the wireless telegraph service, estimated at some £50,000 a year.

Taking, first, the plan for the expenditure of £600,000, after discussion the admiralty suggested that the Canadian government might provide a force of cruisers and destroyers comprising four cruisers of improved 'Bristol' class, one cruiser of the 'Boadicea' class, and six destroyers of improved river class. As regards submarines, it would be advisable to defer their construction because they required a highly trained and specialized complement.

I think the proposal of Lord Tweedmouth at an earlier conference included some submarines, but it will be seen that the later conclusion of the imperial authorities was that submarines should be postponed to a later date.

The 'Boadicea' and destroyers might be placed on the Atlantic side, and the 'Bristol' cruisers divided between the Atlantic and Pacific ocean. The number of officers and men for this force of 11 ships would be 2,194, and the cost of the vessels suggested, including repairs and maintenance, interest and sinking fund on capital expenditure, and pay, &c., of personnel, at Canadian rates, would not, it was anticipated, exceed £600,000 a year.

It was decided to limit the plan to an expenditure of £400,000 a year, the admiralty suggested that one 'Bristol,' the 'Boadicea,' and two destroyers should be omitted, in which case only 1,408 officers and men would be required. Two 'Bristols' would then be placed on the Pacific, and one 'Bristol' and four destroyers on the Atlantic coast.

It will be seen that the admiralty there made to the ministers from Canada two proposals. They said: Since you cannot accept the proposal for a monetary contribution and do not approve of the fleet unit idea, we are ready to advise you as to what is best to be done with whatever may be regarded as a reasonable sum of money. Two sums were mentioned, one of £400,000 and the other of £600,000 annually. What the government of Canada has done is to substantially adopt the larger plan suggested in this way by the admiralty, and the proposal of this Bill, substantially, is to carry out that larger proposal as indicated in the report of the proceedings which I have now read. Either of these proposals would have been agreeable to the admiralty. If there was room for doubt Canada was free to take whichever she preferred. If she wished to be economical and to adopt the proposal involving the lesser amount, the admiralty was prepared to advise how the £400,000 could best be employed; if she was disposed to be more generous and adopt the larger policy, the admiralty was prepared to advise how that money could be best expended. Canada did adopt the larger plan and we are proposing substantially to carry out what was thus advised by the Lords of the Admiralty. I therefore urge again, as in the earlier part of my remarks, that while the government did not adopt all that the admiralty originally proposed, so far as we have gone, to the extent of money we felt able to expend, we are carrying out exactly what the admiralty designed and advised. This plan that we have adopted is entirely in harmony with the views of the admiralty as expressed in the imperial conference. They there discussed the question. I think I am correct in saying that Lord Charles Beresford, who is recognized as one of the highest authorities of the admiralty, although not always agreeing with his colleagues, has himself said that the policy Canada is pursuing, in providing a fleet of this class, is a wise policy. I am speaking now from my memory of what has appeared in the public press. It is entirely in harmony with the view expressed by the leader of the opposition in his speech of a little over a year ago. I do not desire to quote that again merely for the purpose of fixing any inconsistency on his part. I am perfectly prepared to recognize the right of my hon. friend to change his view, but just because the view he then expressed seemed to me to be right, because I agreed with it then and agree with it now, I desire to quote it again. Speaking in the now memorable debate of March 29, 1909, the leader of the opposition said:

In so far as my right hon. friend the Prime Minister to-day outlined the lines of naval defence of this country I am entirely at one with him. I am entirely of opinion, in the first place, that the proper line upon which we should proceed in that regard is the line of having a Canadian naval force of our own. I entirely believe in that. The other experiment—

That is the experiment of the contribution:

The other experiment has been tried as between Australia and the mother country and it has not worked satisfactorily in any respect.

It seems to me that these observations of my hon. friend express what ought to have been the correct view. It, later on, he takes another view the hon. gentleman is quite within his right, and I only quote his observations to show that what the government have been doing is in line with his own view, as well as with the view of the imperial authorities so far as the amount of money available would go. I also have shown, I think, that what we are doing is in harmony with the views expressed by the House of Commons in that unanimous resolution; that it is particularly in harmony with the views expressed by the leader of the opposition in discussing the subject at the time; that it is also in harmony with the resolutions of the conference of 1902, to which I have referred, and which have been before this country for some years and have been practically unchallenged. And, Sir, our policy is especially in harmony with another speech of the leader of the opposition which, though quoted before, I am justified in citing again. Speaking at Halifax on October 14, 1909, the hon. gentleman said:

'How the present administration will work out the policy which was outlined by the resolution to which I have alluded, remains to be seen. One governing principle at least should control, namely, that out of our own materials, by our own labour, and by the instructed skill of our own people any necessary provision for our naval defence should be made so far as may be reasonably possible.'

How my hon. friend the leader of the opposition is going to reconcile that, if he cares to do so, with the proposal to send $20,000,000 to England to be spent as the English authorities may please, is a matter which I confess would be more difficult for me than perhaps it would be for him. The hon. gentleman proceeded:

In this connection may we not hope there shall be given a stimulus and encouragement to the shipbuilding industry of Canada which has long been lacking.

How encouragement is to be given to the shipbuilding industry of Canada by sending $20,000,000 across the water is one of the things that no fellow can understand. The hon. the leader of the opposition continued:

To-day should be Nova Scotia's opportunity in that regard. Providence has endowed this province with the material, with the men and with the maritime situation which are essential not only for developing a scheme of naval defence and protection, but also for the resusitation of that shipbuilding industry which once made Nova Scotia famous throughout the world.'

How the shipbuilding industry is to be revived by sending $20,000,000 across to the imperial treasury is another one of the things which no fellow can understand.

Now, I am not sure that we can build these vessels in Canada. I sympathize very heartily with the desire of the leader of the opposition, declared in that speech, that we shall be able to build the vessels in Canada, and that to that extent the present action of the government may be a means of helping to resuscitate our shipbuilding industry. I would go a long way to have these vessels built in Canada. I hope to have them built in Canada, I believe they will be built in Canada. But at the same time, as a distinguished friend of mine sometimes says: It is a question of cost and come-to. And, while I would go a long way to have the ships built in Canada, I am not prepared to say that I would have them built here regardless of cost. If they can be built in Canada at a reasonably generous advance upon the cost of building in England, I will most strongly support the scheme of building them in this country. I have reason to believe it can be done, I hope it will be done.

Now, some reference has been made by hon. gentlemen opposite to the amount of the expenditure. If it is a question whether or not the sum that we are proposing to spend in this scheme is too large or too small, I suppose there would be some room for difference, but the curious part of it is that on some occasions we find ourselves told that this is a petty scheme, that we are doing little or nothing, that we should spend more, and, somehow it happens that the demand for larger expenditure comes from hon. gentlemen opposite who at other times complain strongly that the bulk of our expenditure is too large. I think it will be found that the sum of money which we will be called upon to expend on account of the policy that the government has adopted will prove to be a pretty generous one, and I do not think anybody will be disposed to say later on that the scheme is a bad one because it does not cost enough.

There is another view of this matter to which I confess I attach some importance, and that is the creation of a personal interest in this naval movement. I think

that the mere sending over of a large amount of money to the motherland for the building of ships in that country, as proposed by hon. gentleman opposite, while it might for the moment appeal to the generous sentiment of our people, would not, in my opinion, help to develop that idea of naval advancement which the leader of the opposition referred to and which I am sure we all appreciate. If you want to give the people of Canada a personal interest in this navy you have got to make it their own navy. I remember a story once told by the late lamented Principal Grant on a public occasion. A big man-of-war entered one of the Scottish harbours and a canny Scotchman thought he would visit the ship, and having got on board he was asked by the middy on duty what his business was, and our friend said he wanted to see the admiral. The admiral was absent, and the middy asked the Scotchmen to leave his name, and our friend replied: Eh, mon, just tell him that one of the 'owners' called. Well, what we want is that each one of us and each one of our constituents when he goes on board these Canadian ships—Canadian in time of peace and imperial in time of war—shall feel that he is one of the owners. This idea of a personal interest in the navy must appeal to every patriotic mind. I notice that at one of the earlier imperial conferences, the conference of 1902, Lord Selbourne made some remarks which to my mind were directed primarily to this point. He was speaking of the agreement which had been come to with Australia in regard to the navy, and Lord Selbourne said:

Now, gentlemen, I attach great importance to that agreement, because the statesmen who negotiated it and signed it have led the way in what I may call the imperial consideration of this question of naval policy. But like every document that commences a policy, it has faults, and to my mind there is no fault greater in it than this, that the relation of the Australasian governments to the imperial are simply that of the man who pays to the man who supplies. The Australasian governments pay us a certain contribution; for this contribution we supply them with a certain article. Now, this is good so far as it goes, but it does not, to my mind, go far enough. It does not give our New Zealand and Australian fellow-countrymen the sense of personal interest, of personal possession, in the British navy, which I most of all desiderate for the future, and I want, not only the Colonial government to understand that on the naval protection of the empire, exercised through a wise naval strategy, depends our future existence as a united empire, but I want them to regard the navy as their own, at least, as much as ours, and with that object I wish to see in the navy more colonial officers and a contribution of colonial seamen. I want, in fact, if I may use such a term, to increase the maritime spirit of the empire. After all we are not in this country all sailors, yet we are all imbued with the maritime spirit. Here you have the great colonies covering vast geographical tracts of country. Is there not a danger that in the far interior, unless we take precautions, the maritime spirit may be lost? I want to bring Australasia, Canada, and South Africa to understand, in the sense that the average Englishman understands it, that the sea is the one material source of our greatness and our power; the main bond of union; the real source of our strength—if I may use such a mixed metaphor—that the sea is to the empire as the breath of life, but it cannot be done, I opine, so long as we are only receivers of money. I want to see from all parts of the empire a personal contribution to the navy, so that it may not only be an abstract admiralty to govern the navy but an admiralty that has won the confidence of the colonies, because the colonies understand its policy, and because in each colony there are officers and men belonging to the navy—an integral portion of the navy.

Here we have the idea of personal and individual interest in the navy. Lord Selborne, realizing that there was this agreement with Australasia respecting contributions, held the view that in order to secure that personal interest we should endeavour to get more colonial citizens into the navy, a very commendable idea. But if this idea of personal interest can be advanced by having now and then a young Canadian go and join the British Navy on the other side of the water, how much broader and greater and grander will be the interest when we have a Canadian Navy, manned as it will in a short time be by Canadian officers and Canadian sailors?

But, Sir, I am going to quote another authority on that point, one who has expressed, much more forcibly and much more eloquently than I can attempt to express, that idea of personal interest in the navy. It is not a new extract; hon. members have heard it before; but they will bear with me, I am sure, if I read it again, because it is to my mind the strongest possible argument in support of our position. I refer to the remarks of the hon. member for North Toronto (Mr. Foster) whom we are all sorry to find absent through illness. He evidently had in mind the different forms of aid that might be rendered—for the granting of aid of some kind has long been a subject of discussion—and he went on to say:

The first and greatest objection which I have to a fixed money contribution is that it bears the aspect of hiring somebody else to do what we ourselves ought to do; as though a man, the father of a family, in lusty health and strength, should pay his neighbour something per month for looking after the welfare and safety of his home instead of doing that duty himself. That seems to me, when you work it out, to be a basic objection to this form of aid.

It goes still further than that. Suppose you contribute this year your sum, and next

year your equal sum, and thereafter year after year. After ten or twelve, or twenty, or thirty years, you will have paid out an immense amount of money. You will have been protected in the meantime; but in Canada itself there will be no roots struck, there will be no residue left, there will be no preparation of the soil, or beginning of the growth of the product of defence. Yet some time or other, no one can doubt that, with resources and with a population constantly increasing, we must and will have in this country a naval force of our own for our coast and home defence.

The interest that we take in contribution spent by another is not the interest that I desire for Canada. I want to see something grafted on the soil of Canada's nationhood, which takes root and grows and develops until it incites the spirit of defence in this country, leads to a participation in the defence, leads to that quick interest in it, its glories, its duties and its accomplished work, which is after all the one great thing that compensates a people for great expenditure either on land or on sea in the way of defence and of the maintenance of the rights of the country.

Again, it disjoins what has been joined together from the earliest days of the world's existence—commerce and the protection of commerce. After all, the basic idea of a naval force is the protection of the commerce of a country. A commerce side by side with its protector, and its protector side by side with the growing commerce of a country, flourish best together, and are the surest helpers to each other. That is the idea which is in my mind—that when we make our contributions in the way of a fixed sum and it goes from us, and we are not responsible for it, we have none of the inspiration resulting from the growth and development of a system of future defence in our own country. We are deprived of the larger benefit ourselves, and in the future we do no greater service to the empire of which we form a part, in this matter of defence.

Then, again, I think this method ignores the necessities and the aspirations and the prospects of a great people, such as the Canadian people are destined to become. We must have beginnings; these must at first be small; but some time or other, as I have said, our country will have its naval force for the defence of this country, if for nothing else. The point with me is as to whether it is not the greater wisdom to sow the seed at once and cultivate its growth, as best we may, in our circumstances and with our resources until at last we arrive at that stage of expansion which we have reached in other great lines of our country's progress.

The words are those of my hon. friend from North Toronto who is not present today. The Naval Service, then is to be a service primarly for the defence of Canada, but not only for the defence of Canada. Under the measure we are proposing we shall have a naval service which is Canadian in time of peace, but which by the very machinery we have provided will unmistakably become imperial whenever the help of Canada is needed for the defence of the empire. I accept the view that when the empire is at war Canada is at war; Canada will never need defence except when the empire needs defence; and so I say the Canadian navy, while supplied primarily for the defence of our shores, is after all but a branch to the Royal navy in time of peace, and will become an integral part of the Royal navy whenever the war alarm is sounded.

Our hon. friends have devoted much attention from time to time to the matter particularly discussed yesterday, with regard to the claim of this government that it should have a right to control these vessels, that we should have the power to determine in what manner they should be employed. I came across a sentiment expressed by a very distinguished English statesman at the time of the Imperial Press Conference a few months ago which is worthy of quoting as bearing directly on this point, that is, Mr. Arthur Balfour, the former prime minister of Great Britain, who said:

> It must be clear that under the constitutional theories which we all share in common the ministry of the parliaments which raise, which equip, which pay and which are responsible for the troops—is the ministry which must control the movements of the troops, and not some other ministry.

The ministry and the parliament which raise, equip and maintain this Canadian navy is the ministry of the Canadian people, and that ministry and no other should control the direction of that navy. I think it is a great misfortune that we should have such differences of opinion now. About one year ago this parliament was the scene of a very striking event. We know the temptation to party strife which exists under our form of government. While in the main it is the best form of government that human intelligence has been able to devise, yet we all know that like all other good things, it has its weakness, and the weakness is that each one of us is sometimes tempted too much to see matters from a party point of view. I think the best work of parliament is generally done when you find a consensus of opinion, when you find that the leading men on both sides are able to see eye to eye. We had that happy position a year ago. The great question of imperial defence was considered. It cannot be said there was not ample time to consider it. It was carefully considered and in the end members on both sides of this House were able to agree upon a declaration of policy which is entirely of value. Sometimes men say that mere words mean nothing. I do not agree with that. There are times in human affairs when words count for much in alleviating the sorrow and suffering and distress that surround us, and

there are such times in the affairs of nations. When there were rumours, I hope not well-founded, of the intention of a great nation to attack the motherland, I believe the words then spoken, unanimously spoken, by this parliament of Canada, I believe those words amounted to a message of immense value to the empire and a great object lesson to the nations which were disposed to challenge the empire's supremacy. In those words we declared the determination of the parliament of Canada, as representing the people of this dominion, to go to the aid of the motherland whenever the need should arise. Why is it that we have to differ to-day? I think those who have obliged us to differ to-day have taken a serious responsibility. I do not for one moment question their sincerity or their motives. But I think it is a great misfortune that the happy condition of affairs we had a little more than a year ago did not continue, so that we could make this great question of imperial defence, not a matter of partisanship, but that this might be one of the occasions when none are for the party, and all are for the state. Unhappily it is not so. When we came to consider the different points from which the government has been attacked in this matter, one cannot help noticing the strange nature of the position. My hon. friend the leader of the opposition (Mr. R. L. Borden) has to-day repeated the argument that a matter of so much importance should not be dealt with in this way and without an appeal to the people. Yet strange to say and it does not appear to have occurred to my hon. friend —strange to say while he demands that the moderate expenditure—some people thought it too little—that we propose to make for a Canadian navy is an immense departure from principle, which should therefore cause an appeal to the people, he was perfectly prepared to spend $20,000,000 and send it to England without any appeal to the people. Now, my hon. friend must not be surprised if the people of Canada have thought that a very very strange ground to take. Surely, if the creation of an active Canadian naval service, which is only an expansion of the method of defence we have had for many years, which is no new departure in principle at all, any more than was the increase of our militia expenditure from $1,000,000 to $6,000,000 or $7,000,000 a year, surely if that should demand an appeal to the people what can we think of a proposal that we should send $20,000,000 over to English shipyards and never ask a question as to what the people of Canada should think of it? I do not think my hon. friend can be very serious in advancing that view. Well, the various grounds on which the government have been attacked on this matter, as I have already said, strike me as rather strange. We have found for example, that my hon. friend the leader of the opposition, speaking in general terms, has frequently referred to this measure, this policy of the government, as something which is weakening the imperial tie, while his colleague, and we regret that he is not here to-day through illness, the member for Jacques Cartier (Mr. Monk). claimed that we are playing the game of the British imperialists, the advocates of imperial federation. Now these views cannot both be correct. We cannot at one moment be playing the game of the British imperialist, and at the same moment be weakening the imperial tie. Most of the hon. members opposing our policy have taken the view that it was anti-British, but the member for Jacques Cartier (Mr. Monk), claimed that we had in a somewhat secret way changed our Militia Act in order that we might provide the machinery whereby Canadian troops could be sent into the wars of the empire. My hon. friend, the leader of the opposition, has claimed that we are not considering the views of the imperial authorities. The hon. member for Jacques Cartier (Mr. Monk) has stated that our scheme was that of Mr. McKenna, the First Lord of the Admiralty, and he was more correct than my hon. friends opposite. These contradictory grounds of attack certainly present a humorous side of the question. But there is a more serious side, and that is when my hon. friends opposite have endeavoured to take to themselves the monopoly of the loyalty of this country and to suggest that this policy is designed to weaken the ties between this country and the empire. Now, I do not think my hon. friends should do that. I do not think there is any disloyal party in this Dominion. I think the people of Canada, irrespective of class, or race, or creed, or party, are a loyal people who want to do their duty to the empire, and I think any attempt of one party or of the other to take to itself a monopoly of the loyalty of the country, is not patriotism, and is not the best duty of citizenship. But since the hon. gentlemen opposite insist upon comparisons of this character, let us see what right they have to claim all the loyalty to themselves. I would like to know if anybody will look over the record of the Conservative party in this Dominion, from the first day of confederation down to this moment, what act they can point to which may be marked as one for imperial unity and imperial advancement? The statutes and records of Canada have such things within them, but in every instance, they are the work of the Liberal party of this country. Repeated references

have been made, by the way, to quotations of hon. gentlemen on this side, either in recent years or in by-gone years in which the view has been expressed that at some time in the distant future, Canada may become an independent country. Now, I have no sympathy with that view myself. I do not believe that in the lifetime of any man now living or in the lifetime of his sons or grandsons, Canada will be other than a portion of the British empire. That is my view, but I do not propose to quarrel with any man who in the exercise of his judgment thinks differently from me.

Mr. COWAN. What about your leader?

Mr. FIELDING. My hon. friend says what about my leader. He had better say, what about the leaders of the Tory party. I say that the right of any man in this country to declare his opinion in favour of independence is absolutely beyond question, and while I have no sympathy however with it, I would say without the slightest hesitation, that were we not allowed to express our opinions in this matter, we would be unworthy of our position as Canadian citizens. Why, Sir, is it forgotten that a distinguished Canadian, a predecessor of my own in the office of the Minister of Finance, was so well known as an advocate of independence, that when, some years ago, the imperial authorities offered him imperial honours, he declined to accept those honours until he could make it clear that, in doing so, he would not cease to exercise his right to advocate, if he wished, the independence of Canada? I will go further. I say that when a man wants to advocate in a constitutional way, that which I would hate, the annexation of this country to the United States, he has a perfect right to do it. And, in doing it he would not cease to exercise his freedom as a British subject.

Mr. HUGHES. Might I suggest that the difference is in legislating for independence rather than speaking for it.

Mr. FIELDING. There has been no proposal anywhere to legislate for independence nor do I expect that my hon. friend (Mr. Hughes) will ever see such legislation proposed in the parliament of Canada. But I was speaking of an extreme case, the extreme case of the advocate of annexation.

A great Englishman came over to Canada some years ago and settled in the city of Toronto. He is the one man whom I know in the Dominion of Canada who thinks that the manifest destiny of this Dominion is to become a portion of the American republic. I do not think I do him injustice when I state that he has long entertained that opinion. And those who know Goldwin Smith know that the thing he thinks is the thing he will speak. But, though he entertains this opinion, he is recognized as one of the noblest citizens of Canada, and when, a few days ago, he was stricken with illness, a telegram came from King Edward to inquire about the health of his old friend, Goldwin Smith. This is the freest country in the world: let us see to it that we make no attempt to muzzle any one, who, in a constitutional way desires to speak the thought that is in him.

Though I mention these things, I have no sympathy with independence, and I would not think of sympathizing with a man who advocates annexation. The point I want to make is that nothing is to be gained by attempting to muzzle the people of Canada and prevent them from advocating anything that, in their judgment, will make for the good of Canada.

We occasionally hear reference to South Africa and the dreadful things that happened in connection with the sending of the troops to that country. One would think that the South African war was the first one that had occurred to which the attention of the Canadian people had been drawn. It is not so. There was another war of considerable importance not many years ago. There came a moment when the heroic Gordon laid down his life and Khartoum fell. The heart of the empire was stirred; the heart of the whole British world was stirred. Australia felt the inspiration and thought that something might be done. And what of Canada? Did Canada move? It was not a Liberal government that was in power at that time, it was the Conservative government of Sir John Macdonald. And yet not a hand was lifted for the benefit of the empire, not a move was made. But individuals took action. General Laurie, a gallant Canadian, who represented my own constituency, and though one who differed from me in politics, always a good Canadian and a warm personal friend, went to Sir John Macdonald and said he would like to be instrumental in raising a force to go to the Sudan. Colonel Williams, a gallant Canadian who afterwards lost his life, tendered his services. What did the government do? Let them answer in their own words. On March 16, 1885, Mr. Blake asked the following question in this House:—

> Whether any offer has been made by the government of Canada, or whether any offer has been made by any individual through the government of Canada, to equip and send a military contingent to the Soudan at the cost of Canada or of individual Canadians? Whether any offer of military assistance at the cost of the British government has been made by the government, or by individuals? Whether any reply has been received to any such offers? and whether the correspondence will be laid on the table?

To these questions, Sir John Macdonald replied:

No offer has been made by the government of Canada to equip and send a military contingent to the Soudan at the cost of Canada or of individual Canadians. It is understood that some offers have been made by individuals. Some were sent direct to England, I believe; some were sent to the Governor General as an imperial officer; and some came to the Department of Militia—these were sent to the Governor General for his information. I am not aware that any offer of military assistance at the cost of the British government has been made by the government or by individuals.

That was the attitude of the government of the day. They had done nothing, absolutely nothing, though the heart of the empire was stirred in larger measure than it was later in the dark days of the South African war. The British government noticed the silence of this government, and Lord Derby, colonial secretary, cabled to Lord Lansdowne, Governor General, on February 10, 1885, as follows:

General Laurie and Colonel Williams' proposals to enroll and command regiments Canadian volunteers. Before further considering these offers, Her Majesty's government wish to know whether they are sanctioned and recommended by Dominion government; and if it should be possible to accept one only and not both, which should have preference.

Lord Lansdowne, Governor General, telegraphed to Lord Derby, colonial secretary, on February 12, 1885:

Government ready to sanction recruiting by Canada for service in Egypt or elsewhere. Forces should be specially enrolled from different corps of local battalions under Imperial Army Discipline Act. Laurie preferable to Williams. I would suggest brigade of three battalions (five hundred), each from marine provinces, Old Canada and the Northwest. Laurie might command brigade and Williams one battalion Melgund (now Lord Minto) would like to serve as brigade-major.

Now, I would like to call attention to the last sentence of this despatch:

Entire cost would fall on imperial exchequer.

Is my hon. friend from West Elgin (Mr. Crothers) within sound of my voice? I would like to have heard him denouncing that despatch. I would like to hear him, now that I have read it, do justice to it in view of his words concerning the policy of the present government—' miserable, narrow, picayune provincialism '. Yes, said the Conservative government, you can organize some men who want to go; Laurie can get busy; put Williams on as his assistant; give Melgund a chance as brigade-major; but, for Heaven's sake, make no mistake—not a penny shall come out of the treasury of the Dominion.

I think the Liberal party can afford to compare its action in the South African war with the action of the loyal Tories in connection with the fall of Khartoum, and the death of grand Gordon. Well, though Canada was not moved, other parts of the empire were moved. We are told to compare the action of Canada in our time with the action of Australia. Well, let us make a comparison of action as between Canada and Australia over the fall of Khartoum. On February 12, 1885, the government of New South Wales forwarded a telegram to the agent-general of New South Wales in London, as follows:

Samuel, London.

This government offers to Her Majesty's government two battalions of our permanent field artillery, with ten sixteen-pounder guns properly horsed; also an effective and disciplined battalion of infantry five hundred strong. The artillery will be under command of Col. Roberts, R.A., the whole force under command of Col. Richardson. Commandant can undertake to land forces at Suakim within thirty days from embarkation. Reply at once.

WILLIAM B. D. DALLEY,
Secretary.

On February 13 following, Sir Saul Samuel, agent of New South Wales in London, wrote to the Secretary of State at the Colonial Office:

I have the honour to transmit for Lord Derby's information a further message in relation to the proposal of my government, in which it is stated that they will defray all expenses in connection with their offer.

Observe the difference. The New South Wales government tendered a force, and then, for fear there was any misunderstanding, they sent a message in which they said they would defray all expenses in connection with their offer. But when a telegram went from the Canadian government, they took good care to make the matter so clear that there would be no mistake: Laurie, Williams and Melgund can all have a shy at it, but not a penny out of the Canadian treasury. Let us see how this occasion was treated in Australia. A despatch from Sydney, New South Wales, on the 3rd of March, 1885, had the following:

To-day was observed as a public holiday in celebration of the departure of the New South Wales contingent for the Soudan. The event is regarded as not only one of the greatest in the annals of the colony, but as possessing a deep historic interest as the first occasion in which Australian troops have shared in the defence of the empire. From the date on which the colony's offer was accepted to the hour of the departure of the contingent public enthusiasm has been maintained at its utmost tension. The number of volunteers has reached six times the required strength of the force; and there has been a continuous flow of contributions, in money and in kind, from all quarters, and the Patriotic fund now amounts to £45,000. The troops were reviewed on Saturday by Lord

Augustus Loftus, Governor of New South Wales, in the presence of 50,000 spectators. On Sunday special services were held for the volunteers in the Anglican and Roman Catholic cathedrals, sermons being preached by the Primate and the Roman Catholic Archbishop.

To-day the streets forming the line of route from the barracks to the Circular quay, a distance of two miles, were lined by immense numbers of spectators, assembled from all parts, and forming a dense mass. The troops were escorted by 600 sailors and marines from the men-of-war stationed here, and by all the available local forces, and were accompanied by the Governor, the ministers, and the principal officials of the colony. The procession formed an imposing spectacle, and the popular enthusiasm was unbounded, the progress of the contingent being greeted with loud cheers and the frequent expression of good wishes from the assembled multitude.

That is what Australia did. Canada sent a message: 'Not a man, not a penny.' But there are other ways besides naval and military in which help may be given to the empire. Great Britain is in a much larger degree a nation of peace than she is a nation of war. She is a trading nation, and he who helps the trade of Great Britain is doing much to help the empire; that is what the Britisher thinks of it. Well, some years ago a good Conservative introduced a high tariff policy into this parliament, and among the criticisms of that measure in some quarters appeared the statement that a policy of that character designed to shut out British goods might tend to weaken British connection. Then the recognized organ of the Conservative party in the city of Toronto published in article in which it said that 'if this policy tended to weaken British connection, so much the worse for British connection.' That was the utterance of the recognized organ of the Conservative party at that time. Now, let us compare that with the Liberal record. This government had not been very long in office before it set itself to improve our commercial relations with Great Britain, and it brought down before this parliament what is known as the British preference. The Conservative government had put up the tariff in order to shut out British goods; this government endeavoured, so far as they could without damage to home industries, to give the British merchants a chance in Canada. And what then? Hon. gentlemen opposed the British preference from the beginning down to this moment.

An hon. MEMBER. No.

Mr. FIELDING. Who says: 'No'?

Mr. HENDERSON. I did not say: 'No,' I said: 'Oh.'

Mr. FIELDING. I am glad my hon. friend has explained, because when he says 'Oh,' I think that would be a confirmation of my statement; whereas if he had said 'No,' that would have been a denial of my statement. Yet, I repeat that the Conservative party has opposed the British preference from the year 1897 down to the present time.

Some hon. MEMBERS. Oh, oh.

Mr. FIELDING. Are these 'Ohs,' or are they 'No's.'? I am afraid now some of these 'Oh's' may find their way into the 'Hansard' as 'No's.' Well, the hon. gentleman did not always oppose it in an open way, they kept up a sort of guerrilla warfare against the British preference. If they had a policy on the matter at all, it was that of demanding what they called a mutual preference. They were going to bargain, and huckster, and haggle with John Bull. They wanted to say to John Bull: 'You cannot get a preference in this country unless you first give us one.' Where was their loyalty? The hon. gentleman knows that if that policy had prevailed, there would have been no British preference in Canada to-day; and he knows also that the British preference granted by this Liberal government was regarded as an epoch-making event in the history of the British empire. He knows that in taking that step Canada led the way in which she has since been followed by New Zealand, in which she has been followed to a limited extent, and will be to a larger extent, by South Africa; he knows that the British preference brought down in this legislature many years ago has been regarded by every imperial statesman as a big contribution to imperial unity.

Mr. HUGHES. Would the Finance Minister be good enough to tell us why the preference was granted to Britain?

Mr. FIELDING. It was granted to Great Britain because it suited us and suited Great Britain as well. It was a relief to the Canadian taxpayer, whose taxes were reduced; it was an advantage to the British producer, because it gave him a better chance to send his goods into the Canadian market.

Mr. HUGHES. When this government sent an expedition to Washington, after preaching annexation to the United States for a great many years, and when their delegates were kicked out of the city, had their reception in Washington anything to do with the British preference?

Mr. FIELDING. When my hon. friend brings in the foolish story about preaching annexation, he shows what a weak position they occupy on that question.

Mr. HUGHES. Does the Finance Minister deny that the fact that the delegation to Washington was turned out of the city

empty-handed, had anything to do with the British preference?

Mr. FIELDING. I would not take the trouble to deny it. I have said that the Conservative party had kept up a guerrilla warfare against the British preference. But there came a time when they were not permitted to keep up their opposition in the shape of a guerrilla warfare, but when they were obliged to come out into the open and face the music. There came a time when, in consequence of this harping about mutual preference, we thought it well that the hon. gentlemen should declare where they stood on the British preference, and a private member of this House moved a resolution on motion to go into Supply. Let me read the words:

> This House regards the principle of 'British preference in the Canadian customs tariff as one which in its application has already resulted, and will, in an increasing measure, continue to result in material benefit to the mother country and to Canada, and which has already aided in welding, and must still more firmly weld together the ties which now bind them, and desires to express its emphatic approval of such British preference having been granted by the parliament of Canada.'

Is it possible that any man in this parliament was found to vote against that? Yes, the hon. gentlemen on the Speaker's left voted against it, and among them was my hon. friend the leader of the opposition today, (Mr. R. L. Borden). So we are prepared to compare our commercial policy——

Mr. J. D. TAYLOR. Mr. Speaker, I rise to a point of order. I wish to know whether the Finance Minister is to be permitted to deliver a budget speech on the motion for the third reading of the Naval Bill?

Mr. TURRIFF. It hurts, eh?

Mr. FIELDING. If I may be permitted to answer, I would say no.

Mr. J. D. TAYLOR. Unless the Finance Minister is speaking to the point of order, I ask your ruling.

Mr. FIELDING. I wish to debate the point of order. I state that the hon. gentleman has put an improper proposition. He has asked if on the Naval Bill the Finance Minister is to be permitted to deliver a budget speech. I submit that there is no such question before the House.

Mr. SPEAKER. Of course the question of relevancy always applies, but this is a Bill concerning the relations of Canada to the empire, and in the eighty-four speeches to which I have had the honour of listening the range has been so wide that I would not like to interrupt the minister. Of course the rule of relevancy always applies.

Mr. J. D. TAYLOR. I submit that when a members raises a point of order his individual rights are not interfered with by the fact that other members have broken the rule. I think we are entitled to have a decision as to whether or not this is relevant, because some of us are becoming very impatient at the length of time we are being kept here this session.

Mr. SPEAKER. The rule of relevancy would of course apply, but I find in Bourinot that an illustration is always permitted. How far that illustration may go is for judgment at the time. I suppose the hon. minister will confine himself to the question before the House.

Mr. FIELDING. The quotation from the speech of the Prime Minister many years ago in regard to independence has no particular bearing on this question, but it has been repeated again and again, and we took no exception to it. It was legitimate. The sending of troops to South Africa has no particular bearing, but it was repeated fifty times, and we took no exception to it. It is perfectly legitimate We did not find fault and my hon. friends should not find fault now when a little wholesome history is being presented to them. We find that the other day——

Mr. COWAN. If history is the theme, might I ask the minister to deal with the subject of the repeal of the union which he advocated in 1886?

Mr. FIELDING. I think it would be perfectly in order, but if a man should talk of it as my hon. friend would like to he would do a very silly and foolish thing, and he would have his own answer. We settled that question in Nova Scotia where the people know a great deal more about it than my hon. friend. It is no disparagement to my hon. friend to say that I have fought that question out, I won't say with better men, but with stronger men than he is.

I have said, Sir, that Great Britain, as a trading nation, is more interested in the arts of peace than in the arts of war, and that the party or the government or the people who help to strengthen the trade relations with Great Britain are doing more for the empire than some others who are constantly shouting about loyalty. I noticed the other day in a Conservative paper a telegram from Montreal which mentions the name of an hon. gentleman who is not in the House at the present moment. The despatch reads:

> Montreal, March 8, (Special).—Do away with the British preference and contribute $3,000,000 to the imperial navy is the policy advocated by Rudolphe Forget, M.P. for Char-

levoix, who left town this evening to give his vote on the navy Bill.

My hon. friend was rather more consistent on the question than some others have been. He certainly has not done much shouting about the British preference, and he would be in a better position to do away with it than some other gentlemen would be.

I noticed in connection with our German relations—and this is only an illustration for a minute—that a very estimable citizen of Toronto, whom we once had the honour of claiming as a fellow member of this House, my good friend, Mr. W. R. Brock, on the day it was announced that we had come to better trade relations with Germany, good strong Conservative that he was, announced that that arrangement was better than sending ten Dreadnoughts to Great Britain. If the re-establishing of friendly relations with Germany was better than sending ten Dreadnoughts to Britain, how many Dreadnoughts would measure the value that has been granted the empire by the British preference?

It was not a Liberal government which lagged behind in 1885; it was a Liberal government which did not lag behind, but which sent the troops to South Africa a few years ago, and we who know the whole history of that better than hon. gentlemen opposite, know how much the empire owes Sir Wilfrid Laurier in connection with that. It was a Liberal government that established the military college at Kingston; it is a Liberal government that will establish a naval college in Canada under this Bill. I have said, and I repeat that if you want to find the record of what has been done for the empire in Canada you have to find it in the records of the Liberal party.

We are submitting this naval scheme to parliament with the firm conviction that it is a scheme which will deserve and receive the support of the Canadian people. It maintains the right of the Canadian government to control Canadian affairs in naval and military matters in time of peace. It provides the machinery whereby we may, in the event of war, instantly turn over that navy to more active service as a part of the imperial navy. We say we retain the right to deal with our own ships, and who else should have that right? We say that the scheme is in harmony with the wishes of the imperial authorities, although it does not go as far as they would desire, because the cost of what they would desire is beyond what we think is within the reasonable means of the Canadian people. It is in harmony with the best judgment of the House of Commons as expressed at a moment when it had withdrawn itself from partisanship, and was prepared to recognize its great responsibilities to the nation. Not only is it in harmony with the view of the Liberal party —I have no right, perhaps, my hon. friend the leader of the opposition may say it is presumption on my part to say what the Conservative party thought of it, but I will read from a Conservative authority, a high authority, a man who says that this policy is in harmony with all that is good for the Canadian people, and all that is desired by the British people. The quotation is not new, but there are some things that are good enough to bear repetition. I shall read from the remarks of Mr. A. W. Atwater, K.C., of Montreal, an ex-Conservative minister of the province of Quebec, who has recently returned from England. I am quoting from that good Conservative newspaper, the Montreal 'Gazette' and so there is no danger that the thing was turned the wrong way:

What the Englishman admires is a fellow who can stand up for himself, and what I found they admire in Canada is the effort she is making to build up a fleet of her own. They admire and respect the capacity of Canada and any nation or dependency to look after itself. Hitherto there has been a patronizing air about the English with regard to Canada, because they knew that if we got into trouble they would have to look after us, but if Canada gets her own navy and can look after herself that will all change. The sooner we get our own navy the better—it is a necessity that must come, and there is no use delaying it. We must look after ourselves in a naval way just as we do in military matters. There is no doubt that is the feeling amongst the English people, and they regard it is a matter quite outside the domain of party politics, as it should be.'

So, said Mr. A. W. Atwater, K.C., ex-provincial treasurer, who returned on Monday evening from a two months' stay in England, during which he witnessed the general elections, and had ample opportunity to gauge public feeling on this and other important matters.

The general opinion I got during my stay in England,' said Mr. Atwater, 'was that we should earn the respect of the people of the mother country more by showing our ability to defend ourselves than we could by any mere money contribution, unless it was to a very large amount and a permanent contribution. And that would not commend itself to many Canadians, nor could it be advocated by any party here. The opinion of all observers of imperial affairs was that they would have more respect for any portion of the empire which prepared to defend itself than for one which proposed to give a more or less—probably less—adequate sum toward the upkeep of the imperial navy.

'And with this I quite agree,' said Mr. Atwater. 'As a matter of keeping our own self-respect, as well as the respect of the mother country, we should secure our own navy, and the sooner we get it in good working order the better. It will take a long time to do this, even with the assistance of England's enormous experience in naval affairs. And it seems to me that Canadians should join in this work irrespective of all party affiliations.

This naval project, said Mr. Atwater, was attracting much attention in England, and the people there were struck with the idea of the overseas dominions building ships and manning them with their own crews for imperial defence. In just the same way the mother country was deeply impressed with the manner in which Canada and the other Dominions sent their soldiers to fight in South Africa, where a mere money contribution would either have gone unnoticed, or been regarded as a pusillanimous manner of accepting the duty of defending the empire. Great Britain was very wealthy, and a contribution of even ten million pounds would be a mere matter of empire bookkeeping, and would not tend to reduce their taxation. But actual physical participation in the empire burden fired the British imagination, and excited their admiration.

Mr. Atwater properly called attention to the manner in which Canada responded to the need of the empire in South Africa. Then, as now, no doubt, there could have been found men, who would have said: 'Send over a few million dollars and put it in the hands of the Chancellor of the Exchequer.' Speaking from memory, we spent some two or three millions on that occasion. Now, suppose we had sent these two or three million dollars over, as the leader of the opposition proposes in the case of the navy, and dumped it into the imperial treasury, we might have got a vote of thanks for it in some way, but would it have made any lasting impression? It might have compromised with the British government for the moment, it might have satisfied these people who think that everything can be done by the payment of money, but the glorious story of Paardeburg would never have been written.

For generations we have had the practical control of our military affairs, and who shall say that it has weakened our ties with the empire? On the contrary, it is an instrument drawing us closer to the empire. Every step we take in military affairs is taken in co-operation with and under the advice of the highest imperial officers. As it has been with the army, so it will be with the navy. This Canadian navy, beginning in its modest way, will be established in harmony with all the traditions of the Canadian people; it will prove to be an instrument binding us more closely to the empire, and assisting us to do that duty which every loyal Canadian should desire to see performed.

Mr. EDMUND BRISTOL (Centre Toronto). Mr. Speaker, I would hardly have thought that at this late period of the session, and at this particular stage of the Naval Bill, the Minister of Finance would have felt it his duty to deliver to the House that bottled-up campaign speech which he so enthusiastically declaimed. And, I am more than surprised that an hon. gentleman of his learning and his position in this House should have been guilty of what was described by the Minister of the Interior the other day, of putting into that speech more inexactitudes than has characterized any other speech that has been delivered on this subject on the other side of the House. I shall first deal with one point of view which the Minister of Finance emphasized with almost clamorous force. He started out with the statement that in 1902 the Liberal party had laid down a naval policy which they had stuck to to this day, and the hon. gentleman was persistent in his declaration that the Liberals had always a consistent naval policy since 1902, and that this Bill was the outcome of it. I feel somewhat diffident in calling the attention of the House to facts which are as well known to the Minister of Finance as they are to me, but in view of the campaign speech he has delivered, it is only fair to put on record the facts which prove conclusively how erroneous is the statement of the hon. gentleman in this respect. On page 18 of the proceedings of the imperial conference of 1902, I find a memorandum from the First Lord of the Admiralty, which says:

> Sir Wilfrid Laurier informs me that His Majesty's government of the Dominion of Canada are contemplating the establishment of a local naval force in the waters of Canada, but they were not able to make any offer of assistance analogous to those enumerated above.

It is well known to every British subject who takes an interest in the British empire, that in 1902, Australia and New Zealand were giving liberal contributions to imperial defence, and particularly to the naval policy of Great Britain, and that Canada was doing nothing. Here we have the declaration that at this particular juncture the Canadian government was unable to do anything at all for the naval defence of the empire, because they were going to establish a local naval force. Well, we certainly did not hear anything about that on the floor of this House. There was no resolution moved by the Liberal party in regard to it; the matter was never in any sense brought before parliament, and yet the Minister of Finance seems to think us guilty of negligence because we did not ourselves introduce the controversy into Canadian politics. Speaking for myself, I can say that if in 1902, the right hon. gentleman had introduced a policy of local naval defence, I would have considered it a perfectly proper policy at that time, and I would still think so were it not that I believe that at this moment the emergencies of the British empire are such that a different policy is necessary in the interests of the whole empire. And, it is because this question of emergency has been lightly

brushed aside that to-day we have been listening to this extraordinary speech of the Minister of Finance and considering this extraordinary Naval Bill. Now, in 1902 there was a memorandum by the Canadian ministers concerning defence, and I shall read from page 73 a sentence from that memorandum, as follows:

But while for these reasons the Canadian ministers are obliged to withhold their assent to the propositions of the admiralty and the War Office, they fully appreciate the duty of the Dominion, as it advances in population and wealth, to make more liberal outlay for those necessary preparations of self-defence which every country has to assume and bear.

That statement that they were prepared: 'to make more liberal outlay for those necessary preparations of self-defence which every country has to assume and bear', is the keynote of the Liberal policy. Their view is confined to the coasts of Canada, and they cannot take in the broad imperial view of Canada as a part of the empire. They are not able to see that if the British empire goes down Canada goes down, and if the British empire stands Canada stands. And this policy has so blinded the eyes of the Liberal party that they have not, with all due deference to the statements of the Minister of Finance as to their loyalty, been able to grasp the present trend of events which is destined to end in some kind of union between the empire, and the other British dominions beyond the seas.

Now, let us see how consistent hon. gentlemen opposite have been in regard to the naval policy. Not merely did they repudiate in 1907 the policy of making any contribution to the British navy, but they absolutely repudiated their alleged policy of building a local fleet, or having anything to do with naval matters. That is the essential point; and yet the Minister of Finance complains that we do not attack him because he has taken two absolutely inconsistent positions in reference to this matter. I am going to read what was said in 1907, because my hon. friend appears to have forgotten it. Mr. Smartt's resolution is to be found at page 541 of the proceedings of the colonial conference of 1907. This is what he said before moving it:

Would I be in order in moving this naval resolution after the discussion yesterday? I do not think it will take any time because it is a resolution which requires no remarks to make it acceptable to the conference.

This hon. gentleman, being a loyal British subject, had the curious idea that everybody would unite in support of his resolution, and that, therefore, there need be no discussion of it, and now we will see what this loyal imperialist thought should be accepted by all. Here is the resolution:

That this conference, recognizing the vast importance of the service rendered by the navy to the defence of the empire and the protection of its trade, and the paramount importance of continuing to maintain the navy in the highest possible state of efficency, considers it to be the duty of the Dominions beyond the seas to make such contribution towards the upkeep of the navy as may be determined by their local legislatures—the contribution to take the form of a grant of money, the establishment of local naval defence, or such other services, in such manner as may be decided upon after consultation with the admiralty and as would best accord with their varying circumstances.

Now, I am not going to read all the discussion that took place on this resolution, but I am going to read what the right hon. the First Minister said in reference to it, at page 542:

Sir WILFRID LAURIER. I am sorry to say, so far as Canada is concerned, we cannot agree to the resolution, We took the ground many years ago that we had enough to do in our respect in that country before committing ourselves to a general claim. The government of Canada has done a great deal in that respect. Our action was not understood, but I was glad to see that the First Lord of the admiralty admitted we had done much more than he was aware of. It is impossible, in my humble opinion, to have a uniform policy on this matter; the disproportion is too great between the mother country and the colonies. We have too much to do otherwise; in the mother country, you must remember, they have no expenses to incur with regard to public works; whereas, in most of the colonies, certainly in Canada, we have to tax ourselves to the utmost of our resources in the development of our country, and we could not contribute, or undertake to do more than we are doing in that way. For my part, if the motion were pressed to a conclusion, I should have to vote against it.

Further down he said:

It can be passed if there is a majority. For my part, I must vote against it.

So we find the right hon. the First Minister expressing himself as absolutely opposed to the establishment of a local naval defence, or anything else that might help the British empire as such. And in the face of this documentary evidence we have the Finance Minister making a campaign speech intended for distribution among the English-speaking Liberals of this country, and stating that for the last 8 years the Liberal party have had one policy on naval matters. Of course, we have already had in the speech of the First Minister the necessary material for the province of Quebec. The points that are essential to secure the good-will of the people of Quebec have been particularly emphasized in two regards. In the French press it has been pointed out that this naval force is a maritime police; one of the hon, members of this House has declared himself in

favour of Canadian independence; and the hon. the Postmaster General has cited some eighteen cases of so-called colonies which have had petty navies. Not one of them, so far as I could see, was a colony at all, and no doubt some of his compatriots desired that the condition of these petty independent states should be the fate of Canada. It was a very unhappy illustration. The position of hon. gentlemen opposite is that as this navy is under the control of the parliament of Canada, and, as the Liberal party controls the Canadian parliament, therefore it is our navy. In certain speeches made, in my judgment, for French Canadian consumption, these particular points of view have been emphasized, just as the other points of view have been emphasized by the Finance Minister for the consumption of English-speaking electors. Just as the Liberal party had two policies on the school question, one for the west, and another for Quebec, and just as they had two policies on the trade question, free trade for the west, and protection for the commercial centres of Canada, so they have two policies on this naval question.

I think the whole of this matter can be compressed into a very few words. If the navy of Great Britain is supreme on the seas, then this order in council navy is absolutely useless and unnecessary. I do not believe there is an hon. gentleman on the other side of the House who can controvert that proposition. On the other hand, if Great Britain loses the supremacy of the seas, the money spent on this navy is wasted, and worse than wasted. You can talk for hours, but it boils down in its final result to that proposition. It was in view of the absolute uselessness of the expenditure of this money that we made a proposition, or a suggestion that there being an emergency, there being a case where the supremacy of the British navy was imperilled, it was the duty of Canada not merely to look after her shore defence, something that has been unnecessary except for a few vagrant poacher-fishermen, but to take her part in a reasonable measure in what is the duty of every citizen of the British empire. Now, I am satisfied that the people of Canada want what is fair in this matter; they only want to know what is fair in order to do it; but I do complain that this government have absolutely thrown on one side of as of no importance speeches made by the leaders of public opinion in England, on both sides of politics, on the conditions which have induced the British people to hold the Colonial Imperial Conference, and which have induced Australia and New Zealand at once to build Dreadnoughts in Great Britain.

Now if I might be permitted, I would like to call the attention of the House not in detail but with some reasonable fulness to the reasons why we, as a party, believe that we should have followed and should follow the position taken by New Zealand and Australia in at once going to the aid of the British empire, and why we are opposed to an absolutely useless expenditure of public money as suggested by my hon. friend opposite. Now, Mr. Speaker, there may be certain things that anybody can controvert, because he can say those are mere statements? But I want to call the attention of this House to the German Naval Bill, the terms of which have been fully stated here and the facts of which are fully known? I want to call the attention of this House to the German navy league, with over a million members with its enormous expenditure, with the brother of the German Emperor at its head, with the German aristocracy as sponsors, with its efforts to inspire the people of Germany as a mass, with a love for their navy—the navy league which has been chiefly instrumental in Germany in passing naval Bills and a programme for the building the largest navy in the world, a navy of such magnitude as no country prior to the passing of that Bill had even contemplated. These are facts which are incontrovertible. I want to call attention to the enormous increase from year to year in the German naval estimates. I want to call your attention to the fact that Germany has been, during the last two years, borrowing money in order to accelerate the building of her fleet and to increase her naval programme. I want to call to your attention the statements of Sir Edward Grey, Mr. Asquith and Mr. McKenna and on the other side of British politics, those of Mr. Balfour and those who support him, and Lord Roseberry who took practically an independent position. I want to recall the fact that it was left to the members on the Government side of this House to say that those gentlemen were April fools and March hares and that men like Lloyd George and Mr. Churchill should be followed in reference to this matter, rather than the statesmen who for years have commanded the respect of the people on both sides of English politics. I want to call your attention to what was said by the Liberal organ in the province of Ontario which from time to time endeavours, notwithstanding what the government may do, to advocate what it believes to be the views of the English speaking Liberals, of the province of Ontario.

For instance, on March 24, 1909, the Toronto 'Globe' stated:—

> But as a matter of fact war is in progress. The contest in ship building is war. If the mother country were engaged in a deadly conflict, Canadians could not get across the ocean fast enough to the aid of the motherland. But we must remember that our aid is as much needed now as if a physical war in

stead of a shipbuilding war were on. It is Canada's duty from every point of view, from our affection for the land of our fathers, and for our own self interest to take prompt and practical action.

At that time the 'Globe' was advocating the policy which has been advocated by those on this side of the House, and I want just to read another quotation from the 'Globe' of March 26, in reference to the same matter:—

The sort of vessel that should be built is fixed by the circumstances. The competition now raging between Great Britain and Germany is in the direction of first-class battleships. If Canada were to build a little fleet of wasps and hornets it would have no moral effect on the situation at all. What we would like Canada to do would be to manifast by a veritable act that in this competition of the fleets she ranges herself proudly and gladly by the side of the mother country.

I could read many more similar quotations from the 'Globe' newspaper and in the line of the policy which the opposition have advocated in regard to this measure. I am not emphasizing that, but my hon. friend the Finance Minister has been reading a portion of the speech of the hon. leader of the opposition. And I say that had he read the whole of the speech and all the speeches which the leader of the opposition has made on this matter, I am sure he would find that they consistently support the views which he has advocated all along. They would show conclusively that the Conservative party have not departed in any possible way from the resolution of March 29, 1909. It would be idle for me to deal at length with that matter when the hon. member for North Toronto (Mr. Foster) dealt with it in a celebrated speech in this House. I regret to say that members on the other side of the House assert that we have departed from the resolution of March 29, 1909. I say that the member for North Toronto (Mr. Foster) showed most conclusively that the Conservative party had been consistent throughout, and that it was the Liberal party who had departed from the terms of the resolution. Now to come back to this question of emergency, I have read the Toronto 'Globe' and I have shown the circumstances to a certain extent which surrounded parliament on March 29, 1909, and also that at that time speeches were made in and out of the parliament of Great Britain by the distinguished gentlemen I have mentioned as leaders of thought on both sides of English politics. The last word spoken by Sir Edward Grey, in January, 1910, was that there was not one word to take away from what he had said in March, 1909. Now British statesmen do not go around the world complaining and begging and saying to their fellow British subjects throughout the world, please come and help us. That is not the British style. The British style is exactly as it was expressed by several of those who took part in the imperial press conference, Lord Roseberry among others, that as Britons, they recognized their obligation to defend Canada, Australia, New Zealand and South Africa with their last drop of blood and with the last pound they possessed. But they said we are not sure that that is going to be enough. We do not come to you as beggars, but we place the facts before you as loyal British subjects, and it is for you to do voluntarily and as you may please as subjects of the British empire. I want to say one thing more on this question of emergency, and in my humble judgment, it is a most important fact as showing exactly what is going on, and that is that the British naval estimates for the present year are £41,000,000, £6,000,000 more than last year, and the largest ever known in the history of any country in the world. Now does anybody believe that England should want to spend such an enormous amount of money when it wants money for the relief of the aged and for other purposes. Does any one believe that a Liberal administration would have spent one pound more for the naval defence of the British empire, unless they were absolutely compelled to do so by the necessities of the case. They were compelled to chose whether they would carry out certain matters of social reform to which Mr. Lloyd George and other members of the party were pledged, or whether they would defend the British empire with their last pound and their last drop of blood. They have shown by the naval estimates of this year that the emergency is not passed, that it is going on with increasing force, and the question for Canada to-day is not whether they want a local naval policy but whether they want to take their fair share of the burdens of the empire.

And so, I say, the hon. gentleman has been putting up one straw man after another, and has been demolishing them to his own absolute satisfaction, and that of his less well-informed followers. I think it necessary therefore, to take up another point which he criticised at great length for the benefit of his English speaking Liberals who would not read anything else but what he says, and that is the point that the government did what the admiralty told them to. Well, Mr. Speaker, that is what you would call a half truth. They came to the admiralty with their finger in their mouth and said: How much can we get for ten cents? How much can we get for five cents? And how little can we get off with, anyhow—like a child in a candy shop, ready to offer, but a very small sum, and desperately anxious to get as much as possible

for it. That was exactly the attitude of the Canadian government. But that is not the attitude, I say of the Canadian people. When the Canadian people realize—as it is the duty of every public man in this country to inform himself on the facts, and to instruct the people—that there is a war of construction going on to-day with Germany which, if it be lost, will be as fatal in its results as a battle on the sea—they will take their part in that warfare, and they will not build some useless boats for coast defence which would never be called upon, and, if called upon, could not be used. Now, I want to get back to the statement of the Finance Minister as to the admiralty memorandum. I refer to page 23 of this report of the imperial conference as published in Canada. My hon. friend (Mr. Fielding) read certain sections of the memorandum. But these sentences show only that the British statesmen were thoroughly conversant with the point of view of these particular Liberal statesmen and the party they represented, and thoroughly aware that the only thing they could see was the coast of Canada. The admiralty set out these reasons before they gave advice, just to let these hon. gentlemen know that they thoroughly understood their picayune, provincial policy. And, having stated that, the first thing in the memorandum which the admiralty gave by way of advice and suggestion—you must remember they are not commanding; had no thought of commanding—is in clause 5:

> In the opinion of the admiralty, the Dominion government desirous of creating a navy should aim at forming a distinct fleet unit; and the smallest unit is one which, while manageable in time of peace, is capable of being used in its component parts in time of war.

It goes on then to say that a fleet unit, in the opinion of the admiralty, should consist of at least one armoured cruiser, and so on. Then, in paragraph 11 it says:

> As the armoured cruiser is the essential part of the fleet unit, it is important that an 'Indomitable' of the 'Dreadnought' type should be the first vessel to be built in commencing the formation of a fleet unit.

Now, I leave it to any man in this country who does not sit on the other side of the House if the Conservative policy in building, or giving money to build, a Dreadnought or two Dreadnoughts as parts of fleet units is not the policy which the admiralty, in fact, suggest in their memorandum but exactly the contrary policy to what the British admiralty suggest. There can be no controversy on that point. The memorandum fortunately was not mutilated; we get it in its entirety. In the following pages we get the discussion—part of it, such portion of the edited discussion as it is thought advisable to give to the people of Canada, and not the whole as in the case of the memorandum. So I unhesitatingly declare that when these hon. members on the other side say that they are carrying out the views of the admiralty, the memorandum which they themselves have submitted shows that what they state is absolutely contrary to the fact; it shows that what they were advised to do was to construct either a fleet unit—and I do not care whether for the Atlantic or for the Pacific; the memorandum does not say, and it is not material to the argument—or two fleet units. And the admiralty advise them, in aiming to build a fleet unit, first to build a ship that would be of some use, a Dreadnought. I am not quarrelling with the hon. gentleman (Mr. Fielding), because he wants to build a Dreadnought in Canada. The Conservative party has always been a Canadian party, and out for Canadian interests. I will not go into the record of the Liberal party in this matter. But we have been treated to an extraordinary tirade on the virtues of Liberalism in this country by the hon. Finance Minister. He seems to forget that, but for the Conservative party we should practically have had no Canada. The leader of their party was not one of the fathers of confederation, but one who wrote pamphlets against confederation. He forgets that when we on this side were putting through the Canadian Pacific railway, enlarging the canals, improving and expanding the transportation system of Canada, every move for the upbuilding of Canada was opposed by the party of which he is a member. He forgets the blue ruin speeches that were made by Sir Richard Cartwright, and the letters that were published by him in the British newspapars to injure the credit of Canada. The hon. gentleman (Mr. Fielding) seems to forget, or to wish to be allowed to forget, what he himself was doing in 1885. He has complained that the Conservative party of that day were lax in their efforts for the empire, but I want to know if any one on the Liberal side did what Sir Charles Tupper did later, as leader of the opposition in 1899—offered to back the government in sending troops to the war for the aid of the British empire in the Soudan. Not only did no member of the Liberal party make such an offer, but the hon. gentleman (Mr. Fielding) himself, being premier of Nova Scotia during the time of the Khartoum affair, and the Soudan war was such an imperialist that he would not observe the first of July, would not permit the schools of his province to be closed on the first of July to mark the day as a public holiday, would not permit the British flag to be flown on the first of July. And I have here a resolution that was passed

at his suggestion and upon his motion in 1886 in the House of assembly of Nova Scotia, the time when he complains that we were not ready to send troops to the Soudan. Let me read a part of that resolution. I do not read it because I would deny the hon. gentleman the right to change his views. But I do not like him to assume the cocksure manner he does, as if he and his people were the only ones who had correct ideas as to the duties of Canada. His views of the best policy for Nova Scotia towards Canada in 1886 were as narrow as his views are to-day concerning the duty that Canada owes the empire. I have here the debates and proceedings of the assembly and council of Nova Scotia for 1886. I will not read the whole resolution, but this is part of it:

That it now appears, as it did then, that the interests of the people of the several maritime provinces now incorporated with Canada are in most respects identical.

That the members of the branches of the legislature of Nova Scotia are of opinion and do hereby declare their belief, that the financial and commercial interests of the people of Nova Scotia, New Brunswick, and Prince Edward Island would be advanced by these provinces withdrawing from the Canadian federation and uniting under one government.

Mr. BEATTIE. Whose is that?

Mr. BRISTOL. The hon. Finance Minister of this Dominion, then premier of Nova Scotia.

That if it be found impossible after negotiations for that purpose, to secure the co-operation of the respective governments of the sister provinces in withdrawing from the confederation and entering into a maritime union, then this legislature deems it absolutely necessary that Nova Scotia, in order that its railways and other public works and services may be extended and maintained as the requirements of the people need them, its industry properly fostered, its commerce invigorated and expanded, and its financial interests placed upon a sound basis such as was the case previous to confederation, should ask permission from the imperial parliament to withdraw from the union with Canada and return to the state of a province of Great Britain, with full control over all fiscal laws and tariff regulations within the province, such as prevailed previous to confederation.

Now, I wish to read two paragraphs of the very lengthy speech of the hon. gentleman which showed his view of Canada. And he was a pretty well-grown man then—able to be premier of Nova Scotia, and old enough to have had a good deal of common sense and breadth of views:

We had better bear our full portion of the existing debt than to go on bearing the increasing debt of the Dominion. Immense expeditures of public money have been incurred for the construction of roads in the far west, while the roads of the lower provinces remain practically undeveloped. One would think we were an old and finished country in which nothing remains to be done in the way of public works, and that our money could well afford to be spent in the far west. We know that this is not true, that the development of railroads is more needful to us than to the great provinces of the west, because the great provinces in the west are not needful to the confederation. . . . I believe that the people of Nova Scotia are in favour of a repeal of the union, and I am not afraid to submit that issue to them. I have found men who say, we are in accord with you; we are in favour of repeal; but we do not see how you are to accomplish it. I admit the difficulty, but I think it is a difficulty not an impossibility. . . . For myself, it is my honest conviction that this union has not been satisfactory, that it will not make our people happy and prosperous, and that it is our duty to place ourselves on record, and then to let the people decide, and to stand or fall on that issue.

Mr. Speaker, how times do change. Here is an hon. gentleman reading a lecture to the Conservative party on their lack of loyalty, and generally on their lack of breadth of view, and how badly they have dealt with the British empire, and he says to the people of Canada, as Premier of Nova Scotia: The west is of no use to us, we should not spend money building railroads up there when we have Nova Scotia and New Brunswick to look after. At that time Nova Scotia and New Brunswick had the Intercolonial railway, they had all the railway communication necessary for their development. However, that is for illustration, and it is not worthy of enlargement except as dealing with the general issue which the hon. gentleman has raised. I am not impugning the personal loyalty of the hon. gentleman, or of any one on that side of the House. But I say that if they bring down a policy, if their programme is one that is going to tend, in its ultimate result, either to make Canada an independent country or to separate Canada from the British empire, it is perfectly legitimate for us to bring such separation policy to the attention of the people of this country, especially when some hon. gentlemen opposite are in sympathy with that point of view. We know that one gentleman opposite has had the courage to express that view, and there may be others who in their hearts feel the same way. The Finance Minister has told us that that is not his point of view, and I am willing to accept his statement. I believe the Finance Minister is now loyal to the British flag. But we cannot forget that the First Minister of this country has held entirely different views and expressed them in 1891. we have had the First Minister abusing British diplomacy, and arguing in favour of Canadian independence as the one goal of his ambition. Now, when the First Minister

made that argument he was not a young man in the exuberance of his youth, expressing half-baked opinions; he was 48 or 50 years of age, an age when a man should have settled opinions if he is ever going to have any. I want to say that if the right hon. the First Minister does not now feel and does not now believe as he did in 1891 he could well have said so; in justice to himself, in justice to the great people whom he represents, and whom he adorns, he could at least have said to the people of Canada that he had changed his views. But so long as that statement stands on the public records of this country, on the pages of 'Hansard,' and so long as it has never been disclaimed, so long is it open to hon. gentlemen on this side of the House to express their well grounded fear that the policy of the Prime Minister is one which will tend and ultimately lead to the separation of Canada from the British empire and to the independence of this country which the right hon. gentleman has stated to be the goal of his ambition. It is their duty to call the attention of their fellow subjects to the views the First Minister entertained at the time he was about 50 years of age, and which he has not so far denied, and which, if they were carried out, would lead to the dismemberment of the British empire.

Now, Mr. Speaker, there was another matter on which the Finance Minister waxed eloquent, and on which my good friend the Minister of Militia and Defence, when he was making his speech—why, I almost thought something was going to happen to him because he emphasized it with a vigour to which he is altogether unaccustomed; he stretched out his hands and he asked in a tone of consternation: Are you going to send $25,000,000 of Canadian money over to England? Why you would have thought he was going to drop dead at the very idea. Since when has it become a crime for Canada to buy in England what she at present cannot build for herself. England is our best customer. England, a country against which we had a balance of trade last year of $61,000,000, a country which buys more goods from us than any other country in the world; England, which for over a century and a half has been helping us to build up this nation; England, that has spent so many millions of pounds in fortifications for the protection of this country; England, that allows us to make our commercial treaties; England, who has afforded us military and naval protection for so many years, relieving us of an immense cost on that account, when even the peace loving people of the United States are spending on an average for pensions and a navy, $30,000,000 a year for every eight millions of people or $300,000,000 for their whole population.

And here is Canada in the opinion of the Finance Minister and Minister of Militia groaning over the prospect of spending $3,000,000 a year for national defence; and hon. gentlemen opposite nearly die of apoplexy when it is suggested that, in a case of emergency, when there is a war of naval construction going on upon which the unassailable supremacy of the British navy and the life of the empire depends. Canada should stand with New Zealand and Australia in contributing Dreadnoughts and show to Germany that we are one with the rest of the empire, that we believe in one fleet, and that we will fight under one flag and for one union. Now, Mr. Speaker, that is not all, that is not even the amusing part of it to my mind. Supposing you wanted a gun to shoot a man with, would you go and buy a row boat? Now, what is needed to-day and now is Dreadnoughts, and how are we going to get them? We cannot at this moment build them in Canada. But we won't spend the money of Canada for a Dreadnought, which is needed, but we are going to buy some other kind of a boat which is not needed. Here are British statesmen on both sides of politics saying that Dreadnoughts alone will count; here is the First Lord of the Admiralty saying that it is vitally essential that we should aim at a fleet unit and that a Dreadnought is the first thing to build—and that the colonial fleets should be under one general command in time of war, and here are the people of Canada still discussing this matter at the very moment that a crisis is existing as to the naval supremacy of the world, and we will not buy in England a weapon, viz.: a Dreadnought which is needed, but we are going to buy something different which is not needed. Did any one ever hear anything more absolutely illogical and absurd? Of course, if hon. gentlemen opposite have any guarantee that Germany is going to sit down peaceably and wait for thirty years until our navy matures, why then we need not be in such haste. But if we are to believe the statements of English statesmen, and the incontrovertible facts I have just indicated, of what earthly use will be our little fleet of wasps and hornets? Now, let us see for a moment what Canada has at stake? Let us see what the unassailable supremacy of the British fleet means to us. We have got 15,000 miles of coast line to defend; we have got an export trade of about $260,000,000 and an import trade of $300,000,000 to defend; we have got, according to our shipping returns, 93,372 tons of shipping to defend: we have our constitutional rights and liberties as granted under the British North America Act to defend; we have a trade with the mother country now which shows a balance in our favour of $61,000,000 to defend; we have to defend our commer-

cial and transportation interests, for the development of which we have borrowed a billion dollars from England, and for which we are borrowing $200,000,000 annually; we have the financial credit of Canada to defend; we have the prestige of British connection to defend; we have to maintain uninterrupted the peace of this country in order to enable us to carry out our national development without war and bloodshed; we have our national honour and self respect to defend; we have our national existence as a free British people to defend; and we have our homes, our people and our country to defend.

Will any gentleman in this House tell me that this so-called fleet of wasps and hornets will protect any of these things in the slighest degree? If you want to get at the meat of this matter you must keep before you, and the people of Canada must keep before them, what fate confronts Canada if the British navy fails? That is the point. What have we got at stake if the British navy loses? We have everything. I have indicated in outline everything that appeals to the manhood, the self-respect and decency of every man in this country. I charge the Liberal party of this country and its leaders with misleading the people of Canada by brushing to one side all the statements which have been made throughout this debate, quotations from British statesmen and others, on the emergency that exists in the relations between England and Germany. I charge them with not informing themselves, as statesmen, they could do of the real facts and of not disclosing the true facts to the people of this country and the facts to-day are even worse than in March, 1909. It is esential for the argument of the other side that they should make light of the real facts and of the real emergency because what they propose is of no use for the emergency that confronts the empire. But the English people are not squealing, they are alive to what their duty is and are going to defend this empire of which they are proud.

But does that make it any less the duty of Canada to do her fair share? And the people of Canada are ready to do their share?

It was amusing to hear the hon. minister speak about their sending men to South Africa. There is no man in this country who is informed on public affairs who does not know that the Conservative party, and, thank God, the people of Canada as a whole forced the hands of Sir Wilfrid Laurier and his government. It was a spontaneous outburst on the part of the Canadian people which swept the government of the day off their feet, and I am glad they had the good sense to obey that spontaneous outburst. But, does my hon. friend and those with him value money more highly than they do life? It would appear so. They were willing to send three regiments to take part in a war in South Africa, but they are not willing to spend a dollar in England for a Dreadnought, which is the only weapon that will help the British people to-day. When it comes to money they are very canny and very close, but human life—oh, that is an incident. I cannot emphasize, I wish I had the power to put more fully and plainly than I have done what in my humble opinion I believe to be the duty of the Canadian people at this juncture. I am not advocating this as a matter of party politics, I am trying to place the exact record before the people as to what the admiralty, the very best admiralty the world possesses, wanted the people of Canada to do. They wanted a fleet unit, and if they could not get that they wanted a Dreadnought and said it in unmistakeable terms. My hon. friend did not take this point, but the leader of the government (Sir Wilfrid Laurier) laboured for hours over the question of Canadian autonomy. You would have thought that the gift of a dollar to buy a Dreadnought, which, when we were able to man it with Canadian sailors would have been given to us to man as surely as will the Australian Dreadnought be given to Australia, would destroy our autonomy. When Australia offered to build a Dreadnought in England, England said: We will be glad to accept your offer, but as soon as you are ready to man it we will give it to you. Does any one believe they would treat Canada differently, that we would not man the Dreadnoughts with Canadian admirals and sailors as fast as we were able? Thank heaven we have Canadians in the British navy to-day well capable of handling a Dreadnought and we have many men in Canada who would soon be able to do so. There is no Conservative who does not wish that state of affairs to exist, that there should be Dreadnoughts manned by Canadians and built in Canada. But they wish first, last and all the time to do their share as citizens of the British empire, to protect the great empire to which we are all so proud to belong.

With reference to autonomy, the First Minister seemed to forget that we are not a nation, although he delights to say we are, in any other sense than that we are developing a national spirit and as men want to do our share in the world. We have our rights to-day under the British North America Act. Does anybody in this country suggest or believe that if we choose to devote money to the aid of the sufferers in Paris or in the California earthquake, or to build Dreadnoughts in England we are not exercising the power of responsible

government under the British North America Act, or that we could derogate from that Act no matter what we did? That Act was passed by the imperial parliament at our instance and if we are becoming a nation to-day it is simply because we are developing a national spirit on broad lines and not because we have the power to extend what the British North America Act gave to us. We had a long disertation on this matter and on the rights of responsible government in this country and to hear the First Minister, one would think that the British North America Act had been wrested with violence from the British empire, that we had almost had to go to England and rebel. Instead of that we actually drew up that Act, it was a voluntary Act on the part of the empire and remains to-day in its full force and validity as the charter of liberties of the Canadian people. I would not deal with this question of autonomy seriously for a moment had it not been that the First Minister spoke for over three hours on it. Let us look at the matter from another point of view. Australia and New Zealand, since 1902, have been giving money to help keep up the British fleet, and does any one suggest that Australia and New Zealand have lost their autonomy in any respect? Has any one suggested that here to-day? The thing is ridiculous except for the dignity of the right hon. gentleman who advocates it. In 1909, the British empire came to the aid of Australia and said that the support of a fleet unit by Australia was too much at present and that they would give Australia £250,000 sterling to help them with their fleet. Does any one suggest that the British empire has lost its autonomy because it helped Australia run its fleet? That money is spent by the people of Australia. It is not the hard working British tax-payer who is spending a dollar of that money, he is handing it loyally over to Australia and saying: Boys learn how to run a fleet. And that is the attitude that would have been taken towards us if we had followed the advice of the admiral and built a Dreadnought first and we would have done something of use to the empire and to Canada.

This is a matter as to which the Canadian people, above all things, desire to be informed. The Postmaster General brushed aside all the statements of English statesmen with a wave of his hand and said they were the efforts of feverish imaginations, all the solid facts which have been brought forward throughout this debate as showing the true position between Germany and England, such as the open declaration for German sea supremacy contained in the German Naval Bill. The fact that the German warships are being built with coal bunkers only sufficient to enable them to be operated in the north sea—and if on the north sea against whom can they be operated but England? Germany does not need a navy against France.

If there is one section of our people in this country who should joyously hold up both hands for the Conservative party it is our French compatriots. German aggression to-day is not different from what it was in 1870 when, by aid of a forged telegram, they compelled France to go to war. It is not different from what it was two years before when they started an unwarranted war against Austria, or when two years before that they started an unwarranted war against Denmark. They are the same German people. I want to call attention further to the statement of the German Emperor that he will never rest until he has made the German empire as supreme on sea as on land.

Let us not forget the signal of the Emperor of Germany to the Emperor of Russia in the harbour of Revel: 'The admiral of the Atlantic greets the admiral of the Pacific.' Now, let me call attention to some short quotations of interest in the work: 'The admiralty of the Atlantic.' Mr. Haslam writes:

> Germany has entered avowedly upon a maritime competition with Great Britain, and looks forward eagerly to the moment when she will be able to strike. She is putting far more energy into the struggle than we are. In the last year for which the complete returns are available (1906) she was insuring her merchant shipping at the rate of £4·77 per ton to our £2·5, and her coast line at £2,908 per mile to our £741 * * * *
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> For this is a truism; if, when war does come upon us, we stand in need of sixty battleships and can muster but fifty-nine, this empire of ours will fall as surely as if we had but half a dozen; and for every battleship we possess over and above the minimum we require, not only will the conflict be less protracted and costly, but war itself will be less likely.

That is one of the reasons why we on this side have advocated the policy that England cannot have too many Dreadnoughts. There is nothing so essential to Canadian interests as peace, and to ensure peace we must prepare for war, and every Dreadnought Canada pays for is so much insurance for peace purchased by the people of Canada. I quote again:

> We are living now in peace on sufferance, knowing that Germany will fight us as soon as she thinks fit. As year succeeds year, her chances become better and ours worse.

Now, let me call the attention of our French Canadian fellow subjects to a quotation from an article in 'Blackwood's Magazine' of January, 1910:

> No sooner had Russia been defeated and seriously weakened in Asia than Germany endeavoured to pick a quarrel with France over the Moroccan question. By the usual

threats of war and preliminary steps for mobilization, it was attempted to induce France to break her entente with England. To save war Delcasse was sacrificed. He resigned office, and the Algeciras conference was held at Germany's bidding. But England stood by France, and the German threat was rendered abortive.

I direct the attention of my French Canadian compatriots to the fact that twice in the last five years England has by her all-powerful fleet not merely preserved the peace of Canada and the British empire, but she has prevented their motherland, France, from being attacked by Germany. And it is just as essential to old France as it is to the province of Quebec that Britain should be supreme on the seas, unless they want to see their beloved province some day or other in the position of Alsace and Loraine.

We were told by the right hon. the Prime Minister that he for one would not have participated in such a war as the Crimean war, and in making that statement he threw in one breath an insult at the country of which he is a subject, and of the land from which he sprung, for the soldiers of both nations fought side by side in the Crimean war. He could not have thought of a more inapt illustration of a case in which Canada would not have gone to war. And, that reminds me of another point, and if it were not for its seriousness it would be one of the amusing things in connection with that so-called navy. I refer to the clause in the Bill which says that the navy shall not go to war without an order in council. The Minister of Finance told us that this was going to be a Canadian navy in time of peace, but an imperial navy in time of war, when the fact is that while it may be a Canadian navy in time of peace, in time of war it will be an order in council navy. I want the Finance Minister to remember that war is not like going out to a dinner party; you don't get an invitation a few days in advance and a request to state whether you are going to come or not. In fact, Japan was rude enough to blow up a few Russian battleships and then to say there was war on. Let my right hon. friend imagine the Crimean war starting to-day, and the Russian people in full knowledge of the views of the Prime Minister and the importance of his order in council in such a crisis. I wonder if the captain of the Russian ship would lower a boat and send an officer to the commander of the Canadian warship, to say: 'Well, have you got your order in council yet?' I wonder if the reply of the captain of the Canadian ship would be: 'No, not yet, I have not heard from Ottawa; I don't think they are going to war, but I don't know.' And I wonder if the captain of the Russian ship would say: 'All right, I will wait and see whether you get your order in council or not.' Of course, what really would happen would be that if the Canadian ship flew the British flag, the Russian commander would launch a torpedo and blow her up without waiting for the order in council. Surely it would be very rude for the captain of the Russian ship to do anything like that. It would be an awful thing when there was no order in council to justify it. I have no doubt if the captain of the Russian ship did any such thing in the absence of an order in council, the people of Canada would be highly indignant.

Now, we will say for instance that one of our ships has been off for a little cruise, and war having been declared in the meantime, that ship flying the British flag wanted to get back to Canada. We will suppose that the government of Canada had resolved that they would decline to pass an order in council and published that in the Toronto 'Globe' so that Russia and everybody else could take notice of it. Then, what a dirty trick it would be if, when this ship of ours got back to Canada the same gentlemen changed their mind and resolved that they would go to war, and repealed their former order in council. You can, of course, imagine the Russian warships floating around waiting for these orders in council to be passed, and actually doing nothing while the Canadian government was deliberating whether they would pass an order in council or not. But, suppose the warship belonged to a rude people like the Japanese who have been looking with longing eyes on the shores of British Columbia, and suppose the Minister of Marine was on a Canadian man of war flying the British flag. Now, if one of these Japanese warships came into the harbour of Victoria, does any one suppose they would be rude enough to attack that Canadian ship flying the British flag in the absence of an order in council from Ottawa. Well, Mr. Speaker, the more you think about this order in council business the more you can see what a valuable safeguard it is to the Canadian fleet. Why, it is one of the funniest things that was ever thought of. I suppose that in all our commercial treaties of the future we will put in a clause that there shall be no war declared on Canada, no matter what happens with Great Britain, until the Canadian government has passed an order in council. Well, we know that one of the leading statesmen of England has declared in the parliament of Great Britain as long ago as March, 1905, that they were concentrating the British ships from all the world over in the North sea, because they were afraid of a raid from a foreign nation. A 'raid' mind you. Why didn't he think of the order in council business

and then he need not fear a raid, because Britain would not be at war until the order in council was passed by the British government, and surely Germany never would think of being so rude as to attack a British warship before they received notice of the order in council. This Canadian government does not know what war is. War is something too serious to wait for an order in council; war does not even wait for parliament to be convened. Do we not know that eminent British statesmen consider that to-day England is in a state of siege because she does not know what hour Germany may attack her. They may not say it in so many words, but day and night in every shipyard in Great Britain they are building their ships and they are spending every farthing they can spare in that country to build these ships. Look at the attitude of Australia. In December, 1912, Australia will have a whole unit manned by Australians ready to move into the fighting line whenever the empire calls. What a shame it will be to the Canadian people when the day of battle comes, as come it will, and when there will be no Canadian Dreadnoughts in the fighting line when the Nelson of that day hoists the signal: Britain expects every son of the empire to do his duty. For my part, Mr. Speaker, I believe that the Canadians are a brave, an unselfish and a virile people; I believe they are British to the core; I believe they understand that the British navy has been the means in the past of permitting Canada's great national development to continue unimpeded. If we had not the strong arm of Britain behind us, what would prevent this country being overrun with Japanese or Chinese immigration? But, Mr. Speaker, there are some people who think that a Monroe doctrine is going to protect them. I have pointed out to these people that if Canada were a part of the United States to-day, it would cost us $30,000,000 annually to pay for naval defence and military pensions. Are we a poor country? Are we so poor, in money and in national spirit, that we would draw back from the request of the British empire to contribute two fleet units? Why, it is a mere bagatelle when you consider the natural resources of this country on which the Finance Minister can so eloquently descant. The country is willing to do its fair share. All that Canada wants is a statement from her public men of what its fair share is, and there is not a man in the country, whether he is of French, English, Irish or any other descent, who is not willing to do his fair share for the defence of the British empire.

Now, I have spoken at greater length than I intended, because I feel that this is the most important question which the people of this country have had to consider. I believe it goes to the root of our national existence and national destiny. I believe that no true Canadian wants to see, at some period within the next ten years, Canada out in the cold, while the other colonies are fighting for the empire. We have to do our share just as New Zealand, Australia, and Great Britain herself are doing. There is no use in meeting an emergency with a shotgun when it requires a cannon; or to build a torpedo boat when a Dreadnought is needed; let us have the right weapon for the right thing at the right time. That is what the people of Canada want to-day, and that is what the Conservative party are advocating. We have not objected to going before the people with our policy; we are ready to go now, and we challenge the right hon. gentleman, and those who sit behind him to go to the country and ask the people whether they want a tin pot navy, a wasp-and-hornet navy, an order in council navy, or to do something that is going to be of real assistance and real benefit to the British empire at this crisis. I have no doubt what the answer of the people of this country will be. I believe, whether they are of French, English or Irish extraction, they are Canadians first, and British subjects above all; and they wish to see Canada go on and prosper, not as an independent country, but as a part of the great British empire to which we are proud to belong. I believe they are able to look forward a half century; they are able to see that Canada occupies a central position in the British empire, that it will be a country of from fifty to one hundred million people, that the centre of population of the British empire will eventually be in this country, and that the day will come when Great Britain will be contributing to the Canadian navy and not Canada to the British navy. That is an aspiration which everybody in this country has a right to look forward to. There are some who are willing to risk this destiny, who believe that in case of war Canada can remain neutral on land and sea. Anything more absurd was never heard or suggested in a civilized assembly. When Britain is at war Canada has to be at war. Hundreds of orders in councils could not protect her navy or make it neutral or prevent it being attacked by an enemy of Britain at war with that country so long as our fleet flies the Union Jack. But what is she doing to-day? In advance of war she is not merely building something of no use to the British navy, but is actually tying her own hands and giving notice to the world: You can come and blow us up if you can do it before there is an order in council passed by the Governor in Council of Canada,

and what power contemplating now with Britain could afford to take the chance of such an order in council being passed or not passed? How much safer to blow up our navy in advance of an order in council?

I want our hon. friends to contemplate what it would mean to us if British supremacy did not exist on the seas. I have indicated some of the things that Canada has at stake; but I want to say that we have everything to lose. If there is one thing more than another that Germany desires it is colonies; if there is one country more than another that Germany wants it is Canada. I am going to read from 'Blackwood's Magazine' of January, 1910, the concluding portion of an article partially quoted earlier, one of the most informing articles on the subject under discussion, as it gives a complete statement of German intentions and German resources and needs. With reference to the possibilitiy of war, it says:

> There is an irresistible force driving Germany on. It is not merely sentiment, it is not merely the Emperor's personal ambition and pride. The greatest motive power is the rapid growth of the population, which makes room for expansion an absolute necessity for the nation.

Then it says with regard to Germans going to other countries:

> They are found in large numbers now in every foreign country and colony. But those Germans who thus emigrate to lands peopled mainly by other nationalities have a great tendency to become absorbed into the population among whom they dwell, to lose their language and characteristics, and to become denationalized. This does not suit the views of German patriots. Societies have been formed for the preservation of Germanism abroad, but anything they can effect will not permanently alter this radical tendency; and the aim of German statesmen is not to Germanize men who have emigrated to countries under rule and belonging to other races, but to obtain countries of her own as a field for the overflow of her teeming and ever-growing population.
>
> The Germans looked to South Africa falling into German hands; but that hope has been disappointed. Brazil, with a large German population, was a tempting bait, but the Monroe doctrine has barred that route, and the time for a quarrel with the United States is yet far distant. If Germany is to obtain colonies, there is only one nation from whom they can be taken. Great Britain holds Canada, Australia, South Africa, and the best parts of Africa in the east and west. To paraphrase Mr. Ellis Barker, Great Britain has all the territory she wants, and she strives only to preserve in peace what she has won by war. But Englishmen must be simple if they believe that Germany will rest satisfied with the fact that Great Britain has practically all the colonies in the world while Germany has none.
>
> Whenever Germany is ready, the British colonies must and will be her aim. And in that day we must rely upon our own right arm alone, and if our navy is not equal to the herculean task that shall be imposed upon it, we shall lose colonies and empire.

This article is in one of the best and most conservative British magazines; and in my humble judgment it accurately, and in a very moderate way sets forth the true facts as to what is before the people of Canada, and the British empire. It will not do for people in this country to sit comfortably in their chairs and say: Shut their eyes and England can pay the bill, because she has more money than we, and any way she has to. That policy will not do and cannot go on. If this country is ever to become a great nation, it must bear the burden of nationhood its people must look beyond the coast lines of Canada; they must as Canadians and British subjects take a broad view of their mangificent destiny and of their duty to the great empire to which we are all so proud to belong. If we adopt and carry out such an imperial policy, we will be serving the best interests of Canada, we will develop a true national spirit, we will advance the interests of peace and civilization throughout the world, and we will assure for future generations of Canadians and British subjects British liberty and British institutions now and for all time.

YEAS:

Messieurs

Allard,	Lovell,
Allen,	Low,
Aylesworth	Macdonald,
Beauparlant,	MacNutt,
Béland,	McCoig,
Black,	McColl,
Borden (Sir Frederick),	McCraney,
Brown,	McGiverin,
Bureau,	McIntyre,
Carrier,	McKenzie,
Carvell,	McLean (Huron),
Cash,	McMillan,
Champagne,	Marcile (Bagot),
Chew,	Martin (Ste. Mary's),
Chisholm (Antigonish),	Martin (Regina),
Chisholm (Inverness),	Martin (Wellington),
Clark (Red Deer),	Meigs,
Congdon,	Michaud,
Conmee,	Miller,
Currie (Prince Edward),	Molloy,
Delisle,	Nesbitt,
Demers,	Neely,
Douglas,	Papineau,
Dubeau,	Pardee,
Forement,	Parent,
Fthier,	Paterson,
Fielding,	Pickup,
Fisher,	Proulx,
Fortier,	Pugsley,
Fowke,	Rankin,
Gauvreau,	Reid (Restigouche),
Geoffrion,	Richards,
German,	Rivet,
Gervais,	Robb,
	Ross (Middlesex),
	Ross (Rimouski),
	Rutan,

Girard,	Savoie,
Graham,	Schell,
Guthrie,	Sealey,
Harris,	Seguin,
Harty,	Smith (Middlesex),
Hodgins,	Smith (Nanaimo),
Hunt,	Sperry,
King,	Talbot,
Knowles,	Templeman,
Kyte,	Tobin,
Lafortune,	Todd,
Lanctot (Laprairie-Napierville),	Tolmie,
Lanctot (Richelieu),	Turcotte (Nicolet),
Lapointe,	Turcotte (Quebec County),
Laurier (Sir Wilfrid),	Turgeon,
Lavergne,	Turriff,
Law,	Verville,
LeBlanc,	Warburton,
Lemieux,	White (Victoria),
Loggie,	Wilson (Laval).—111.

NAYS

Messieurs.

Armstrong,	Macdonell,
Arthurs,	McCall,
Barnard,	McCarthy,
Beattie,	Magrath,
Best,	Meighen,
Blain,	Middlebro,
Blondin,	Nantel,
Borden (Halifax),	Northrup,
Boyce,	Owen,
Bradbury	Paquet,
Bristol,	Perley,
Broder,	Porter,
Burrell,	Reid (Grenville),
Campbell,	Rhodes,
Cowan,	Roche,
Crosby,	Russell,
Crocket	Schaffner,
Crothers,	Sexsmith,
Currie (Simcoe),	Sharpe (Lisgar),
Daniel,	Sharpe (Ontario),
Doherty,	Smyth,
Donnelly,	Sproule,
Edwards,	Stanfield,
Elson,	Staples,
Fraser,	Stewart,
Goodeve,	Taylor (Leeds),
Haggart (Lanark),	Taylor (New Westminster),
Haggart (Winnipeg),	Thoburn,
Henderson,	Thornton,
Herron,	Wallace,
Jameson,	White (Renfrew),
Kidd,	Wilcox (Essex),
Lalor,	Wilson (Lennox & Addington),
Lancaster,	Wright.—70.
Lennox,	
Lortie,	

PAIRS.

Messieurs.

Ministerial.	Opposition.
Brodeur,	Foster,
Murphy,	Hughes,
Oliver,	Barker,
Stratton,	Gordon (Nipissing),
Gordon (Kent),	Osler,
Sinclair,	Monk,
Clarke (Essex),	Chisholm (Huron),
Bickerdike,	Ames,
Devlin,	Forget,
McAllister,	Maddin,
McLean (Sunbury),	Clare,
Prowse,	Lake,
Smith (Stormont),	Lewis,
Boyer,	Worthington,
Gladu,	Marshall,
Lachance,	Price,

Motion agreed to, and Bill read the third time, and passed.

At six o'clock, committee took recess.

After Recess.

House resumed at eight o'clock.

SUPPLY—THE RICHIBUCTO WHARF.

Mr. FIELDING moved that the House go into Committee of Supply.

Mr. O. S. CROCKET (York, N. B.). Mr. Speaker, before you leave the Chair I desire to submit to the House a matter which has been before the Public Accounts Committee, and which, I think, demands the very serious consideration of this House, inasmuch as it involves, if I may be permitted to use the language of a Sabbath editorial of the Toronto 'Globe' in this connection, 'not only the methods but the honour' of the chief spending department of this government. I refer to the purchase of the property at Richibucto, N. B., which is known as 'the saw-dust wharf' and so described in the Auditor General's Report. Briefly, the department bought this property from one Thomas O. Murray on the eve of the last general election, and paid $5,000 for it; Mr. Murray bought the property for the purpose of selling it to the department and paid $700 for it; so the department paid Mr. Murray over seven times the price which Mr. Murray paid for the property; in other words, the department provided Mr. Murray with a rake-off or a profit of $4,300 upon a seven hundred dollar investment.

Now, Mr. Speaker, if nothing more were to be said in connection with this case than the simple statement of this indisputable fact, it is enough to condemn the Minister of Public Works (Mr. Pugsley). But the matter assumes a far more serious aspect when we consider the character of the property, the conditions which exist at Richibucto, the history of the transaction from the beginning down to the registration of the deed by which the title of the property is vested in the Crown, the conduct of the Minister of Public Works after the matter became a public scandal and the unprecedented defence which he assayed to make of the transaction before the Public Accounts Committee. These considerations present a train of circumstances which establish beyond doubt that the transaction was a positive

fraud, deliberately planned from the beginning for a corrupt purpose, and make it impossible to acquit the responsible minister of the department of complicity in it. Indeed, there is evidence which indicates that the Minister of Public Works was the originator of the transaction.

Mr. CARVELL. Will the hon. gentleman (Mr. Crocket) kindly permit me a moment? Will he be good enough to point to that part of the evidence?

Mr. CROCKET. I propose to spread upon the record the evidence in support of every statement that I make. And I think before I——

Mr. CARVELL. If the hon. member will pardon me——

Some hon. MEMBERS. Order, sit down.

Mr. CARVELL. If the hon. gentleman (Mr. Crocket) will not permit me to ask a question, I do not wish to do so, but I do submit that when he states——

Some hon. MEMBERS. Order.

Mr. CARVELL——When he states that there was evidence that the minister was implicated——

Some hon. MEMBERS. Order.

Mr. CROCKET. If the hon. gentleman (Mr. Carvell) wishes to ask me a question I am content that he should do so.

Mr. CARVELL. I would like the hon. gentleman to point to the evidence which shows that the Minister of Public Works was implicated in a sale such as my hon. friend has mentioned.

Mr. CROCKET. The hon. gentleman (Mr. Carvell) has not asked me a question, but has expressed a desire that I should point to the evidence. Mr. Speaker, that is just precisely what I propose to do. But, before proceeding to do that I think it would be well for the House to have some knowledge of who this Mr. Murray was and who he is, inasmuch as he is one of the principal actors in the drama. Mr. Murray, I may say—and the evidence shows—was, and still is, manager of the Kent Northern railway, a railway which runs from Richibucto to Kent Junction on the Intercolonial railway, a distance of about 28 miles. He was also one of the campaign managers of the Liberal party in Kent county and, indeed, the party boss in that constituency. He has figured in practically every government expenditure that has been made in the constituency for some years past. He was, and the evidence which was taken shows that during the season of 1908, he was, employed and paid by the Public Works Department at the rate of $3 a day as foreman or conductor of some wharf repairs which the government had undertaken at Richibucto—paid for 71 days, and while still continuing to perform his duties as manager of the railway. If the shingle roof of the public building wanted repairs, it was Mr. Murray who got paid for doing it. If the brick-work in the walls wanted pointing, it was Mr. Murray who sent his bill in to the department and got paid for it. If there was a sewer to be excavated or a coal bin built, it was Mr. Murray who was paid for it. And every work that the department undertook in Richibucto seems to have been placed in Mr. Murray's hands. In fact, in the summer of 1908, the Department of Public Works, presided over by my hon. friend from the city of St. John (Mr. Pugsley), made a blanket contract with Mr. Murray to perform all sorts of work in connection with the public building and round about it. They gave him a contract to do masonry work, to do carpentry work, to paint a wire fence, to provide locks for water-closet doors, and to varnish the front doors of the building. Mr. Murray was not a painter, nor a mason, nor a carpenter, nor had he even a store, nor owned a single article for sale, yet this is the gentleman the Department of Public Works did all its business with in the village of Richibucto, and this is the gentleman who was the vendor of the famous saw-dust wharf which the Minister of Public Works was so pleased to buy at a price of $5,000.

Now, in order that there may be no doubt, about the question of Mr. Murray's connection with the party organization in that county, I am going to quote from the evidence, for I do not intend, in this matter—inasmuch as I contend that it involves the Minister of Public Works personally—to submit a statement or an interpretation of the evidence without putting upon the record the evidence in connection with every contention that I make. In the first place, as to Mr. Murray being one of the campaign managers I desire to quote from the evidence of Mr. Wm. D. Carter, who was the agent of the Justice Department—nominated as such by the Minister of Public Works—in connection with this transaction, and a witness friendly to the minister. At page 99 of the evidence, Mr. Carter says this:

Q. You are one of the party managers for the county of Kent, are you not?—A. I do not know about that, I take an interest in it.

Q. And a very active interest?—A. Yes.

Q. And you are associated with Thomas O. Murray and Geo. W. Robertson?—A. And several others.

Q. But more particularly with them and J. D. Irving in the management of the last campaign?—A. Oh, no, with others.

Q. Will you say they did not take as promi-

nent a part as any? Geo. W. Robertson, Thomas O. Murray and J. D. Irving?—A. I would say the two latter took a prominent part, I do not know that Mr. Robertson did.

Q. Who do you say took a prominent part?—A. Thos. O. Murray and J. D. Irving.

Q. And do you say Geo. Robertson did not?—A. No, he was quiet, I thought.

Q. Did he not canvass actively and consult with Mr. Murray and the rest of you?—A. He was on the committee and in the committee rooms, but he was very quiet.

Q. Sometimes the most effective men are the most quiet men?—A. That may be, I am not criticising him at all.

That is the evidence of Mr. Carter. Now, there is also the evidence of J. D. Irving who was produced as a witness on behalf of the Minister of Public Works, or in defence of this transaction, and who was a contractor under the Public Works Department. Mr. Irving was asked, at page 131:

Q. You are the same J. D. Irving Mr. Carter alluded to yesterday in his evidence?—A. Yes.

Q. As one of the campaign managers in the county of Kent?—A. Yes.

Q. Associated with Thos. O. Murray and Geo. W. Robertson?—A. Yes.

Q. You do not deny that at all?—A. No, I do not.

So it must be taken as an established fact that Geo. W. Robertson, and Thos. O. Murray, the vendor of this property, were active supporters of the Liberal party, and were in charge of the management of the last campaign. Now, with reference to the character of the wharf, because I think that throws a flood of light upon this transaction, and upon the bona fides of the Public Works Department in deciding to acquire it. The evidence is, and there can be no dispute as to this, that this property for which the department paid $5,000 was nothing less than a dilapidated ruin of a wharf built upwards of forty years ago upon an old mill site, and was composed of sawdust and mill refuse. The outer edge of the wharf was washed away to low water level. That was the evidence given by the resident engineer of the department. It was practically nothing else than a part of the beach sloping down from a bank of decayed sawdust and mill refuse, and it was absolutely unfit for wharfage purposes or for service of any kind. Now, I will give the evidence upon that point of Mr. Murray himself, the vendor of the property, which will be found at page 16, and who sold the property to the government:

Q. Is it of any service in its present condition for the purposes of a wharf?—A. No, I do not think it is.

Mr. O'Leary, from whom Mr. Murray bought the property at $700, was asked:

Q. Is it of any service for public purposes?—A. Absolutely of no service as a wharf or for any public purpose. There is nothing more than a point of land there.

Mr. CROCKET.

Then there is the evidence of Mr. Andrew Loggie, of the firm of A. & R. Loggie, a firm which has received from the Public Works Department since the present minister took charge of that department, the sum of $144,000 on dredging contracts, some of which were illegally awarded to that firm by the Minister of Public Works. Mr. Loggie was produced as a witness on behalf of the Department of Public Works, and this is the gentleman, I may say, that offered to buy this property for $5,500. At page 185, Mr. Loggie testifies:

Q. Is that wharf, in its present condition, fit for shipping purposes or any other purposes?—A. It is fit for some other purposes.

Q. Is it fit first for shipping purposes?—A. No, I would say the front would have to be improved and built up and made so that shipping could be taken from there. I would say it was not as it is now.

So that fact must also be taken as established, and established by two witnesses friendly to the minister, that this wharf which the department bought was absolutely unfit in its existing condition for the purpose for which it was acquired. Furthermore, that wharf had been lying useless and idle for ten or fifteen years previously. It was nothing more than a barren waste, which had been put to no use and was capable of no use. Mr. Loggie admitted that fact also on the same page:

That it was useless and idle and had remained useless and idle for ten or fifteen years perhaps.

Now, that was the condition of the wharf, a property built up of sawdust and mill refuse, of no service, absolutely unfit for the purpose for which it was acquired, and that property remains in the same condition to-day as it was when the department bought it nearly three years ago, upon the pretense that its acquisition was necessary at that time in the public interest. The property had been owned for ten years by Mr. Richard O'Leary, of Richibucto, and I may say of Mr. O'Leary that he is one of the most successful and best known, and shrewdest busines men in the province of New Brunswick. He was the largest property owner in Richibucto, and one of the largest property owners in the county of Kent. There is no business man in the province of New Brunswick who is better or more favourably known than Mr. Richard O'Leary. He had held this property for ten years idle and useless. He had acquired that property from a half brother. Wm. O'Leary, who has been living in Montreal for some ten years past. The property devolved upon Wm. O'Leary and his three brothers upon the death of his mother. Mr. O'Leary testified that he, in settling up his mother's estate, sought to dispose of this property, that he spoke to his half brother, Richard O'Leary, to see if he would buy the property. Mr.

Richard O'Leary said that he did not want it, and he told him to apply to Andrew Loggie, the same gentleman to whom I have referred. Mr. William O'Leary went to Mr. Loggie and asked him if he would buy this property, he offered it to him for $1,000. Mr. Loggie absolutely refused it, stating that he had all the old property around Richibucto that he wanted. Then Mr. William O'Leary sold the property to Mr. Richard O'Leary for $400. That was in the year 1902.

Mr. PUGSLEY. Is the hon. gentleman now professing to give uncontradicted testimony?

Mr. CROCKET. I am giving the evidence of William O'Leary.

Mr. PUGSLEY. Which is entirely contradicted.

Mr. CROCKET. And I am going to refer to the contradiction which the minister apparently has in his mind.

Mr. PUGSLEY. I thought the hon. gentleman was giving uncontradicted testimony.

Mr. CROCKET. I did not say uncontradicted.

Mr. PUGSLEY. The hon. gentleman started out that way.

Mr. CROCKET. I will deal with the contradiction on which the hon. minister relies. In the first place, O'Leary's statement will be found at pages 94 and 95:

Q. You say that on the death of your mother this property devolved upon yourself and your three brothers?—A. The three other brothers.
Q. Did you make any effort to make a sale of the property?—A. Yes.
Q. In closing up the business of your mother's estate?—A. Yes.
Q. You might just state, Mr. O'Leary, what you did in reference to that?—A. Well, as we had property in Richibucto, this sawdust wharf, I offered the sawdust wharf to my brother, Richard, but he said he did not want it, and he told me that we might be able to get $1,000 for it including the Hartnett store——

And I might say the Hartnett store had been sold before the Public Works Department acquired the property.

—my father had paid that some time before, but he said it was not worth that now, and I said to him: 'If you do not want it for your business, I will sell it to Loggie.'
Q. What Loggie was that?—A. Andrew, A. and R. Loggie. And he said: 'Try it,' and if he gives you $1,000 for it, take it. So I met Mr. Loggie.
Q. Is that Mr. Andrew Loggie?—A. That is Mr. Andrew Loggie.
By Mr. Carvell:
Q. How long ago is that, do you say?—A. It was in 1902. I asked Mr. Loggie if I could sell him the sawdust wharf, and he said: 'No,' that he did not want it at all. I asked him if it would tempt him if I offered it for $1,000, and he said: 'No.' I said: 'Will you make me an offer for it?' And he said: 'No, I have enough of this old property around here now, I would not want it under any consideration.'

That is the evidence of William O'Leary of Montreal. The contradiction to which I assume the minister refers is the evidence of his friend, Andrew Loggie. That is at page 221.

By Mr. Carvell:
Q. Now, did you read the evidence of Mr. William O'Leary, given before this committee, in which he states that he wanted to sell this sawdust wharf property to you for some $800?

Mr. O'Leary's evidence was that it was for $1,000.

A. Yes.
Q. What do you say to that?—A. I say that it is not true, absolutely not true that William O'Leary offered me that property.
By Mr. Reid:
Q. Did he never have any conversation with you about it?—A. No, Sir, I don't remember any conversation whatever.
Q. Do you swear he never had any conversation?—A. That is my impression.
Q. But will you swear he never had any conversation with you about this wharf?—. I will swear as far as I remember that Mr. William O'Leary had no conversation with me about this wharf.
Q. Will you swear you did not have any conversation?—A. He might have. I don't think he had.
Q. He might have had?—A. He might have had, but I don't think so.

This is the contradiction referred to by the Minister of Public Works. It is the only contradiction offered in the whole case, and the House will observe that his evidence was based on a question not in accordance with the evidence of William O'Leary, whose evidence had reference to an offer of $1,000. It must be clear to any one who has heard the statement of Mr. O'Leary and the statement of Mr. Loggie in contradiction, that the contradiction is very weak coming from a man like Andrew Loggie who is under such tremendous obligations to the Minister of Public Works. So I think that in the mind of any unbiased person at least, the positive affirmative testimony of William O'Leary will be preferred to the negative and very weakly negative evidence of the witness on whose testimony the Minister of Public Works is wholly relying. Furthermore, Richard O'Leary actually made a contract for the sale of this property in 1905 for $500 to Mr. Frank Ingersoll. Ingersoll made a deposit of $50, which he forfeited and the purchase was not completed. The evidence on this point is at page 40:

Q. Prior to your giving to Mr. Murray the option on this property, had you ever offered it for sale?—A. The property has been for sale since 1897.
Q. Had you offered it publicly for sale?—A. I never had a public auction for selling it to anybody.

Q. Did you ever advertise it for sale?—A. I sold it once to Frank Ingersoll, of Grand Manan, to put up a smoke house, a smoke house for herring.

Q. How long ago was that?—A. In 1905. I sold him the property for $500. Mr. Ingersoll paid me $50 on account and rued the bargain; he would not take the property at $500.

I think that is conclusive evidence as to the value of this wharf, bearing in mind what I have said that Richard O'Leary is one of the shrewdest business men in New Brunswick, the largest property owner in Richibucto, and more interested, therefore, in the appreciation of property in that town than any other person. He had bought it for $400 in 1902, he had made a bargain for the sale at $500 in 1905, and actually sold it to Thomas O'Murray in 1908 for $700.

It must be borne in mind that Richibucto is a small village. The evidence was that the population of Richibucto was less than 700. That is the statement of Richard O'Leary at page 28 of the evidence. That statement was not contradicted by any of the witnesses put on the stand to defend the transaction. Murray was asked about it, but he would not deny it; he admitted it was less than 1,000. Mr. Stead, resident engineer of the Department of Public Works, would make no statement as to population, and Andrew Loggie, to whom I have referred, who was brought here at the instance of the Minister of Public Works to support the case, stated that he did not think the population was 1,000.

Mr. PUGSLEY. I deire to correct the hon. gentleman. Mr. Andrew Loggie did not come up here to support the transaction, so far from it, he was subpoenaed by the hon. gentleman himself and came here in answer to the subpoena.

Mr. CROCKET. Well we will dispose of that right away. I quote from page 68 of the evidence:

Hon. Mr. PUGSLEY. I am willing to postpone the further examination of this witness until to-morrow, but I would like that a subpoena be issued for the attendance of Mr. Andrew Loggie.

Mr. PUGSLEY. Mr. Speaker——

Some hon. MEMBERS. Sit down.

Mr. PUGSLEY. One moment—hon. gentlemen opposite are applauding just a little too soon.

Some hon. MEMBERS. Order.

Mr. PUGSLEY. One moment—I want to correct the hon. gentleman. He has only referred to a part of the proceedings. It is true that Andrew Loggie was subpoenaed at my instance, but he sent a telegram——

Some hon. MEMBERS. Order.

Mr. CROCKET.

Mr. SPEAKER. The rule is that a member cannot be interrupted without his consent.

Mr. PUGSLEY. I desire to correct a statement the hon. gentleman has made.

Some hon. MEMBERS. Order.

Mr. SPEAKER. The hon. minister can only do so with the consent of the hon. member who has the floor.

Mr. PUGSLEY. Will the hon. gentleman permit me to do that; it is for the hon. gentleman to grant permission or not.

Mr. CROCKET. The Minister of Public Works will have ample opportunity to present his case later on.

Mr. PUGSLEY. Then, I understand the hon. gentleman refuses to consent.

Some hon. MEMBERS. Order.

Mr. CROCKET. That is the evidence with reference to the population of Richibucto. Thirty or forty years ago Richibucto was a very important shipping point and a large lumber business was carried on there, but about twenty years ago the business began to decline so that there is not nearly as much business carried on there to-day as formerly. This was the evidence of Mr. O'Leary at page 45:

Mr. DANIEL. When you were a small boy were there any vessels of large size using it? A. Yes, it was a large shipping port and I have heard my father say that as many as 100 vessels at a time were at Richibucto and now you will not see any. The lumber has been cut out and there is very little shipping of lumber done at Richibucto now; I do it all myself.

In those days the government owned no wharf there, and the private wharfs built by private citizens were sufficient to accommodate the business which was much larger than it is at present. There is a report of the resident engineer of the Department of Public Works which throws further light upon the question as to whether the purchase of this wharf was necessary in any respect in the public interest. That report will be found at page 57 of the evidence. I may say in reference to this that in 1908 the Department of Public Works was requested by the member for the county to take up the question of acquiring the wharf at Richibucto which had been the property of the municipality. Some twenty-five years ago the municipality built a wharf for public purposes which is still known as the municipal wharf. The municipality leased that wharf to the Kent Northern railway for $50 a year, but the municipality claimed it was not in a position to keep this wharf in a proper state of repair, and the Department of Public Works was requested to take this proper-

ty over and maintain it for public purposes. In the spring of 1908, Mr. Geoffrey Stead, resident engineer, was directed to examine this wharf and report, and I shall cite the important part of this report which is dated the 10th of March, 1908:

The municipality of Kent county built over 25 years ago a public wharf at Richibucto consisting of an approach 443½ feet long and 24 feet wide, a pier head about 115 feet long and 75 feet wide, and an extension to the pier head 121½ feet long by 40 feet wide. The wharf is composed of cribwork with a floor of cedar poles covered with about 1 foot of ballast and surfaced with gravel, etc. There is about 13 feet of water at low water O.S.T. along the outer face deepening to 8 fathoms in the channel about 40 feet out from the wharf. The range of spring tides is 4 feet.

For some years the wharf has been leased to the Kent Northern railway and used for the import of coal and shipping lumber, tanbark, fish, etc., by rail.

The lumber shipments at Richibucto have varied in late years from about 2,150,000 f.b.m. to 11,200,000, which formerly went direct to England. A large part of this is now carried by rail to Ontario and also to St. John and Halifax for shipment from there by steamer. The lumber and tanbark—about 400 to 500 cords of the latter yearly—are brought to the wharf by scows and piled there until cars are available. The wharf has been repaired at various times, but it is beyond the means of the county council to keep it in proper repair and it is therefor becoming unsafe for traffic and especially for the engine or the Kent Northern railway. It is the only public wharf at Richibucto and is much used. It seems reasonable therefor for the department to take it over. In view of the very probable acquirement of the Kent Northern railway by the Intercolonial, which would then be obliged to own or lease the wharf, it would be a good investment for the government to secure it now on the present reasonable terms.

That wharf was offered to the department at $1,500; it was a completed wharf, and had been in use right down to that time, with the tracks of the Kent Northern railway upon it. The House will observe however, from Mr. Stead's report that he had difficulty in finding reasons for recommending the purchase of it as necessary for shipping purposes, and he puts his recommendation upon the ground of the probable acquisition of the Kent Northern railway by the government, and that he had in his mind that that wharf, for the sale of which the purchase of which the department had a proposal, was sufficient not only for existing needs, but for all needs which would arise in the future if the government should acquire the Kent Northern railway which they have not up to the present time. I may say that Mr. Stead estimated that it would take $11,500 to put this wharf in repair, and the wharf was taken over during the summer, and the department entered upon the work of repairing it, and extending it. Mr. Stead was asked this question:

Q. When you wrote that to the department on the 10th of March did you not have in your mind the fact that that wharf would meet all requirements, not only for the time, but for many years to come and did you not have in view the acquisition by the government of the Kent Northern railway and gave that as a reason why it might be advisable to buy the municipal wharf?

A. It is true, I have stated it there.

That is the evidence of Mr. Stead, showing conclusively that when he was requested to examine and report on this wharf, he recommended this purchase, not because there were existent requirements for it, but because it was understood that the Kent Northern railway might be taken over by the government and it would be advisable for the government to acquire the wharf so that they might meet the requirements that might arise in the future. Then, at page 58 Mr. Stead was asked:

Q. Did you have in your mind on the 10th of March when you made your report on the municipal wharf the acquirement of the sawdust wharf?—A. No.

I think these facts establish that there was certainly no need of the purchase of this wharf at Richibucto in view of the fact that the government was acquiring and taking over the municipal wharf which the report of its own engineer shows would answer not only all existent requirements, but all contemplated future requirements. That brings me to the history of this transaction, and in that connection I am going to refer to the evidence of Richard O'Leary, the gentleman from whom Mr. Murray purchased this wharf. His evidence in brief is that Mr. Murray first approached him on the subject in the month of April, 1908, but not with a proposition to buy the wharf. Such a thing was never suggested. Mr. Murray had been employed by the government to construct a sewer from a public building which was opposite property through this property to the Richibucto river, and Mr. O'Leary had sold to Mr. Murray a sewer right through the property for $100. Mr. Murray went to Mr. O'Leary in April, 1908, and reported to him that the sewer had not been built satisfactorily and that it was necessary that a new sewer should be constructed, and asked him if he would be willing to sell another sewer right to him or the government on the same terms. Mr. O'Leary said he was quite willing to do so. On the 4th of May, Mr. Murray called Mr. O'Leary up by telephone and asked him if the other offer in connection with the sewer right still held good, and told him that he was going to Ottawa and would see the minister about it. That is the evidence of Mr. O'Leary in reference to the conversations with Mr. Murray. Mr. Murray

came to Ottawa and was in Ottawa in the month of May, and saw the Minister with Mr. George W. Robertson. Upon their return to Richibucto, Mr. Murray went to Mr. O'Leary and for the first time proposed to buy the property outright. Bear in mind that when he left Richibucto he had nothing more in his mind than the purchase of a sewer right through this property. He stated that he was going to speak to the minister. He came to Ottawa and saw the minister. Immediately on his return he approached Mr. O'Leary and said, 'what will you take for the whole property?' In order that there may be no mistake about this, I am going to read the evidence, because I submit that if Mr. O'Leary's statement in that connection is true, the conclusion is inevitable that the proposal for the purchase of this property came from the Minister of Public Works. This is Mr. O'Leary's evidence at page 25:

Q. You might just state, Mr. O'Leary, what took place between you and Mr. Murray previous to the execution of this deed on the 19th of May?—A. Mr. Murray was in my office one day during the month of April and told me that the sewer they had run from the public building was not giving satisfaction, and I said it was strange that the chief architect should make such a bad job of this sewer, but that I would be glad to sell them another sewer right at the same price as I got for the last.

Q. What was that?—A. $100. Mr. Murray said that in all probability he could get another sewer put through, and asked me if he could have anything he could get for it over $100. I told him that he could.

Q. Is that about all of the conversation?—A. No, that is not all of that conversation. At the same time I said, 'Tom, what is the matter with your father up there at the public building, he won't burn any light?' He said, 'I do not know anything about it at all.' And I said, 'It hardly pays us to light the building; we will have to be taking it out altogether if they do not burn a little more than they are.' So that on that matter you see there would not be enough made in the proposition to give him a rake-off at his own house or in any other way.

Q. Then that statement was not true?—A. That statement is absolutely false.

Q. Did you ever mention $400 or any other price?—A. Never any other amount than $100. On the morning of the 4th of May, Monday morning, Mr. Murray called me up by phone, just when I was at breakfast, 8.30 a.m., and asked me if I remembered our conversation in reference to the sewer, and I replied that I did remember very well, he said, 'Does that still hold good?' And I rplied, 'It does, Tom.' He said, 'The reason I am asking you is that I am going to Ottawa this morning, and I will ask the minister while I am up there about it.' I said, 'All right, all I want out of it is $100.'

Q. That is all that took place before he went to Ottawa?—A. Yes. Immediately after coming from Ottawa—he had told me that he was going to Ottawa, and I saw by the papers that he had gone—after he returned from Ottawa he came to my office, and the first question I asked him when he came in was, 'How did you get along about the sewer?' And he said, 'What will you take for the whole bloody property?' I said, 'I do not know, Tom, do you mean the whole sawdust wharf?' And he said, 'Yes, the whole thing.' I said, 'I am willing to divide with you anything you can get over $1,000 for it.' He said, 'No, I want to make some money for myself; I want to make an outright purchase.' I said, 'All right, on an outright purchase you can have it for $700 or $800.' He said, 'Can I get the deed made out at that?' I said, 'Yes, and you can have the property for $700 or $800.' When going out of the office he asked me if I would object to have the consideration in the deed $1,000, and I said, 'Not the slightest.' He said, 'Carter is in St. John, and I will go and get James to make out the deed.' I knew that W. D. Carter was the solicitor for Murray. Mr. James brought the deed down to me at my office and I signed it, and he took it up to my house and my wife signed it there. While Mr. James was in the office, I said, 'Now, see about the money consideration before you hand the deed over to Muarry.

Q. You said that to whom?—A. To Mr. James. He got me to sign the deed and took it from my office to my house and my wife signed it. Mr. Murray then came down to my office in the evening, towards teatime, and said, 'Can I get that deed?' I said, 'Of course you can as you pay the money.' He said, 'I cannot pay the money until I go to St. John, but you will be sure of the money, you need not worry about that, I want that deed to take to St. John with me to get the money. I had an idea that Mr. Murray had not the money at the time, because his obligations to me were fairly heavy along other lines. I said, 'I think I can see a way out of it; we will have a mortgage drawn out and we will deposit the mortgage in the record office to go on record if the deed is registered before I get my money.' Mr. Murray agreed to that and Mr. James drew up the mortgage. Mr. Murray was going to St. John the following morning and wanted to take that deed and mortgage along with him, and Mr. James, a few minutes before the train left, got Mr. Murray and his wife to sign the mortgage, and on his way down left the mortgage in the record office with Mr. Sayer, with instructions regarding its registration. Mr. Sayer called up by phone and told me what Mr. James had told him, and I told him that was correct and that he was to put the mortgage on record if the deed was filed before I got my money. Mr. Murray went to St. John, he took one day to go down, he was one day there, and took one day to come back. He brought me in $600 and laid it down on the desk, and I asked him, 'What this $600 was for,' and he said it was for the wharf. I said, 'You are mistaken.' He said, 'You said $600.' I said, 'No, that is a mistake, I said $700 or $800, but I will make it the minimum of the figures. I stated $700.' He said, 'Take $600 now, and I will give you the other hundred as soon as I turn it over.' I agreed and I got my bookkeeper to make an entry in the cash book which reads—

Then he gave the entry in the cash book. That is the evidence of Mr. O'Leary, and

if that statement is true, it becomes absolutely impossible to avoid the conclusion that the Minister of Public Works was personally responsible for the proposal of this scheme. Because the evidence as I have pointed out shows that before Murray came to Ottawa, in May, 1908, he had nothing in his mind but the purchase of a sewer right through his property for $100, and it was not until he had been in Ottawa, until he had seen the Minister of Public Works and had returned to Richibucto that he proposed to Mr. O'Leary the outright purchase of the property. Now it becomes therefore very important to determine whether this evidence of Mr. O'Leary is true or not. If it is true, I say, it raises the conclusion that I have mentioned. Now in the first place, Mr. Speaker, we know that every statement in Mr. O'Leary's evidence with reference to the construction of the sewer, to his having sold the sewer right to the government for $100; we know that was true. It is a matter of record and cannot be denied. We know furthermore that it was true that there was a proposal from Murray for the acquisition of a new sewer right for the government. That is also true. We know it is true that every statement he made with reference to the consideration of these properties, with reference to the payment of money and with reference to the execution of deeds was true. All these things have been confirmed absolutely by documentary evidence. So that the one point and the only point in reference to which Mr. O'Leary's statement was contradicted by Mr. Murray refers to matters which were entirely between Mr. Murray and himself and on which no other testimony could be given. Mr. Murray, however, had to confess and did confess on the stand that the substance of Mr. O'Leary's evidence was true. The one point was that he contradicted the statement that Mr. O'Leary had spoken to him about the purchase of a sewer right until after he returned from Ottawa. Now, I am going to place against O'Leary's evidence the evidence of Mr. Murray so that the House can judge which of these witnesses is speaking the truth. Mr. O'Leary's evidence is to be found on pages 7 and 8.

Q. Now, Mr. Murray, just state what took place between you and Mr. O'Leary on your return from Ottawa in regard to the sale of this property by him to you?—A. Well, the way it originated was, I went into Mr. O'Leary's office one afternoon and we got talking about one thing and another in general, and finally the conversation led up to the lighting of the public buildings.

Q. At Richibucto, that is the post office building?—A. Yes, and the way it started was, my father is the caretaker of that building and Mr. O'Leary thought he was not getting revenue enough from it, he furnishes the lighting and he has spoken to my father about it at different times.

Q. Mr. O'Leary is the owner of the electric light plant?—A. Yes, and he had spoke to my father about burning more light, and my father told him he would not burn more than was necessary, he would not burn it outside of office hours, and that he was acting in accordance with the orders of the chief architect. Mr. O'Leary asked me to use my influence with my father to burn more light.

Mr. CROCKET.—The witness has a clear recollection with regard to something that has no reference to this inquiry at all.

Witness.—You ask me the question.

The Chairman.—Go on Mr. Murray.

A. (Continued). And he said that he would give me a show on my own electric light account for my own private building. I told him: 'No, I would not do a thing like that on my father, who was an old man now.' So, with that he led me on to the public building sewer, and he asked me to go in with him on this and he would halve up on that.

Q. What is that?—A. He asked me to go in with him on this public sewer right of way, and I said: 'What would you charge for it?' And as near as I can recollect he said either $400 or $600. I said: 'That is an enormous charge, and I do not believe they would pay it. If you ask $400 or $500 for a right of way, how much would you take for the whole property?' He replied: '$700.' And I said: 'You would?' He said: 'Yes.' And then I said: 'It is sold.' With that we went out and got the land surveyed off and had an attorney draw the deeds.

Q. And that is all that took place between you with regard to the sale of that property?—A. Yes.

Q. Did you not know that the price Mr. O'Leary asked for the sewer right was $100?—A. No, Sir.

Q. Will you say that is not a fact?—A. I will, as far as I am concerned.

Q. You know, do you not, that he had sold a sewer right to the government for $100; that is a right to lay a sewer from the public building through this property to the river two or three years before? You knew that, did you not?—A. I knew that, yes.

Now, Mr. Speaker, I would ask any member of this House if he believes that statement of Thos. Murray on its face. I declare that that testimony is false on its face for the reason that Mr. Murray knew that O'Leary had sold the sewer right for $100. He asked him if he would sell another and a similar sewer right to the government for the same purpose, and he expected the members of the committee to believe that Mr. O'Leary, who had sold a sewer right previously for $100, would ask $400 for the same thing sold to the government two years before for the same purpose.

Mr. R. L. BORDEN. And he was willing to sell the whole property for $700.

Mr. CROCKET. Yes. He asked $400 for the sewer right, the right to lay a sewer requiring only the width of a few feet of this property from Water street to

the river, and when told that that was an enormous price, and asked what he wanted for the whole property of 726 feet he said $700. Now, if any juryman in this country would believe that evidence, I would not be disposed to regard him as sane, and I do not believe there was a single member of the Public Accounts Committee on either side of the House who, in his own conscience, believed the evidence of Thos. O. Murray in that respect. I say that the evidence is false upon its face.

Mr. J. D. REID. Perjury.

Mr. CROCKET. Apart from that inconsistent and absurd statement, I say this as a member of this House, that this same Thos. O. Murray committed a criminal offence against the Public Works Department as foreman or conductor of the wharf repairs at Richibucto. He obtained money from the Public Works Department on false pretenses upon an absolutely fictitious account, and the Minister of Public Works knows it.

Some hon. MEMBERS. Oh, oh.

Mr. SPEAKER. Do you mean to say that the minister knew of it before?

Mr. CROCKET. No, I say he knows it now, and he has known it for weeks.

Mr. SPEAKER. I see there is a regular procedure for a personal charge against a member. I called the attention of the House to that last year. There is a regular procedure laid down, if the hon. member wishes to lay a charge against the Minister of Public Works.

Mr. CROCKET. I am referring to Thos. Murray and discussing his evidence. I say Mr. Murray committed a criminal offence.

Mr. PUGSLEY. The hon. member takes care to insinuate, not to make a charge.

Mr. CROCKET. The evidence is now before this House. It has been before this House for some weeks, for the examination of the Minister of Public Works, and if he has not examined and reflected upon it, he has not done his duty as Minister of Public Works. I say with reference to this gentleman that he has committed a crime and is liable to imprisonment for the offence he has committed upon a department of this government. And yet it is the evidence of this gentleman which will be relied upon to contradict the evidence of Mr. Richard O'Leary, the gentleman from whom Murray bought this property. So I submit, Mr. Speaker, that it must be taken for an established fact that Mr. Murray went to O'Leary in the month of April, that he spoke to him about this sewer right, that he came to Ottawa in the month of May, 1908, that immediately before he took the train at Richibucto he called upon Mr. O'Leary and told him he was going to see the Minister of Public Works. Now, then we have furthermore the evidence of Mr. Murray himself that he did not come to Ottawa. He came with a gentleman named George W. Robertson, who, as I have already shown from the evidence I have quoted, was also a Liberal party campaign manager in that county. These two gentlemen saw the Minister of Public Works, and as that is important, I am not going to rely upon my memory of the evidence, but will read it as it appears on the record:

By Mr. Crocket:

Q. Are you unable to state that you were in Ottawa in the month of May? A. I am not, I was here in the spring some time, but I do not know just whether it was in April or May, it was somewhere around then but I do not know when it was; I have no record and I do not remember the date, but I was here all right.

Q. It was before you bought the property from Mr. Murray?—A. Mr. O'Leary.

Q. From Mr. O'Leary, I mean. Was George W. Robertson of Richibucto with you?—A. He was in Ottawa at that time.

Q. Did you see the Minister of Public Works?—A. No, sir.

Q. Will you say that you did not see the Minister of Public Works?

The hon. member for North Cape Breton (Mr. D. D. McKenzie) was delighted that he had said he had not seen the minister, so he said:

He has said so.

By Mr. Crocket:

Q. I wish to be careful about that?—A. Did I see the Minister of Public Works in Ottawa?

Q. Yes?—A. Certainly I saw him while in Ottawa.

Q. While you were in Ottawa with G. W. Robertson?—A. Yes.

So, there is the evidence of Mr. Murray himself, He first denied that he had seen the Minister of Public Works. And then when he thought by my question that I could disprove his statement, he suddenly admitted that he had seen him. But, while Mr. Murray admitted that he had seen the Minister of Public Works with G. W. Robertson, he denied that he had discussed the matter with the minister, and for proof of that I am going to refer to page 114:

Q. You have already stated that you and Geo. W. Robertson came up to Ottawa?—A. Yes.

Q. And that you saw the Minister of Public Works here, and you subsequently stated that when you saw the Minister of Public Works with Geo. W. Robertson you did not discuss or allude in any way to the matter of the Richibucto wharf?—A. No, sir, I did not.

Q. That is right, is it?—A. That is correct.

Q. Will you tell me what you and Robertson came to Ottawa to see the minister about?

—A. I cannot remember now what we interviewed the minister on. I cannot just remember what it was unless I think it might perhaps have been something in connection with the harbour.

By Hon. Mr. Pugsley:

Q. You do not say that you came here to see me?—A. No.

Mr. Crocket. He certainly did say that.

Hon. Mr. Pugsley. No, he did not.

By Mr. Crocket:

Q. Well, I will ask him that now. Did you not come to Ottawa with Mr. Robertson to see the minister?—A. I stated I had an interview with the minister while in Ottawa.

Q. And did you not come to Ottawa for that purpose?—A. I do not know whether I did or not; I might have had other business here besides that.

Q. What did you say?—A. We might have other business here without that.

Q. You say you might have had?—A. Yes.

Q. Did you have?—A. I cannot remember.

Q. You cannot state any other business?—A. Not unless our interview was in connection with the harbour.

Q. Did you discuss that Jardine contract with Mr. Pugsley at that time in order to get an extra appropriation through the supplementaries?—A. I could not say positively whether I did or not.

Q. You cannot remember that?—A. No, I cannot. I do not know just exactly whether it was that year or not.

Q. As I understand it, then, Mr. Murray you came here to Ottawa with George W. Robertson?—A. Yes, sir.

Q. And you saw the minister?—A. I did, yes.

Q. You say you may have come on some other business, but you cannot tell us any other business that you had? You saw the minister and you cannot say, or cannot tell me one single thing that you discussed with him?—A. Well, I say it may have been—I cannot remember exactly; very likely it was in connection with the harbour.

Q. Do you remember that it was in connection with the harbour?—A. I don't say positively, no.

And at page 115:

Q. You cannot say positively what you discussed with the minister that is about the size of it?—A. I cannot say positively whether I discussed that with him or not.

So, there is the evidence of Mr. Murray, that admits that he came to Ottawa to see the minister—that is very evident from the evidence—that he did see the minister, and, while he denies that he discussed this question of the sewer or sawdust wharf with him, he is not able, this man who came from Richibucto to Ottawa, to indicate the subject which he did discuss. I ask if that is evidence which would be believed by any juryman? I take it for granted, therefore, that he came to Ottawa, that he saw the minister and discussed this question with the minister, as he had previously told Mr. O'Leary that he was going to discuss it, and that it was not until after he had done so that the thought came to his mind that he would buy 'the whole bloody property,' as it was called.

Now, what did Mr. Murray buy this property for except to sell it again. And to sell it to whom? To whom but the government? Does any one in this House, in his own conscience believe that this man Murray, who was in debt to Mr. O'Leary, who had not one cent to pay on this transaction, as Murray's own evidence shows, would return to Richibucto and buy an old property that had lain idle for ten or fifteen years, unless he had received an intimation from somebody that he could sell it? Was it the sight of the Minister of Public Works—the mere view of the minister—that suggested this? I say it must be taken as a fact that Mr. Murray did discuss this, and that the suggestion came in Ottawa—or, certainly after he had left Richibucto, because the day he left, as the evidence shows, he had nothing in his mind but the purchase of a sewer right, and it was not until he had seen the minister that this idea came to him. But that is not all. On their return, on the very day when Mr. Murray got the deed of this property from Mr. O'Leary, on the 19th day of May, Mr. Geoffrey Stead, the resident engineer of the Department of Public Works was at Richibucto, and he came out on the train from Richibucto to Kent Junction on the morning of the 20th, as these two gentlemen, Mr. Robertson and Mr. Murray were leaving for St. John with the deed in order to raise the money to pay the purchase price. He was on the train with them, which is certainly a very remarkable coincidence. And in order that there may be no question about that, I will refer to page 48, the evidence of Mr. Geoffrey Stead:

Q. That is a bill for travelling expenses of your own, is it not for the month of May. Just look at it. (Handing document to witness).—A. Yes, that is my handwriting.

Q. Look at it and tell me if you were not in Richibucto on the 19th May?—A. Yes, there is a charge for hotel at Richibucto on the 19th May—19th May, hotel at Richibucto, and 20th May.

Q. You left Richibucto on 20th May?—A. Yes.

Q. And you left on the same train as Thomas Murray and George Robertson, did you not? Did you not go out to Kent Junction with them?—A. It is not at all unlikely.

Then, at page 49, in reference to his conversation with them:

Q. Will you swear, sir, that you did not have in your hands the deed that Murray got from O'Leary on the 19th of May and go to H. H. James' office to have a description altered?—A. I will swear that.

Q. You will swear what?—A. I will swear that I did not go to H. H. James' office on that date to have the description altered.

Q. To have the description altered?—A. Yes.

Q. You will not swear you did not have the

deed in your hands?—A. I won't swear that, although I don't think I did.

He swore positively that he did not go to Mr. James' office, but when asked if he had had the deed in his hand he said he would not swear to that, though he did not think he had.

Q. You don't think you did?—A. I would probably remember if I had.

Q. Would you make a positive declaration to not going to James' office?—A. On that date?

Q. You swear absolutely that you did not go?—A. Yes, to the best of my knowledge.

Q. You won't swear absolutely that you did not have the deed in your hands?—A. No.

That is the evidence of the resident engineer of the Department of Public Works, the officer of the minister at Richibucto, on the very day that Thomas O. Murray got this deed from Richard O'Leary who had paid for it, and the resident engineer declared that he would not swear that he did not have it in his hands at that time, showing the consideration at $1,000. Now, Sir, there is another very significant feature in this case, perhaps one of the most significant features in the whole case, that on the very day that Mr. Murray got his deed from O'Leary, and executed the mortgage, and started for St. John, there was a letter addressed to the Minister of Public Works. That letter will be found on pages 31 and 32, it is signed by the Kent Northern Railway Company.

Richibucto, New Brunswick, May 20, 1908.
Hon. Wm. Pugsley,
Minister of Public Works, Ottawa.

Dear Sir,—On account of the large increase in business, consisting chiefly of lumber, fish, &c., it is necessary that the government find wharf accommodation and accommodate the wants of the people. At present the government owns no wharf accommodation in this town. The Kent Northern railway runs to deep water terminus, but cannot accommodate the public. The shippers of the lumber and fish are merchants who are scattered all over the country and have got to bring their goods to Richibucto for shipment. At present there is no wharf accommodation whatever to receive goods. We would, therefore, strongly urge the Department of Public Works to secure sufficient wharf accommodation to take care of the public needs, and would ask you to send your engineer to Richibucto to look over an available site suitable for wharf accommodation.

Yours truly,
KENT NORTHERN RAILWAY,
(Sgd.) Per G. W. R.

In that connection the witness, Mr. O'Leary, was asked:

Q. Do you say the writing at the foot of the letter 'G. W. R.' is Geo. W. Robertson's?—A. Geo. W. Robertson's, yes.

Q. Is that the same Geo. W. Robertson who was mentioned yesterday?—A. The same gentleman who was mentioned yesterday.

Q. As having come to Ottawa with Mr. Murray and seen the Minister of Public Works?—A. And the same gentleman who went to St. John.

Is not that rather singular, that this letter should be addressed in the name of the Kent Northern Railway Company by George W. Robertson, who had been to Ottawa, and seen the Minister of Public Works on the very day that O'Leary makes his bargain with Murray? Now I want to call the attention of the House to the terms of that letter, and I want the House to bear in mind that at the time the minister received that letter, he had before him and under consideration the report of Geoffrey Stead, his resident engineer, of the 10th of March, upon the acquisition of the municipal wharf; he had that then under consideration. This letter states:

At present the government owns no wharf accommodation in this town. The Kent Northern railway runs to deep water terminus, but cannot accommodate the public.

I ask you, Mr. Speaker, if the Minister of Public Works had not been cognizant of the intentions of Robertson and Murray could he have failed to mention in his reply that he already had before him a report upon the subject of wharf accommodation at Richibucto? It seems to me that was a natural thing for the minister to do, and what the minister or any person in his situation would almost necessarily have done, were he not a party to the transaction. Furthermore the letter says:

And would ask you to send your engineer to Richibucto to look over an available site suitable for wharf accommodation.

Observe that the letter does not indicate any particular property, it does not designate the sawdust wharf or any other wharf. The Minister of Public Works had this report before him, and I ask if it was not a reasonable and natural thing for the minister to ask what property was meant, or intended, or suggested. But what is his reply, on the 23rd of May:

Dear Sirs,—I am in receipt of your favour of the 21st instant, and in reply, I beg to say that the matter of increased wharf accommodation at Richibucto will have my careful consideration, and I will give directions that a report be secured upon same.

(Sgd.) WM. PUGSLEY.

No mention there of the report of the 10th of March, which it seems to me would necessarily have been made had the minister not been cognizant of the plans of George W. Robertson and Thomas O. Murray. On that very day he issues an instruction to the chief engineer to have a report procured upon the matter of this letter without delay. On the 23rd of May, the third day after Murray got his deed from O'Leary at Richibucto, the Minister of Public Works directs

that an engineer be sent down to look over a suitable site, which had never been indicated to him by correspondence, but which apparently was the sawdust wharf, and which I think the letter itself and the reply show the minister knew was the sawdust wharf. Now, another feature is this, that the member for the county was never consulted. In the case of the municipal wharf it was the member for the county whose recommendation was asked, the matter was referred to him. In this case the Minister of Public Works accepts this letter written by Mr. Robertson, and without communicating with the member for the county, the minister issues an instruction to the resident engineer to proceed to Richibucto. I ask if that is not another very significant piece of testimony which goes to connect the Minister of Public Works with complicity in this transaction from the beginning? Now then there was a testimony by Mr. Stead, the resident engineer, showing that before he went to Richibucto in pursuance of the instruction from Ottawa, he knew what property was intended. That evidence is on page 53:

Q. You knew that referred to the sawdust wharf, did you not?—A. I knew when I went there.

Q. You knew when you went there that you were to make an examination and a report upon the sawdust wharf, did you not?—A. When I went to Richibucto I did. That is when I was there I did.

Q. And you knew when you went there that it was the sawdust wharf, the purchase of which was contemplated?—A. I found it out when I got there.

Q. You did not know before you got there?—A. I do not know. It may be that I had asked about other property it was proposed to purchase in Richibucto.

Q. It may be that you asked before you went to Richibucto?—A. On receipt of the chief engineer's letter.

Q. You asked whom?—A. I would probably have telephoned—I would very likely have telephoned Mr. Robertson.

Q. You say that very likely you would have telephoned to Mr. Robertson?—A. Yes, on receipt of the letter.

Q. That is to Geo. W. Robertson, who was referred to yesterday?—A. Yes.

Q. And before you went to Richibucto, you think you had a telephone conversation with Geo. W. Robertson?—A. I don't say that I did, it is a probability.

Q. You suggested that?—A. Yes.

Q. You have no doubt, Mr. Stead, that you did?—A. I might just arrange to have him meet me, but I cannot say.

Q. Did you not charge for a telephone message to Richibucto in connection with this matter before you went there?—A. It will be seen if I did.

Q. Well, you suggested that you telephoned to Robertson?—A. Yes, it is probably a correct suggestion.

So the resident engineer of the department, having received a letter from the chief engineer without indicating what wharf was to be examined, knew just who to consult before he went to Richibucto. He telephoned the man who had seen the Minister of Public Works, and who had written the letter to him. Then Mr. Stead went to Richibucto, he was there on June 3 and 4 and made an examination of this wharf. On the 4th he received an offer from Mr. Murray. That offer is to be found on page 12 of the case.

This is the offer you made.

Richibucto, June 4, 1908.

Mr. J. Stead,
Resident Engineer, Chatham.

Dear Sir,—I hereby agree to sell to the Department of Public Works the land at Richibucto lying on Water street between the municipal wharf and the Savoie lot, including what is known as the sawdust wharf, with the water right and frontage of the said lot and wharf for the sum of $5,000.

Your truly
THOMAS MURRAY.

Within 16 days after Mr. Murray had acquired the title to the property for $700, the Department of Public Works was offered it for $5,000, accepted that offer, and paid Mr. Murray that amount for the wharf. Then the evidence of Mr. Murray as to what took place between himself and Mr. Stead is very interesting. Mr. Murray's version of it is at page 12.

Q. Did you ever ask any more than $5,000?—A. No more than $5,000, no, Sir.

Q. You never asked any more than $5,000. Did you receive a reply from Mr. Stead in reference to that?—A. I cannot say whether I did or did not.

So Mr. Murray stated that he never asked more than $5,000 in his negotiations with Mr. Stead.

What does Mr. Stead the resident engineer say? At page 51, we find:

Q. Now, was $5,000 the amount that he mentioned to you in the first place as the sum he wanted to get from the government or did he mention any other sum?—A. There was mention of ten thousand.

Q. There was mention of ten thousand?—A. Yes.

Q. By Mr. Murray?—A. Yes, I think so.

Q. He mentioned ten thousand first?—A. Yes.

Q. Did you hear Mr. Murray give evidence yesterday?—A. Yes.

Q. Did you hear Mr. Murray state that he never asked any more than five thousand?—A. Yes.

Q. Notwithstanding that you heard Mr. Murray swear to that yesterday, you swear to the contrary to-day?—A. Yes, I have recollection of having heard ten thousand mentioned.

Q. Then you say that Mr. Murray was wrong in his statement?—A. Yes, I think so.

Q. You say that he asked ten thousand; was that his first figure?—A. Yes, his first figure as far as I know.

Q. You declare that do you; was there any talk of fifteen thousand?—A No.

Q. Why did he write the minister that there was?

Hon. Mr. PUGSLEY. He did not write to the minister that there was. Why do you say that he wrote to me to that effect?

By Mr. Crocket:

Q. Do you remember writing to the minister a letter in connection with this matter?—A. Yes.

Q. I call your attention, Mr. Stead, to a letter which you wrote to the minister on the 21st January, 1909, in which you state (reads): $15,000 was mentioned as the price, but I think not seriously; $5,500 was asked, and $5,000 was the lowest figure I could get.

Although the minister stated he had never made that statement in any letter to him—and there was the letter produced.

Q. Do you now say that the letter is right and that the evidence you gave a moment ago was wrong?—A. There was no intention to deceive.

Further on:

Q. And having seen this letter to the minister, you say that he said $15,000, is that what you say?—A. Yes.

Q. Then how did he get down to the five thousand five hundred; that was quite a jump down, was it not?—A. Yes. I would say that the first figure was not mentioned seriously.

Q. But you say that he mentioned it though?—A. Yes, he mentioned it, but rather

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Q. What did you say when he mentioned $15,000?—A. I said: I want your lowest price, or words to that effect.

Q. When he said fifteen thousand, you said: 'I want your lowest price,' and then what did he say?—A. Well, he said he could make it five thousand five hundred or something like that.

Q. There was a jump down from fifteen thousand to five thousand five hundred?—A. Yes.

Q. And then you agreed, did you, at five thousand?—A. I had no authority to agree at any price.

Q. Well, was there not an understonding between you and Murray that he was to give you an offer at five thousand before you got that letter?—A. I asked him for his offer for it, yes.

Q. And before you got the letter, you knew he was to send you a written offer of five thousand dollars?

That is remarkable testimony coming from a resident engineer of the Department of Public Works who is responsible for the expenditure of thousands and thousands of dollars in six counties in New Brunswick in which tremendous expenditures have been made during the last five years. This same gentleman certified all the dredging accounts of A. & R. Loggie and the Irving accounts and every account that comes here to Ottawa from those counties for payment in connection with the Public Works Department. That is the testimony he gave in the committee as to what took place between himself and Murray in the negotiation of this bargain on behalf of the government. He made a report to the department on June 9, which is found at page 56:

9th June, 1908.

Sir,—As requested in your letter of the 27th May, I have looked into the matter of the wharf accommodation which has been asked for at Richibucto, Kent county, N.B.

On the 10th March, 1908, I reported on the proposed acquirement by the department of the Municipal wharf at Richibucto.

It is now asked that the wharf known as the 'Sawdust wharf' formerly used as a site for a saw-mill, which is situated immediately below the Municipal wharf, be also acquired. Included with this wharf is the area in the rear which has a frontage on the Main street of about 443 feet and lies just opposite the lot already acquired by the government for the site of the new public building. The total length of the area measured parallel to the main street is 730 feet. The shallow pond lying between the municipal wharf and the sawdust wharf, formerly used as a timber pond is connection with the mill property is also included.

The area which the government is asked to acquire is 9 acres of land and land on the water, reaching to the channel, i.e. to about the face of the wharfs. Four acres of this is land and wharf above high-water line.

Including the 200 feet pier head of the Municipal wharf, this would give a frontage on the river of about 775 feet.

It is looked upon as certain that the Kent and Northern railway will shortly be taken over by the government, and this land and wharf will furnish a very desirable and central site for the station, railway yards, and especially for an ample deep water terminus.

An offer to sell the wharf, water rights, and land area for $5,000 is inclosed herewith.

While the outer faces of the wharf are gone to about low water level and new cribwork will be required there, the wharf forms a wide approach to deep water and could not be built now for several times the amount asked. Taking into account also the value of the frontage on the street and its central position, the price asked is reasonable.

A right of way through this land must shortly be bought by the government for a sewer for the public buildings.

The correspondence received with your letter and also a plan of the property are inclosed herewith.

Yours obediently,

(Sgd.) GEOFFREY STEAD,
Resident Engineer.

E. D. LAFLEUR, Esq.,
Chief Engineer, D.P.W., Ottawa.

He there states that the price asked is reasonable, $5,000. At page 54 of the evidence it appears that Stead when he made and before he made that report knew that the property had been sold to Murray by O'Leary and that he had seen the deed in which the consideration was stated at $1,000, but notwithstanding that he omitted to mention that very important fact in his report. At page 54 he was asked:

Q. You knew as a matter of fact, when you went to Richibucto, that Mr. Murray had bought this property from Mr. O'Leary?—A. Yes.

Q. And you knew that the purchase price stated in the deed, did you not, was $1,000?—A. I saw the consideration, yes.

At page 55:

Q. Did you communicate that to the government?—A. No, I did not mention that.

Q. Did it strike you as an element that would have any influence at all in determining the value of the property?—A. I did not think it necessary.

I think that this evidence casts the gravest suspicion upon the resident engineer who admits that he had had in his hands the deed in which the consideration for this property was stated, on the sale from O'Leary to Murray, at $1,000. He withheld that knowledge in his report to the department and stated he did not consider it necessary to tell it, and notwithstanding reported that in his judgment $5,000 was a fair and reasonable price.

Mr. R. L. BORDEN. How long before had it been bought for $1,000?

Mr. CROCKET. His report was dated 9th of June, and the deed was executed on the 19th of May, and the instruction from the minister to Mr. Stead to go to Richibucto was on the third day after the deed was got by Murray. Then, Mr. Stead was asked whom he consulted at Richibucto in connection with the valuation of this property, and what names do you think he mentioned but the names of Robertson and Murray, the two gentlemen who had had an interview with the minister, and one other Mr. Forbes. He also said that upon his return to Chatham he consulted Mr. George Watt who is the collector of customs appointed by this government, and who had been a very violent political partisan in his day, and who probably did not know as much about this land as I myself do. That was the kind of testimony which the resident engineer secured to support his own opinion as to the value of the property. Now, the evidence shows that the resident engineer had been friendly with Mr. O'Leary. That it was his custom when in Richibucto to call on Mr. O'Leary, but the evidence in this case clearly shows that on this occasion he apparently purposely avoided Mr. O'Leary. I quote from pages 54 and 55 of the evidence:

Q. Did you consult with Mr. O'Leary?—A. Yes.

Q. You knew that Mr. O'Leary was one of the largest property owners and had the largest business interests of perhaps any man in the county of Kent did you not?—A. I did not know that he was in Richibucto at the time.

Q. I am not asking you that. You knew that, did you not?—A. Yes, I knew that.

Q. A man that would be more interested in the appreciation of property in Richibucto probably than any other man?—A. He does not appear to be.

Q. Do you think that he is not? Do you think that Mr. O'Leary is interested in depreciating the value of property in Richibucto?—A. He should not be, no.

Q. You did not go to Mr. O'Leary, did you? A. No.

Q. Or speak to him about this property?—A. No.

Q. You met him on the street did you not?—A. I cannot say whether I did or not.

Q. You do not remember meeting him on the street?—A. I have met him a good many times.

Q. You used to call on Mr. O'Leary when in Richibucto?—A. Yes.

Q. You did not call on him that time?—A. No.

He suggests that Mr. O'Leary may not have been in town, but Mr. James who was the lawyer who prepared the deed mentioned an interview he had with Mr. Stead, and he says:

However I told him that I could not do it without Mr. O'Leary's consent.

There had been some suggestion from Mr. Stead that the description was not right, and that there should be a fresh deed executed, and I quote from the evidence at page 111:

However, I told him that I could not do it without Mr. O'Leary's consent as the deed had been executed and gone out of my hands, but I would see Mr. O'Leary. And I asked him if he would mind crossing the street to Mr. O'Leary's office, he was in his office then, I asked him to go over and see him about it, but that he did not wish to do.

The resident engineer suggested that Mr. O'Leary was not in town, but Mr. James shows that he asked the resident engineer to go across the street to see Mr. O'Leary, and that the resident engineer purposely avoided Mr. O'Leary which to say the least is another suspicious circumstance. It will be observed, as a matter of fact, that as in the case of the report of the 10th of March this purchase was recomended upon the ground of the acquisition of the Kent Northern railway by the government and the fact that it would afford a central and valuable site for the station and terminals of that road. It appeared from the report therefore that that property was worth more to the Kent Northern railway than to anybody else and that is the only reason attempted to be given why the government should buy it. But, notwithstanding that the property was worth more to the Kent Northern railway than to anybody else here we have Mr. Robertson and Mr. Murray who were two of five owners of the Kent Northern railway seeking to dispose of the property the very

day they acquired it for $700. It developed, however, that the Kent Northern railway has a station situated a block and a half away from this wharf with an open field between it and the wharf and it further developed that that station is situated in a 100 acre open field which had been sold for $120 within a few months of this investigation. We have that fact with reference to this 100 acre field right on the spot and which would be much more valuable for the purposes of a railway station than this wharf of decayed and rotten sawdust. Any how, what has George Stead, engineer of the Department of Public Works to do with buying a wharf for railway purposes? What has the Minister of Public Works, himself, to do with buying a wharf for railway purposes? Why, even if the government had taken over the Kent Northern railway, which it has not to this day, it is the Department of Railways, which would buy that wharf and not the Minister of Public Works. But, would it have been good business for the Department of Railways to have bought this wharf in 1908 for the purpose of providing a station for a railway which they did not own and which they do not own at the present day. And, what is to be said of the resident engineer of the Department of Public Works living in Chatham, N.B., advising the Minister of Public Works as to the intended policy of the government and stating that it is looked upon as certain that the government is going to take over the Kent Northern railway. Can any one conceive of anything more absurd than the resident engineer furnishing information to a minister of the Crown that the government was going to acquire that railway and yet that is the reason why this property purchase was recommended, a recommendation which the Minister of Public Works very readily accepted. The fact is that no other ground could be put forward as a pretext for putting this thing through—for putting this steal through, I have no hesitation in calling it that.

Let me refer very briefly to the way in which Murray and Robertson raised the money with which to pay O'Leary for this property. I have already pointed out that Murray had no money to pay for it, that he got his deed without paying a cent, on the representation that he required to take it to St. John in order to raise the money upon it. The evidence is that he went to St. John on the very day the deed was got with Robertson, and Murray's evidence is that they raised the money on a note of which Murray was the maker and Robertson the endorser. It is very strange that both of these gentlemen, residents of Richibucto, where there was a bank, and where they might be expected to negotiate this business, should go the the city of St. John, where they were both strangers, to raise this money. I am not going to give all the evidence on that, but there is just a piece, or, as the Toronto 'Globe' would call it, a "snippet" or two of evidence in that regard that I would like to quote; and this introduces a name very familiar to the Minister of Public Works. This is Mr. Murray's evidence on pages 8 and 9:

Q. After the execution of the deed you went to St. John, did you not?—A. I went the next morning.

Q. You went to St. John the next morning?—A. Yes.

Q. You got the money in St. John, did you not?—A. I did, yes.

Q. From whom did you get it?—A. From the bank.

Q. On your own check?—A. No, sir.

Q. On whose check was it?—A. On nobody s check.

Q. On whose order did you get it?—A. It was on nobody's order at all.

Q. Was it your own money?—A. No, it was on a note endorsed by my friend.

Q. Who was your friend?—A. George W. Robertson.

Q. That is the man who saw the Minister of Public Works here with you in Ottawa?—A. He was in company with me, yes, sir.

Q. Did you see George W. McAvity in St. John?—A. In reference to what?

Q. In reference to the purchase of this wharf?—A. I had no conversation with George McAvity.

Q. You had no conversation at all with George McAvity in St. John at that time?—A. No, sir.

That is the first statement in reference to Mr. McAvity. Then at page 10:

Q. And you tell me that neither you nor Robertson saw anybody at St. John in connection with it?—A. I did not say that, I said I did not; I did not keep tab on Robertson all day to see where he was and who he was talking to.

Page 15:

Q. Now, Mr. Murray. I am going to ask you this question. Did you not get the money with which you bought this property through George McAvity in St. John?—A. Not to my knowledge, I did not.

Q. Not to your knowledge?—A. No.

Q. Do you know whether Robertson got it from him?—A. I could not say whether he did or not. I have often got $1,000 at a time in the same manner.

Q. Will you swear that neither you nor Robertson saw Mr. McAvity and arranged this deal in St. John after you had been in Ottawa?—A. I didn't say anything about arranging a deal.

Q. Will you swear that, Mr. Murray?—A. I do not know what Mr. Robertson did. I cannot account for Mr. Robertson.

Page 22; under Mr. Carvell's examination, referring to the note:

Q. Did Mr. Robertson draw it?—A. I do not just remember whether it was he or whether the clerk did it.

Q. Did he not do it while he was away during that time when you say you do not know what he was doing? Did he not come back with the note prepared?—A. No, I do not think he did. I cannot say what he was doing while he was away.

Q. Did you see him with anybody after you had arrived at St. John together?—A. Oh, I saw him with different persons.

Q. With whom?—A. I cannot remember anyone in particular.

Q. Did you see him with Mr. McAvity?—A. I saw different men standing around the hotel, standing around the hotel.

Q. Did you see him personally with Mr. McAvity?—A. I do not remember seeing him, he may have been with him but I do not remember.

Page 24:

Q. You have already said you had no conversation with Mr. McAvity in St. John on the day you borrowed the money. May I ask did you see Mr. McAvity at all?—A. I think I did on the street.

Q. Did you see him at the bank?—A. Not to my knowledge, I do not recollect seeing him there, he may have been there.

Bear in mind that that evidence was given by Mr. Murray, who has a very unsavoury connection with this case. I think the evidence in reference to Mr. McAvity is very significant. The evidence is that these two men could not raise the money at their own bank at Richibucto, and went to the city of St. John, where neither of them had any bank credit, to raise the money. The inference is that they must have had assistance there to raise the money with which to buy the property. Another very remarkable circumstance is that Murray, although the maker of this note, could not state whether he provided the funds to retire it on maturity or not. That evidence appears on page 20:

Q. I intended to ask you about the payment of this note, the $1,000. Do you remember for how many months it was drawn?—A. No, I do not, I do not remember whether it was 60 or 90 days.

Q. Who paid it?—A. I do not remember whether the money was remitted or how it was done.

Q. Did you send the money for it?—A. I don't remember whether it was put in the bank or whether I sent a cheque or how.

Q. Did you provide the funds for the payment of it?—A. Did I?

Q. Yes?—A. Well, I can't just remember how it was done; I know I paid the note, but I cannot say how it was done.

Q. Cannot you answer my question whether you provided the money, the money for retiring that note when it fell due?—A. No, I cannot, because we have so many dealings that I do not know just how it was done, that is I have so many dealings with Mr. Robertson.

Q. You have so many dealings with him that you cannot tell how it was done?—A. Yes, we have so many different transactions.

Q. You tell me now that although that was your note, endorsed by Mr. Robertson, you cannot tell me how it was retired?—A. I cannot.

Q. You did not provide the money yourself?—A. I cannot say positively.

Q. Cannot you tell me whether you provided the money yourself?—A. Not now, I cannot, no.

When the election campaign approached, we find Mr. Murray and Mr. Robertson again start to see the minister, and in that connection I am going to quote a very brief and interesting part of Murray's evidence on page 115:

Q. You saw the minister in St. John, did you not, in September, 1908?—A. Yes, I did, in the fall.

Q. You went to St. John for the purpose of seeing him did you not?—A. I don't know whether I did or not. I went in company with George W. Robertson, he was with me when we went into the building.

Q. George W. Robertson was with you and you had an interview with the minister in St. John, 1908.

Hon. Mr. Pugsley.—He said in the fall; you said September.

Q. Well, in the fall of 1908, that is correct, is it not?

Mr. Murray.—If I remember rightly I think we met the minister coming out of his office door going to the train.

Q. When was that?—A. In the fall of 1908.

Q. And you and Robertson went down to St. John to see the minister?

Hon. Mr. Pugsley.—He did not say that, you are making those assertions.

Mr. Crocket.—Well I am asking him.

Hon. Mr. Pugsley.—It is a curious way of asking questions, making assertions.

Q. Is that a fact or is it not, Mr. Murray?—A. I don't say positively that I went direct for that purpose, I may have had other things in St. John besides that.

Just as he said he might have had other things in Ottawa.

Q. Can you name any of the other things?—A. No, not now, I cannot.

Q. And you saw the minister?—A. When he was coming out of his office door, yes, on his way to the train.

Q. And you discussed election matters in Kent county?—A. We did not discuss anything.

Q. You did not discuss anything?—A. For the simple reason that he did not have the time.

Q. Well tell us what took place?—A. He simply said he had not time to see us, he had to catch the train.

Q. Did you tell him what you wanted to see him about?—A. No, he just simply told us he could not see us.

Q. That he could not see you?—A. He walked out and we left him.

Q. You discussed nothing with him at all?—A. No, I had no interview at all.

Q. Of any kind. Was that the only occasion on which you saw the minister during the election campaign at St. John?—A. To my knowledge it is. I don't recollect being down at any other time.

That is Murray's evidence, and in that connection I want to quote the evidence of

the Minister of Public Works himself on pages 143 and 144.

Q. Do you remember meeting Mr. Thomas O. Murray and Mr. Geo. W. Robertson at St. John?—A. Meeting Mr. Murray and Mr. Geo. W. Robertson at what time?

Q. In the fall; you heard Mr. Murray's statement here?—A. I have no recollection of having an interview, not that I remember.

Q. During the campaign of 1908?—A. I remember one meeting there with one or both of them just as I was leaving my office.

Q. You remember that?—A. Yes.

Q. They came to see you together?—A. I do not know that they came together, but I saw the two of them together at the door.

Q. Did they speak to you and express a desire for an interview?—A. I do not remember, I was in a great hurry at the time. I had my valise in my hand and there was a cab at the door; I was in a great hurry to catch a train as I often am. I said to them, do you want to see me? And they said, yes. And I replied, I cannot see you now, I am just catching a train; that is what took place. It was very much the same way as when Mr. Stead was there; there were a great many people there waiting to see me.

Q. What time was your train leaving there. Was that the evening train?—A. The evening train.

Q. And that is all that took place?—A. That is all that I recollect.

Now, I do not know, Mr. Speaker, how that evidence may impress the majority of the members of this House, but I am quite satisfied that it is testimony so far as Mr. Murray is concerned, that would not be believed by a jury in this country. That Mr. Robertson and Mr. Murray, two of the campaign managers, as I have shown, in the county of Kent, should go down from Richibucto to St. John, a distance of nearly 200 miles, for the purpose of seeing the minister during election time, that meeting the Minister of Public Works at his office door, and telling him they wanted to see him, and that the Minister of Public Works, above all other men, said, go home, I cannot see you—that is evidence, Mr. Speaker, I am satisfied that no jury in this country would credit. So we have the fact, whether that evidence be true or not, that these same two gentlemen who were mixed up in the purchase of this properrty, who had seen the Minister of Public Works before they bought the property from O'Leary, went to St. John during an election campaign for the purpose of seeing the minister and did see him. What they told him is a matter that must be left to the conjecture of the House. Now, that was in the month of September. Then we have the remarkable telegram of date, 18th September, which will be found on page 13 of the evidence. This is it:

Kent Junction, New Brunswick,
September 18.

A. Valiquet,
Chief Engineer, Public Works, Ottawa.

Mr. CROCKET.

Please let me know if wharf matter passed council, this matter important to Mr. LeBlanc. Please rush it.

(Sgd.) THOMAS MURRAY.

Now, Mr. Leblanc was the Liberal candidate then running for election in the county of Kent. He is the present sitting member for that county. I want to say in this House that I do not believe Mr. Leblanc knew one thing about what was going on in connection with the purchase of the property until after the election and the purchase was completed. Mr. Murray was asked what that telegram meant and on page 14 he was asked:

Q. You sent that (referring to the telegram)? Now, who is the Mr. Leblanc referred to in that telegram? Is that the member for Kent?—A. Very likely it is.

Q. You have no doubt that it is. He was a candidate in the general election that was then in progress, was he not?—A. Yes.

Q. Will you tell me what this means 'Important to Leblanc. Please rush it'?—A. No, I cannot answer that just now.

Now, there is the author of the telegram, the sender of the telegram asked in the committee what he meant when he sent that telegram to the department, 'important to Leblanc'. And he says he does not know what he meant. Well, Mr, Speaker, I think I know what he meant, and I think every member of this House knows what he meant. It meant to provide a campaign fund for corrupt purposes for the election in the county of Kent. And it could only mean that, because the purchase of the wharf, it is clear, would not have aided Mr. Leblanc, for we have the evidence of Mr. Carter, another campaign manager, who acted as the agent of the Justice Department, and who stated in his evidence that he deliberately withheld the registration of that deed for a period of six weeks until the election was over, because he did not want the people to know about it. So there is only one conclusion to be drawn from that 'important to Leblanc', and that is that it was not purity purposes at any rate that the writer of that telegram had in his mind. Then the order in council as a matter of fact was passed on the 11th September, and of course there is a report from the minister recommending this as very reasonable, that $5,000 appears to be a very fair and reasonable price, and the order in council goes through. Then, Mr. Speaker, another significant thing is that there is a letter here on file from the Public Works Department to the Justice Department asking that the purchase of this property be placed in the hands of Wm. D. Carter, one of the campaign managers as I have shown. This letter from the Secretary of the Public Works Department to the Deputy Minister of Justice is in these words:

I am directed to say that the Hon. Mr. Pugsley asks that this purchase be placed in the hands of Mr. W. D. Carter, of Richibucto, who has already acted for your department in the purchase of another wharf known as the municipal wharf.

In pursuance of this request, Mr. Carter was authorized to act, and as a result became joint payee with J. Murray upon the cheque for $5,000. It would look as if it were a precautionary measure, this cheque being made payable to W. D. Carter, and Thos. O. Murray.

Mr. PUGSLEY. That is the universal course.

Mr. CROCKET. Certainly the universal course. But I say we have a specific request from the Minister of Public Works that in this case W. D. Carter, one of the campaign managers should act as agent of the department and that had the effect of having the cheque issued in the name of Mr. Carter and in the name of Mr. Murray, so that Mr. Murray could not get the money without Mr. Carter knowing it. Now, I am going to refer to the evidence of Mr. Carter with reference to the registration of the deed, lest it should be said that, by not quoting the evidence, I was not placing the case fairly before the House. I refer to page 100. Mr. Carter received this letter from the Justice Department:

Sept. 29, 1908.

W. D. Carter, Esq.,
Barrister, Richibucto, N.B.

Sir,—Referring to your letter of the 25th instant, I have the honour to state that the deed appears to be satisfactory in point of form, and I return it with the object of having it registered. I am applying to the proper department for a cheque in payment of the purchase price.

I have the honour to be, Sir,
Your obedient servant,
Deputy Minister.

So, he was requested to register this deed by letter of 29th September. On page 100 his evidence appears as follows:

Q. And you held that deed over for a month, until the election was over, before recording it?—A. I held it for about a month, yes.

Q. When was the deed recorded? On the 2nd November I think.

The election took place on October 26.

A. That is what is stated there and I presume that it is correct.

Q. Will you explain why you did that?—A. Well, there were two reasons. The first reason was that I was very busy at the time, and the second reason was that I did not put it on the records because I did not want to at the time.

Q. And why did you not want to?—A. I did not want to because there were some people making inquiries about it and I did not want them to get the satisfaction of getting the information.

There is the statement of the agent of the Department of Justice that he deliberately withheld the registration of this public document so that the public would not be informed until the election was over.

Now, we come to the disposition of the money. The cheque issued on October 6. It was cashed at the Royal Bank at Rexton, and was back here in the Royal Bank at Ottawa with the certifying stamp, on the 12th of October. Mr. Murray's evidence in that connection is very interesting—pages 14 and 15:

Q. Now you have told us, Mr. Murray, that you got this cheque dated on the 6th of October, and it was back here and received at the bank in Ottawa on the 12th of October. You got that money at the Royal Bank of Canada at Rexton, N.B.—A. Yes.

Q. Did you retain that money for your own use?—A. Certainly.

Q. $5,000?—A. Yes.

Q. You say that you obtained that for your own use?—A. Yes.

Q. Are you positive as to that, Mr. Murray?—A. Am I positive? Yes.

Q. Where did you deposit it?—A. I did not deposit it at all.

Q. You did not deposit it at all?—A. No.

Q. What did you do with it?—A. I took it home and gave it to my wife.

Q. Do you know of her depositing it?—A. —No.

Q. Did she deposit it?—A. No.

Q. She has not deposited it? Did George W. Robertson get any of that money?—A. Did who?

Q. George W. Robertson?—A. Did he get any of it?

Q. Yes?—A. I paid him a bill I owed him out of it.

Q. How much was the bill?—A. I do not remember.

Q. Was it $2,000 you paid him?—A. I do not remember now; we have so many dealings one way and the other that I cannot recollect.

Q. I thought you said your wife retained that money?—A. So she did, that was what I said.

Q. But you tell me now that you paid a bill to George W. Robertson and you cannot say whether the bill was $2,000 or not?—A. No, I cannot say; I have so many dealings with him that I cannot remember.

Q. What was the bill for?—A. I do not remember what it was for now. I have been dealing with him for 10 or 15 years now, and it is pretty hard to recollect individual transactions.

Q. Was it $3,000 you paid him?—A. No, I never owed him that much.

Q. But you are not able to say whether it was $2,000?—A. No.

Q. And you cannot say what that was for?—A. I cannot say offhand.

Q. Did W. D. Carter get any slice of this?—A. No, sir.

Q. Are you sure of that? Did you pay him any bill?—A. No, sir.

Q. Did Mr. George Jardine get a piece of it?—A. No, sir.

Q. Did you owe him any bills?—A. No, sir.

Q. Was George W. Robertson the only man

than shared in this with you?—A. That shared in it?

Q. Yes, shared in this money with you?—A. Well, no, he is not the only man.

Q. Who else?—A. Why, the public at large, any man that I owed. If I owed a man anything I paid him, I did not give it to him as a gift.

Q. Did you pay any other $2,000 bills?—A. No.

Q. George W. Robertson was the treasurer of the election fund down there, was he not?—A. Not to my knowledge.

Q. Was not he one of the party managers?—A. He might have been, but I do not know.

Although Mr. Carter proved that he was a member of the committee.

Q. When did you pay the $2,000 to him?—A. Sometime after I got it.

Q. Before the election, did you not?—A. I do not remember.

Q. Will you swear you did not pay him before the election?—A. No, I will not.

Q. You know that you did, do you not?—A. Know what?

Q. You know that you paid Robertson that money before the election?—A. No, I do not.

Q. You do not?—A. No, I do not, because if I did not know about the time I paid him I cannot say. I have no recollection.

Q. How did you pay him?—A. How did I pay it? I paid him money, counted it out to him.

Q. You counted the money out to him?—A. Yes, sir.

Q. You got this money you say from the Royal Bank at Rexton?—A. I did.

Q. In what denomination were the bills, small or large?—A. I do not know. I expect they were $5 or $10 bills.

That is a very suggestive fact, Mr. Speaker—that in the month of October, 1908, payment was made of this $5,000 cheque in $5 and $10 bills.

Q. And you paid Mr. Robertson that large sum of $2,000 in bills?—A. I did not say what amount, and I do not remember, I cannot say.

Q. You will not say that it was not $2,000?—A. I cannot say what amount it was.

Q. Did you pay him the same money that you got out of the bank at Rexton?—A. I did.

Q. The same money?—A. Yes.

Q. That was the same money that you paid to your wife?—A. Yes.

Q. And you got it back from her?—A. Yes, I got it back from her.

There is one other quotation on page 17:

By Mr. Crocket:

Q. You have told us in reference to the distribution of the money and all that you have been able to say is that you gave George W. Robertson an amount, you are not able to say whether it was $2,000 or not; what did you do with the balance of it?—A. I paid my debts.

Q. You paid your debts to whom? That was whose debt you paid to Robertson?—A. I paid whatever debts I might have, I cannot remember the others.

Q. You cannot remember?—A. No, I cannot.

Q. But all the money is disposed of?—A. Yes.

Q. Mr. O'Leary himself was a creditor?—A. Yes.

Q. Did you discharge your debt to him?—A. I do not remember whether I paid him now on account or whether I paid him in full.

So, that is the evidence with regard to the cashing of the cheque, and the disposition of the money. I do not think it requires very much comment in order that members of this House may see the effect of it. Think of a man going to the bank and getting a five thousand dollar cheque cashed in five and ten dollar bills, not depositing it in the bank, carrying it to his home, keeping it there for two or three weeks, and within a week or a fortnight, he could not say exactly, but during the election campaign, paying an account of $2,000 to a member of the Liberal committee in five and ten dollar bills. I say that this, in connection with the telegram from Mr. Murray to the department, 'Important to Leblanc,' establishes beyond question that the money was for corrupt purposes in that election. I believe there is not a member of this House who has heard that evidence or who will take the trouble to read it, but will be convinced in his own mind that that is the fact. I am satisfied that if this were left to any unbiassed jury, they would find that the money was paid in that way for the purpose of corrupting the electorate in the county of Kent.

That ends the transaction so far as the purchase and registration of the deed is concerned. But it does not, by any means, end the evidence which this case discloses to connect the Minister of Public Works with this transaction from the beginning. No sooner did this matter become a public scandal than the Minister of Public Works began to write letters. I am going to submit to the House one letter that he wrote, and ask what the House thinks seriously is the object of that letter. The minister in his evidence, at page 143, stated that the first intimation he had of any dissatisfaction with this transaction was from the member of the county himself. The Liberal member, his own supporter, was the first man that complained; the matter was such a scandal that the member for the county of Kent—as the Minister of Public Works admitted in his testimony—told him that it was a subject of criticism in the county. Mr. Stead, the resident engineer, stated in his evidence, as will be found at pages 74 and 75, that he had heard criticisms in the county of Kent and at St. John, the agent of the Marine Department, Mr. Legère, who was a Kent county man, had criticised the transaction and told him there was much criticism concerning it. Then it became necessary for the Minister of Public Works to cover up his tracks.

Mr. PUGSLEY. I think the hon. gentleman should withdraw that expression. I am rather disposed to allow great latitude, but if the hon. gentleman continues to make use of such observations—certainly he is not setting a very good example.

Mr. CROCKET. I withdraw it, I did not intend to make use of the expression. But I am putting in the letter and the evidence, and I will let the House pass judgment. The letter to which I refer was written on the 13th of January, and is to be found on page 61:

Dear Sir,—It has recently been brought to my notice that the wharf property at Richibucto purchased by my department for the sum of $5,000 had been acquired by the then owner for a very much less amount. As the price which he paid for the property would under ordinary circumstances be regarded as a fair criterion of its value, I should like you to furnish me with all information which you have regarding the property and its value, when you reported that the price of $5,000 was fair and reasonable.

I would also remind you that in your report to the department you made no reference to any previous transfers. This is information which should be in the possession of the department, because it might, as you can readily understand, influence the judgment of the officials as well as that of the minister in determining upon the purchase. In the future you will please keep this in mind, and report all previous transfers together with the considerations made within two or three years previous to your report, and also all other facts which might in any way afford information to the department as to the reasonableness of the price asked.

Now, first, with reference to that letter, there is a statement which looks like a reprimand to the resident engineer of the department for failing to communicate to the department a matter which the minister says in the letter it was of the utmost importance that the department should have, in order to enable the department to judge of the reasonableness of the price. If that were true, and so evident as to call for a reprimand from the minister to the resident engineer in the month of January, 1909, it was just as evident in the month of June, when he had the report before him. The minister must have observed that the engineer had failed to report the price of the last transfer, yet not a word of it until months after this transaction is completed, and then in this very smooth language he is informed:

It has recently been brought to my notice that the wharf property at Richibucto purchased by my department for the sum of $5,000 had been acquired by the then owner for a much less amount.

I say the insincerity of that letter is evident upon its face.

Some hon. MEMBERS. Order.

Mr. DEPUTY SPEAKER. I think the hon. gentleman is going beyond the bounds of parliamentary usage when he states that a letter written by the Minister of Public Works shows insincerity. Insincerity cannot be attributed to any member of parliament.

Mr. CROCKET. It must be borne in mind that I am discussing a report of the Public Accounts Committee, the evidence of which is for the consideration of every member of this House. The issue in this case is whether this was a bona fide transaction. I have already said that there is evidence which indicates that the minister was cognizant of this transaction from the very beginning, and that the transaction was put through for corrupt purposes. I am discussing the question with reference to that issue, and surely it is competent for me and for this House to discuss the evidence which is reported for the consideration of the House.

Mr. DEPUTY SPEAKER. It is competent to bring that evidence before the House, and it is competent for the hon. gentleman to discuss that evidence, but when it is brought up in this way, I do not think the hon. gentleman is at liberty to attribute wrong-doing to a minister or to any member of parliament. If he desires to lay charges, the method of laying those charges is known to him. But I do not think he is at liberty in this debate to attribute wrong-doing to any member of the House.

Mr. CROCKET. I certainly bow to your ruling. But this is a case which does not arise in the usual way, because it is a case that has already been fully investigated, and we are discussing the evidence. It is not a question of making a charge, it is a question of dealing with a transaction which has been investigated by a committee of this House, and which has been sent to this House for its judgment.

Mr. DEPUTY SPEAKER. I will read these words from May:

For the same reason no charge of a personal character can be raised save upon a direct and substantive motion to that effect.

Mr. R. L. BORDEN. There is this to be said about it. Suppose a witness gave evidence before the Committee on Public Accounts of a corrupt transaction, would a member discussing that evidence in this House, be bound to say that he did not believe that witness? Could he not argue that the evidence of that witness was supported? Suppose there were two witnesses, suppose there were half a dozen witnesses, suppose their testimony was corroborated by a written document, would any member, in discussing that, be obliged to

speak as if there was no written document and no corroborative evidence? I do not think, with all deference, the rule could possibly apply to a case where the evidence has been taken and where that evidence is being discussed.

Mr. DEPUTY SPEAKER. The question is doubtless complicated. But at the same time I think that the hon. gentleman partly brings the trouble upon himself by the moment and the manner he has chosen to discuss it. The rule does seem clear, that if a charge of wrong-doing is to be made against a minister or any member of the House, it should be done by a substantive motion. The hon. gentleman has not taken that method. I think he is at liberty to discuss the evidence and to lay that evidence before the House; I am not clear that he is at liberty to make a charge of wrong-doing against a minister of the Crown or against a member of the House without a substantive motion. The rules of order governing all debates are not suspended for this debate.

Mr. CROCKET. I am not making a charge, I am considering a matter which has already been fully investigated. If I made a charge in this matter I would simply be required to say that I, as a member of this House, am informed and believe that such and such a thing is true, then that would be referred to a committee of the House. I think this House has now upon its records a report from one of its committees which indicates that this is a corrupt transaction, and that the Minister of Public Works was involved in it from the beginning.

Mr. DEPUTY SPEAKER. I have quoted the hon. gentleman the authority under which I am acting. If the hon. gentleman has any contrary authorities I would be willing to hear them.

Mr. PUGSLEY. Would you allow me to say one word? The hon. member charges that the Minister of Public Works is involved in this corrupt transaction from the beginning. The charge which the hon. member has presented to the House by way of an amendment is a motion of want of confidence, he makes no stated charge against me. The hon. gentleman has not the courage to make a charge against me.

Some hon. MEMBERS. Order.

Mr. DEPUTY SPEAKER. If the hon. gentleman (Mr. Pugsley) is raising a point of order, he is at liberty to discuss that point of order. But he is not at liberty to address the House on any other matter.

Mr. PUGSLEY. Then I rise to correct a misstatement of the hon. gentleman.

Mr. R. L. BORDEN.

Mr. DEPUTY SPEAKER. I think at the present stage that could not be allowed. There is a point of order before the House which the hon. member may discuss.

Mr. PUGSLEY. I will address myself a moment to the point of order. The hon. gentleman says that he is charging that the evidence shows that this is a corrupt transaction, and that the Minister of Public Works has been cognizant of it, and a party to it, involved in it, from the beginning. I say that the amendment which the hon. gentleman has moved does not contain that charge against the minister. In order to enable the hon. gentleman to do what he is seeking to do he should accept your honour's suggestion, and he should have the courage to make a direct charge against me, which I would be in a position to answer. If an hon. member of this House does that he takes upon himself——

Some hon. MEMBERS. Order.

Mr. PUGSLEY. —the responsibility——

Mr. DEPUTY SPEAKER. I think the hon. gentleman is departing from the discussion of the point of order.

Mr. PUGSLEY. The hon. gentleman has not done that. In this amendment he makes no charge against the minister.

Some hon. MEMBERS. Order.

Mr. PUGSLEY. That is why the hon. gentleman is not in order——

Mr. DEPUTY SPEAKER. I am not aware that there is any amendment before the House. It is not in my hands. Has the hon. gentleman an amendment?

Mr. CROCKET. I propose to move an amendment.

Mr. DEPUTY SPEAKER. The nature of that amendment might make some difference in the situation.

Mr. SPROULE. Referring to the point of order, the hon. member was discussing the question and dealing with the evidence before the House, simply stating that the evidence indicates so and so. That is all, and to my mind he is quite within his rights in saying so. That is all he said, and I respectfully submit that that is not outside the common amenities of debate in this House in dealing with a question of that nature when the evidence is before the House for consideration.

Mr. DEPUTY SPEAKER. I think in a matter of this kind I should not interpret the rule very broadly. I am inclined to interpret the rule broadly as far as liberty of debate goes on questions of debate generally, but where a question of personal character or wrong-doing or a charge of

that nature comes up in regard to a member, I think I should interpret the rule rather more stringently, and ask the hon. gentleman to comply closely with it. In that case, while I am perfectly willing that the hon. gentleman should lay the evidence before the House, I still think that if he wishes to proceed as far as laying a charge against the minister of insincerity or wrong-doing, he should proceed in the way indicated, by a specific motion.

Mr. CROCKET. I bow to your ruling. My statement was that the evidence that has been submitted to this House from the Public Accounts Committee proves, and to my mind, proves beyond a doubt that this transaction was a corrupt and fraudulent transaction, and I said furthermore that there was evidence and much evidence to indicate that the Minister of Public Works was cognizant of it from the beginning. That was the question I was discussing.

Mr. DEPUTY SPEAKER. The hon. gentleman——

Mr. CROCKET. I will withdraw the expression if you rule that 'insincerity' is not within the rules. I have read the letter, and I ask the members of the House to consider if upon its face it is a reasonable letter to expect from the minister in those circumstances, addressed to the resident engineer. I was proceeding to say that if the letter itself did not establish it, there was evidence obtained from the resident engineer of the Department of Public Works to show that that was not a letter which would be considered one of the greatest sincerity. The evidence to which I refer is this: That letter is dated January 13, and it calls the resident engineer to task for omitting to mention this and not advising the department of the price at which Murray had obtained the property. The day before, on January 12, we have in this case a letter addressed to the resident engineer of the department from the firm of A. & R. Loggie at Richibucto, a letter written for the purpose of bolstering up this purchase. Is it not rather remarkable that the resident engineer of the Department of Public Works to whom this would look like the first intimation of complaint had, before the date of that letter, started to meet the complaint by getting a letter from the firm of A. & R. Loggie, these extensive dredging contractors with the Department of Public Works. The letter of Messrs. Loggie is at page 182, as follows:

Richibucto, N.B., January 12, 1909.

Mr. Geoffrey Stead,
Chatham, N.B.

Yours of January 6 to hand and contents noted. In reference to the price paid by the government for the sawdust wharf at Richibucto, which we understand was $5,000, we think that the government got this wharf at a bargain. We think a wharf of the size it is, and in a location so suitable, at the terminus of the railway, to be used as a site for a railway station, and for yard room, and for railway tracks and a shipping point for vessels to land and take cargo from the railway, that it is a good bargain, and that the government got real good value for the price paid for this wharf.

We think it was a very important thing for the government to secure this wharf at the price paid, as we know of no other wharf located so suitably for the uses of the railroad.

We would say if we had owned the wharf we certainly would not have sold it for $5,000 as we would consider it good value at a much higher price than the government paid for it.

Yours respectfully,
(Sgd.) A. & R. LOGGIE.

That letter was written on January 12, and the letter of the minister to the resident engineer complaining of the matter apparently for the first time was written the day after Loggie had written his letter, and Loggie's letter referred to Stead's letter of the 6th of January so that Mr. Stead had apparently got some intimation that there was a necessity of bolstering this thing up before he received the letter of the 15th of January. What did the evidence show? It was got from Mr. Stead after the greatest twisting and hedging, and I have no hesitation in saying prevarication that I have seen in my examination of witnesses in court or before any committee. Mr. Stead having denied at first, was compelled to admit that he had an interview at St. John on December 26, 1908, in reference to this matter with the Minister of Public Works. I say he denied that in the first instance when examined before the Christmas recess, and when he returned a diary was produced in which under date the 26th of December he had entered, 'interviewed Dr. Pugsley.' I wish to read from pages 61 and 62 in reference to that:

Q. Is this the only communication that passed between you and the minister in reference to this matter?—A. That is the only communication.

Q. Do you say that, Mr. Stead?

The Chairman.—What is the question?

Mr. Crocket.—If this is the only communication that passed between him and the minister in reference to this wharf matter?

A. Well, I really think it was.

Q. Will you say that it was? That that is the only communication you had with the minister with reference to this wharf matter?—A. Well, that is the only time I wrote to him.

Q. It is the only time you wrote to him, you talked to him, did you not?—A. I possibly did before that date, but I would not be quite sure.

Q. And you had several conversations with him, too, didn't you, before that date?—A. Yes, I certainly think I must have had.

Q. About this matter?—A. No.

Q. But did say you had talked to him about this matter before then——

Hon. Mr. Pugsley.—He did not say he talked to him about this matter. You asked him if he had seen the minister.

A. I have an answer to that which is much better. I had a talk with the minister about this matter about the end of January. That was the first talk I had with the minister on that matter.

Q. At the end of January?—A. Yes.

Q. Where did you talk with him at the end of January?—A. In Ottawa.

Q. Didnt you talk with the minister between the date of your report and the date of his letter about this wharf purchase?—A. It is pretty hard to say; I rather expected to—

Q. What is that?—A. I rather expected to have a chance to speak with the minister in St. John, I do not know whether it was in the winter or in the autumn, but the minister could not see me.

Q. Mr. Stead, you know my question?—A. Yes.

Q. Will you swear you did not talk to the minister about this matter between the 10th of June, 1908, and the month of January?—A. Yes, I swear I did not discuss the matter with him.

Q. You swear you did not discuss the matter with him?—A. Yes.

Q. That you did not have any talk with him about the matter at all?—A. Yes, I did not discuss the matter with him at all, I hadn't a chance to.

Q. And you never talked with him on the subject at all?—A. I did not have a chance to.

Q. You never got a chance, but answer the question, did you or did you not?

Hon. Mr. Pugsley. You mean before the end of January.

Mr. Crocket. Before the 13th of January.

A. Well, really I do not know, but I have my diary here and I will see what time it was I was in St. John. I expected to have a talk with the minister in St. John. (Producing diary).

Q. Is that the note-book you were referring to at the beginning of your examination?—A. No, this is my diary, it is not a note-book. (Refers to diary). No, I do not see it, it was not this year I was in St. John.

Q. It was not this year you were in St. John?—A. No.

Q. It was last year you were in St. John?—A. Last year.

Q. So that the conference, if you had one, was before the 18th of January last?

Hon. Mr. Pugsley. He did not say that at all.

By Mr. Crocket:

Q. Is not that right?—A. There was no conversation, of course, not before the 13th of January.

Q. Say something, Mr. Stead, one way or the other. Are you going to say that you did or that you did not?—A. There is one thing, I expected to see the minister in St. John, and I did see the minister at St. John in his office, but there were a number of people waiting to see him and he could not see me, and he asked me to see him in January; I was not in his office a second, and he asked me to see him at his office in Ottawa.

Q. And you went to see him in reference to that wharf matter?—A. That was one of the matters I was to have spoken to him about if I had a chance.

Q. What date was that?—A. I do not know what date it was.

Q. You do not know that date?—A. No.

Q. You have your diary there?—A. It is this year's diary.

Q. If you had brought last year's diary, you could have told us?—A. I think it was at Christmas.

Q. Was that in the note-book you left at home too?—A. No.

Q. You neither brought your note-book nor your diary?—A. No.

Then at page 66, I quote as follows:—

Q. You say this property is one which in your judgment it would be desirable for the Messrs. Loggie to have?—A. Yes.

Q. Now, Mr. Stead, let me ask you this: Did you ever, prior to your coming to Ottawa in January, 1909, have any conversation with me in regard to this sawdust property that you recollect?—A. No, I had no conversation with you.

Q. So my letter to you of the 13th January, 1909, is the first communication, either verbal or written, you had from me on the subject?—A. The first communication.

These were the words that were put into the mouth of the resident engineer by the minister himself, and yet when Mr. Stead returned to Ottawa after the vacation he was obliged to make a statement which was at variance with the statement which the minister had put into his mouth when he was examined before. I quote from page 75:

Q. Did you have any intimation from the Minister of Public Works or anybody else in the department up to that time that there was criticism?—A. Up till the 6th of January?

Q. Yes?—A. Well, yes, I had, in a way I had.

Q. Just state what intimation you had?—A. mentioned being in St. John, I went to see the minister in St. John, and the minister said it would be well to get any information I could about it.

Q. He told you that in St. John, did he?—A. Yes.

Q. That was on the 24th of December, wasn't it?—A. No, the 26th of December.

Q. In his office at St. John?—A. Yes.

Q. You went to St. John to see him in connection with it, did you not?—A. I went to St. John, it is my home, for Christmas.

Q. You went home for Christmas?—A. Yes.

Q. Where is your home?—A. Well, my home was in St. John since 1876 up till last year, except a year we spent elsewhere.

Q. You went to St. John to spend Christmas?—A. Yes, I took my family down.

Q. Did you not state in your evidence before Christmas that you went to St. John to see the minister about this sawdust wharf purchase, that was one of the matters you expected to see him about?—A. Yes, I wanted to see him about that when in St. John.

Q. And did you not state in your evidence you have previously given that you went to St. John to see the minister about this matter?—A. I do not know whether it is there or not, but I can look it up and see.

Then at page 76:—

Q. And you went to see the minister didn't you to discuss this matter with him in St. John when you saw him on the 26th of December, 1908.—A. Well, I did not see him to discuss it; I had no instructions from him to see him.

Q. Never mind about that just now you went to St. John to talk with the minister on that subject?—A. Yes, and on other matters generally in connection with the department.

Q. And you went to see the minister in his office in St. John?—A. I waited about an hour and saw him for about a second as I told you before and he said he could not see me then but to send him any information I had about it. That is practically what happened in this office.

Q. You gained admittance to his office?—A Yes, I did.

Q. And you referred to this matter as you have told us this morning, and he told you to get all the information you could?—A. Just as I have said now.

Q. Now the minister's letter is dated the 13th of January?—A. He said he would write to me about it that he could not talk about it then.

Q. Do you say that you went there and waited an hour to see the minister, you gained admittance to his office and then you had no discussion beyond what you have told us before, that the minister told you he would see you in Ottawa later on about it?—A. That is it.

Q. That is the statement you made before? —A. What I am telling you now is what I told you before.

Q. That is the statement you made before? —A. Yes.

Q. That you did not discuss the subject at all with the minister, he simply said to you he would see you in Ottawa?—A. Yes.

Q. Is that true that you waited there for an hour, and you gained admittance to his office to discuss this subject with him and that the minister then told you he would see you away up here in Ottawa upon that matter?—A. Yes, that is correct.

Q. But this morning you add this, that the minister told you to get all the information you could about it?—A. He told me it would be well to get any information about it, yes.

At page 84 we have this:—

Q. I want to see the entry that you produced this morning, on the 26th of December? —A. The entry in my dairy?

Q. Yes?—A. (Witness hands diary to Mr. Crocket).

Q. Is this the entry you referred to this morning?—A. There it is (indicating), I keep only just the statement to show what I have done.

Q. I offer this in evidence, the memorandum in Mr. Stead's diary of Saturday, 26th December, 1908, 'interviewed Dr. Pugsley this morning.'—A. Yes, I put it that way because of the long time I spent waiting.

So that there is the evidence from Mr. Stead, who stated in answer to the Minister of Public Works that he had had no communication written or verbal after his report and before the receipt of the letter of the 13th of January, was compelled to come back and confess that the statement he had made in reply to a question put by the Minister of Public Works was untrue, and that instead of his not having seen him he had actually had an interview with the minister, and entered it in his diary. And the evidence shows that this was one of the subjects discussed and that he went there expecting to discuss it with him. In view of that fact Mr. Speaker, this letter of the 13th of January will not have the effect that I for my part think it was written to have; I believe it will have just the contrary effect and that it will prove to be another link in the chain of circumstances which brings this transaction pretty close home, to say the least, to the Minister of Public Works. On page 93, in reference to the interview with the Minister, Mr. Stead further testified:

Q. Did you not tell us yesterday that the minister told you to get all the information possible on this matter on the 25th of December?—A. You can see what I said. I said that the minister—yes, something to that effect, but in very few words.

Q. Well is that not a conversation?—A. Possibly.

Q. And you entered it in your diary did you not as having had an interview with the minister?—A. I said that I had an interview with the minister.

Q. There is an entry in your diary of an interview with the minister?—A. Yes.

Q. And the only matter that you discussed was the Richibucto wharf?—A. I said I was there about a second did I not?

Q. You said you were there about a second but the only matter you discussed was the Richibucto wharf?—A. I did not discuss any matter.

Q. Well, that you talked of?—A. The only matter that the minister spoke to me about was that. Yes that we talked of rather——

Q. And you entered it in your diary that you interviewed the minister?—A. Yes.

Q. Do you tell me that is all that was said? —A. It wasn't the exact words, but something like that.

Q. And that is all you have to say about that?—A. That is all.

Q. So that the letter you got from the minister of the 13th of January did not surprise you very much, did it? You were rather expecting it, were you not?—A. Yes.

Q. You were expecting that letter and knew you were to get it, that is correct, is it not, Mr. Stead?—A. Yes, I think so.

Here is the resident engineer of the department, to whom this letter was written in terms of surprise and annoyance, for the purpose of giving it the appearance of calling him down, and declaring upon his oath that he knew that he was to get that letter. The letter, addressed by the minister to this officer with whom he had the interview, and to whom he had given directions to get all the information he could, says, 'I have recently learned.'

Mr. PUGSLEY. Had you not better read the question further down?

Q. Until you received the letter from me had you any idea what its contents would be? —A. No, I was surprised when I did get it.

Mr. CROCKET. Furthermore, Mr. Stead, in reference to the letter to the Loggies at page 79, said this:

Q. Did you write them in the autumn, as you said a moment ago, or did you not?—A. I have just said I think I did.

Q. You have not answered the question as to whether you did not write the letter of the 6th of January to A. & R. Loggie, because of what took place between you and the minister at St. John?—A. I suppose that had a good deal to do with it, but still I wanted that letter just the same whether I had seen him or not.

There is the statement that it was because of this interview at St. John that Mr. Stead on the 6th of January applied to the Loggies for a letter to bolster up this transaction; and yet on the 13th of January, the minister writes a letter to Stead in terms intimating that this was the first information he had of the transaction. All I want to say in reference to that is that nothing could be more transparent. This correspondence was put upon the records and upon the files of the department for public effect in view of the evidence that has been quoted. But that is not all. The letter of the Loggies, these dredging contractors, who have received nearly $150,000 out of the public treasury on contracts awarded to them by the Minister of Public Works since the present minister was appointed to that office, is put forward as a defence to this transaction—to show that they thought this was a good bargain. The House will observe that that letter was written in the very terms of Mr. Stead's own report. The evidence shows that although that letter was dated at Dalhousie on the 6th of January, 1909. Mr. Stead was at Dalhousie on the same day to see Mr. Loggie and talk the matter over with him. I am not going to quote further from the evidence, but the minister cannot deny that Mr. Stead stated that he was there, saw Mr. Loggie, arranged for this letter, and knew the lines on which it was to be written. This letter and the statement of the Loggies about the $5,000 was completely killed by the evidence before the committee. Wm. O'Leary was brought up from Montreal and testified that the same Andrew Loggie, who said that that was a good bargain for $5,000 had refused to take the property when he was offered it at $1,000, saying that he had all the old property he wanted at Richibucto. There was the further evidence that the Loggie firm had been doing business at Richibucto for 20 or 25 years, and had bought 8 or 10 different lots running from Water street to the river at prices varying from $114 to $1,000, and most of them inculding buildings. The $1,000 purchase, of which evidence was given, was completed within a few months before, and included the Queen Hotel. So that it became necessary for something more to be done. Mr. Loggie must be brought to Ottawa, or rather it must be made to appear that the Minister of Public Works was anxious to have him brought to Ottawa, and on the 16th of December the minister asks that he be summoned as a witness, although he tried to make it appear to-night that Mr. Loggie was my witness, and that I was bringing him to support our end of the case.

Mr. PUGSLEY. Mr. Speaker, would I be permitted to say to the hon. gentleman that he is entirely misstating what took place?

Mr. SPEAKER. The rule of the House, when strictly applied—of course, it has never been strictly applied—is that a member cannot be interrupted except for order or privilege or with his consent.

Mr. PUGSLEY. Let me appeal to my hon. friend, might we not have this matter put right?

Mr. CROCKET. No, not in that way.

Mr. PUGSLEY. Well, you want it wrong— alright.

Mr. CROCKET. This is the statement made by the Minister of Public Works on the 16th of December:

I am willing to postpone the further examination of this witness until to-morrow, but I would like that a subpoena be issued for the attendance of Mr. Andrew Loggie, whose name has been mentioned here. I think the members of the committee would feel as I do, that Mr. Loggie should be called as a witness. I think perhaps he had better be summoned after the holidays, so long as it is understood now that he will be called.

Does the minister say that he did not make that statement?

Mr. PUGSLEY. Does the hon. gentleman know that Mr. Loggie was ill and unable to attend, and the evidence was closed without him, and later on at the instance of the hon. gentleman himself a subpoena was issued for Mr. Loggie.

Mr. CROCKET. The statement I have read was by the Minister of Public Works.

An hon. MEMBER. Is that the first suggestion?

Mr. CROCKET. That is the first suggestion to bring Mr. Loggie. Then the investigation was adjourned until after the holidays, and when it was resumed Mr. Geoffrey Stead was recalled and examined by Mr. Pugsley.

Q. Have you seen Mr. Andrew Loggie lately, Mr. Stead?—A. I saw him a week ago, Mr. Pugsley.
Q. I have received this telegram from him.

This is Mr. Pugsley's statement.

Dalhousie, New Brunswick,
January 18, 1910.

Hon. Wm. Pugsley,
Ottawa, Ontario.

Regret I am unable to be present at Ottawa 19th, being confined to house for sometime with bronchitis and asthma; returning summons with doctor's certificate; will wire you fully to-day.

ANDREW LOGGIE.

That is the answer Mr. Speaker to a summons from the Public Accounts Committee, a telegram to the Minister of Public Works in which he states that he is ill and that he will wire him fully to-day. Now the next day the minister returns to the committee and produces another letter from the Loggie firm, dated January 18th. He takes the stand himself and is questioned by Mr. Carvell.

Q. You are minister of Public Works?—A. Yes.
Q. As Minister of Public Works, have you had an offer from any person or any firm for the Sawdust Wharf property at Richibucto which was purchased by your department from Mr. T. O. Murray?—A. It having been stated by Mr. Stead in a letter which is already in evidence, and also stated to me verbally that Messrs. A. & R. Loggie had stated that they would gladly give $5,000 for this property, I ask that a subpœna should issue to Mr. Andrew Loggie in order that he might appear before the committee.

Is that what the minister was referring to?

Mr. PUGSLEY. No, you will find it later, when the evidence closed.

Mr. CROCKET. This is the letter:

Loggieville, New Brunswick,
January 18, 1910.

E. D. Lafleur, Esq.,
Chief Engineer,
Department of Public Works,
Ottawa.

Dear Sir,—With the hope that the Public Works Department will be willing to sell and dispose of the wharf property in Richibucto, New Brunswick, sometimes called the sawdust wharf, and being desirous of purchasing the same for use in the prosecution of our business, we hereby offer to purchase the said wharf property as described in deed from R. O'Leary and wife to T. O. Murray, dated on or about May, 1908, and to pay for the same the sum of $5,500 cash, for which amount we herewith inclose our certified cheque on the Bank of Montreal payable to the order of the honourable the Minister of Public Works. This offer to remain open for 30 days, and that a notice of acceptance or refusal be forwarded within that time. In case of acceptance, that a deed be executed and delivered to Andrew Loggie, Robert Loggie and Francis Loggie, all of Loggieville, in the county of Northumberland, and province of New Brunswick, merchants, immediately on the expiration of that period. In the case of refusal of this offer that a notice of same be given immediately on the expiration of that period, and the certified cheque inclosed herewith be returned to the undersigned.

Yours sincerely,
(Signed) A. & R. LOGGIE.

And then Mr. Loggie has a certified cheque for $5,500. Did you ever hear of anything like that in your career, Mr. Speaker? Then Mr. Loggie continued ill, and it was very convenient in the interests of the Department of Public Works that he should continue ill. It was at my request ultimately, that Mr. Loggie was brought before the committee, because when we had this statement I was determined that we were going to find out what it was that brought about that letter.

Mr. PUGSLEY. About two hours ago the hon. member stated he came up to bolster up the case.

Mr. CROCKET. I have stated the facts just as they have occurred, and as they are on the record.

Mr. PUGSLEY. Just as they have not occurred.

Mr. R. L. BORDEN. Look at page 90.

Mr. CROCKET. On page 90 the leader of the opposition calls my attention to a statement of the Minister of Public Works:

Hon. Mr. PUGSLEY. Later on I will possibly ask for an adjournment so as to get Mr. Loggie here, that is after Mr. Crocket is through with the other witnesses.

The minister was very glad to drop it without seeking Mr. Loggie after what had developed, and we made many inquiries at several meetings, as many as half a dozen, of the Public Accounts Committee before we could get Mr. Loggie here, and it was ultimately at my request that a telegram was sent urging his attendance. It was not until the 24th February, that he was brought as a witness before that committee, and then we learned from Mr. Loggie when he did come that this letter of the 18th January, had been written by him after communicating with his brother Francis Loggie who, was living at Loggieville, communicating by telephone, and by letter. When he was asked for the letter he had not the letter. He thought it was none of our business, that it was a private matter, and when asked what had become of it he said he had burned it, the letter which showed just what had put into his mind the thought of buying this property for $5,500 after, as the evidence of William O'Leary shows, he had refused it for $1,000. He said he had no communication with the Depart-

ment of Public Works, no intimation from anybody that the Department of Public Works was willing to sell the property, and yet he signs a certified cheque for $5,500 to buy it. The Minister of Public Works said that there was no intimation of any kind. Now, Mr. Speaker, just think of that, a business man such as Mr. Loggie is, sitting down in his office and attempting to buy from the government a property that had been bought by the government ostensibly in the public interests, and enclosing a cheque to close up the matter without any intimation, without any negotiations of any kind. Why the thing is perfectly absurd, Mr. Speaker, and its only effect in my judgment, is to add another badge of fraud to this whole transaction, and another link in the chain of evidence to connect the Minister of Public Works with it. We found out also that this gentleman had been carrying on business at Richibucto for twenty-five years when this wharf property had been lying idle there for ten or fifteen years, that it was unfit absolutely for wharfage purposes in its present condition, that he had never examined the property, that he knew that O'Leary had sold it for $700 at the time he sent this cheque.

He had never estimated the cost of repairs; had not the slightest conception of what it would cost him to put the wharf into condition to be used, and had made no inquiries with reference to any other wharf in Richibucto. And all this although, within twelve months, another completed wharf, in full use, built away out to the channel and in good condition had been sold for $750. We found furthermore, that Mr. Loggie had purchased seven or eight properties extending from Water street to the river the same as this wharf property, and of varying widths, at prices ranging from $114 to $1,000 as I have stated. His own wharf, built on two of these properties, cost him, with two buildings on it, $650. Yet this gentleman was eager to buy this heap of sawdust for $5,500. We learned from him also that he had bought what was known as the Frecker lot, for $114—a lot with a water front. He bought the Harnett lot—as appears on page 206—for $200. He bought the Fraser lot with a store upon it for $380—as will be seen by his own evidence at page 207. He bought the Leishman property for $350, including a store and dwelling house and barn—page 208. The lot on which was the building containing the office of the late respected George McInerney and including the office building, was bought for $275, with a frontage, Mr. O'Leary stated of over 100 feet and more centrally situated—nearer the store. There was the Hutchison property containing the Queen hotel with attached buildings including a new stable and with the hotel as a running concern, Mr. Loggie bought for $1,000. Mr. O'Leary had bought the George McLeod property with 700 or 800 feet on the water, with a warehouse and store and wharf back of it, for $250. This was immediately adjoining his own property and in the centre of the business part of the town. This is referred to at page 122. Mr. O'Leary sold another lot with a small dwelling house upon it, a lot with a frontage of 100 feet on the water for $400, also referred to at page 122. If anything were wanting to stamp this letter of Messrs. A. & R. Loggie as an absolute fraud is furnished by the evidence he gave himself. Think of business men living in Richibucto, men who have carried on business there for from twenty to twenty five years, after having made purchases at prices such as I have quoted, sending a certified cheque for $5,500 to buy a sawdust wharf absolutely unfit for wharfage purposes and requiring if the engineer's estimate is worth anything, thousands and thousands of dollars to put it into shape for shipping purposes. But that is not all. The hon. member for Carleton (Mr. Carvell) took a very active interest in this investigation. He went after Mr. Richard O'Leary, and I suppose we shall have the Minister of Public Works after Mr. O'Leary——

Mr. PUGSLEY. Only to send his own letters after him.

Mr. CROCKET. But this can be said about Mr. Richard O'Leary that there is no businessman in the province of New Brunswick stands higher in public estimation than he does. The hon. member for Carleton wished to put up a job on Mr. O'Leary. I do not mean that in an offensive sense—just as lawyers sometimes do in dealing with witnesses—as to the value of his own wharf. Mr. O'Leary had said in reference to his own private wharf he would not sell——

Mr. CARVELL. He would sell.

Mr. CROCKET——Would sell for $2,000. It cost him $1,500. He would not sell——

Mr. CARVELL. Would sell.

Mr. CROCKET. Yes, would sell, I meant to say. I asked him what it was worth and he said not more than $2,000. Then when Mr. O'Leary came back, the hon. member for Carleton rose in the committee, and his cross-examination of Mr. O'Leary begins with the production of a document. He proposes to buy this property from Mr. O'Leary.

Some hon. MEMBERS. Oh, oh.

Mr. CROCKET. Yes, and he said he had a cheque, but his was not certified.

Mr. O'Leary answered that if he wished to talk business he would see him outside. But think of the absurdity of a member of this House seeking to make the Public Accounts Committee a medium of negotiating a business transaction. Mr. O'Leary had said that the property was not worth $2,000, that he would sell it for $2,000, meaning of course that if he were selling he would not expect to get more and therefore would not ask more. It was known of course he would not sell his wharf unless he were willing to sell out his business at Richibucto.

Mr. CARVELL. That was his estimate of the value.

Mr. CROCKET. Well, Mr. Speaker, it turned out that this offer was not made by the hon. member (Mr. Carvell) on his own behalf. When Mr. Loggie appears upon the stand he gives it away that this offer so dramatically made by the hon. member (Mr. Carvell) was on telegraphic instruction from this same Mr. Andrew Loggie. On the same date, 18th January, after he wrote the letter, and sent the cheque for $5,500 to buy this sawdust wharf, he sent a telegram to the hon. member for Carleto offer to Mr. O'Leary on his behalf $2,000 for his wharf.

Mr. CARVELL. No, $2,500.

Mr. CROCKET. And I just wish to refer to that evidence.

Mr. PUGSLEY. Mr. O'Leary was not then so anxious to sell.

Mr. R. L. BORDEN. Was the Public Accounts Committee selected as the place for negotiating this transaction?

Mr. CROCKET. Yes. That is the instruction the hon. member for Carleton received, and Mr. Loggie stated that he was acting as his attorney, and expected to pay him.

Mr. CARVELL. Will the hon. gentleman (Mr. Crocket) be fair enough to put that exactly as it occurred in the committee? He ought to be fair enough.

Mr. CROCKET. I am not done with this yet.

Mr. CARVELL. I do not like the insinuation.

Mr. CROCKET. There is no insinuation against the hon. member for Carleton in this connection.

Mr. CARVELL. I am very sorry that it is thought necessary to make the insinuation.

Mr. CROCKET. It is not an insinuation, but a statement. I am not in the habit of making insinuations. This is like other evidence that Mr. Loggie gave. His sworn statement had to be contradicted by the member for Carleton. He was asked and said that he expected to pay Mr. Carvell. My hon. friend from Peel (Mr. Blain) remembers that distinctly. Then it was that the hon. member for Carleton, apparently thinking that Mr. Loggie had put him in a position of violating the law of parliament rushed out for the telegram. I told the hon. member for Carleton when he became excited over Mr. Loggie's statement that he was putting himself upon trial, that nobody else attached any importance to it. If Mr. Loggie intended that this should be a bona fide transaction outside of the Public Accounts Committee there was nothing that he need be afraid of, but if the hon. member for Carleton interpreted Mr. Loggie's instructions that he should do this as a member of the House, he was violating the law. I merely refer to it to show the lack of good faith with which this whole thing is fraught from the beginning to the end. Mr. Loggie's offer was not a bona fide offer. The hon. member for Carleton stated that he never even made a report to him. This is the telegram from A. & R. Loggie:

Chatham, New Brunswick, January 18.

G. B. Carvell, M.P.,
House of Commons, Ottawa, Ontario.

Having noted in report of evidence of R. O'Leary his willingness to sell his own private wharf property at Richibucto for $2,000, we hereby authorize and empower you to purchase said property from Mr. O'Leary for us at what he asks or any sum not exceeding $2,500 cash on delivery of deed in fee simple.

A. & R. LOGGIE.

Now, Mr. Loggie, before this telegram was produced, had stated that Mr. O'Leary had made a statement in the committee that he did not believe. I asked him what that statement was, and he said it was that Mr. O'Leary would sell his own wharf for $2,000. He said that O'Leary would not sell the wharf for less than $8,000, that it was worth $8,000, and he knew he would not sell it for $2,000. Yet the instruction to the member for Carleton (Mr. Carvell) is not under any circumstances to offer more than $2,500, $5,500 less than Loggie said that O'Leary himself knew the wharf was worth. The thing was simply a big bluff. And that telegram was sent the very same day, as I have pointed out, that he was after the sawdust wharf. This business man who had a wharf of his own which had been meeting all his requirements, who never made an inquiry for a wharf of any kind, suddenly blossoms into a wholesale wharf buyer as soon as this matter comes before the Public Accounts Committee, and tries to buy two wharfs on one day for which he had no use, and one of which, this government wharf, he admitted was not fit to use. Now, Sir, that pretty well disposes of that offer. Then it was necessary for the Minis-

ter of Public Works to go one step further, that offer must be accepted in some way. So they produced before the committee some counter propositions, and informed us that they were selling two-thirds of this wharf at $3,500, and retaining one-third of it for the use of the public. Now that does strike me to be the most absurd and ridiculous proposition that was ever submitted to anybody for consideration. Here is a wharf which the Minister of Public Works will say it was necessary should be bought in 1908. If it was not, what did the Minister of Public Works buy it for? And yet they sell two-thirds of that wharf, thereby providing evidence upon which they at least may say it was unnecessary, and was not in the public interest. But what does Mr. Loggie say to that? He admitted that if the government sold that property to his firm it would defeat the very scheme which the resident engineer had in view when he recommended the purchase, namely, that it would provide a site for a railway station and terminals. Mr. Loggie was questioned upon that point and he admitted that the sale of the property to him would defeat that purpose, and would therefore be subversive of the public interest. Yet we are asked to take that as a genuine proposition.

Mr. PUGSLEY. The hon. gentleman must know that is not in the evidence. You will find that Mr. Loggie swears that 200 feet of wharf would give good accommodation.

Mr. CROCKET. Let the Minister of Public Works turn to page 195 where Mr. Loggie said:

Q. Do you say the scheme which Mr. Stead had in view, and upon which he bases his valuation, and on which he bases this letter, that it would provide a site for a railway station and tracks and terminals, does not fall completely through?—A. Certainly it would. We are buying that property and making that offer for A. & R. Loggie.

Q. Then this is subversive of the public interest, which you said the purchase of this property was necessary to promote?—A. We are buying that property for A. & R. Loggie, regardless of the public interest or anybody else but A. & R. Loggie.

So there is the admission from Mr. Loggie himself.

Mr. PUGSLEY. Would the hon. gentleman read just a little further:

Q. Is not the original object defeated by selling this portion of the property to you?—A. I do not think so, because they have reserved 200 feet of it.

Mr. CROCKET. There is a straight question and answer, it would defeat the object they had in view, that was his first answer to me. As soon as he saw the point, and the position he had put himself in, he began to hedge, as other witnesses did that were produced on behalf of the Public Works Department.

Now I regret that I have occupied so much time of the House. But this has impressed me as a matter of serious importance, not because of the amount of money involved, which is comparatively small, but because it involves as I have said, and as the Toronto 'Globe' has said, not only the methods, but the honour of the chief spending department of this government. For that reason I have thought it my duty to put upon record, not my statement or interpretation of the evidence, but the evidence just as it was given, so that members of the House may see for themselves, and draw their own conclusions. There is one other matter I want to refer to. In addition to Mr. Loggie there was another witness produced, Mr. J. D. Irvine. He was not called by myself, he was called by my hon. friend from Carleton who was defending this transaction before the Public Accounts Committee, as he has been called upon to defend so many transactions of the Public Works Department in that committee, and he is deserving of the sympathy of the House in that connection. Now, Mr. Irving was asked as to the valuation, and I will quote from his evidence a line or two, page 129:

Q. Suppose that you were in business in Richibucto as Messrs. Loggie are, and you owned that property, what would you sell it for?—A. Well, I do not know if I had it that I would sell it at all, unless I could get another one to replace it.

Q. It has been stated by Mr. Stead in that letter which he wrote to me in answer to that request for information in regard to the knowledge which he had before reporting on the value of this proprty, that there was a party in Buctouche who said that he would not take $10,000 for it if he owned it, and he said, you are the gentleman to whom he referred. Did you tell Mr. Stead that?—A. Well, I did, I said that if I had it in the town of Buctouche, situated as it was there, I would not take it.

Further on:

Q. If you owned that property in Richibucto, would you take $5,000 for it?—A. No, Sir, I would not, not by any means.

That was the evidence given to the Minister of Public Works. But in cross examination it turned out that J. D. Irving was, like Mr. Loggie, a gentleman who had been drawing large sums of money from the Public Works Department upon the certificate of Geoffrey Stead. He had a scow down there, of which he dared not place the valuation at over $150, for which he had received about $600 rent from the Public

Works Department. Here is more of Mr. Irving's evidence in his cross-examination, page 130:

Q. You spoke about having some wharf property yourself at Buctouche?—A. Yes.
Q. I think you said you had about half a mile?—A. In the vicinity of the water front.
Q. How much did you pay for your wharf property in Buctouche?—A. One wharf I bought for $220, somewhere about ten or fifteen years ago, I could not tell exactly.
Q. And you have a half a mile of it on the shore?—A. I have close on to half a mile, I think.

This gentleman who said that if he had this property in Buctouche he would not sell it for $10,000, had actually bought his own wharf at Buctouche with half a mile of shore for $220.

Mr. PUGSLEY. Which, at page 134, he says is yielding $500 a year income.

Mr. CROCKET. That is the evidence that we have adduced before the Public Accounts Committee in support of this valuation, the evidence of A. & R. Loggie and J. D. Irving. I think if that evidence has any effect it is only to confirm the abundance of evidence which this record contains that this transaction is, as I said at the outset, a positive fraud, deliberately planned from the beginning, and I say to the Minister of Public Works that if this evidence does not convict him of complicity in this transaction it certainly involves him in the gravest suspicion that has ever surrounded a minister of the cabinet with reference to a transaction of this kind. I think the evidence I have quoted establishes what I have said. I, therefore, beg to move:

That all the words after the word 'that' to the end of the motion be left out and the following substituted therefor:—
The evidence taken before the Public Accounts Committee and submitted to this House touching a payment of $5,000 to T. O. Murray in connection with the purchase by the Public Works Department of the sawdust wharf at Richibucto, New Brunswick, as set out at page V—188 of the Auditor General's Report for the year ending March 31, 1909, discloses that said purchase was a corrupt and fraudulent transaction which deserves the severest condemnation of the House.

On motion of Mr. Carvell, debate was adjourned.

Mr. FIELDING moved the adjournment of the House.

Mr. R. L. BORDEN. Shall we go on with this debate to-morrow?

Mr. FIELDING. Yes.

Motion agreed to, and House adjourned at 11.30 p.m.

HOUSE OF COMMONS.

THURSDAY, April 21, 1910.

The SPEAKER took the Chair at Eleven o'clock.

FIRST READINGS.

Bill (No. 213) respecting the Brandon, Saskatchewan and Hudson Bay Railway Company.—Mr. Sifton.

Bill (No. 214) respecting the Alberta and British Columbia Railway Company.—Mr. Herron.

Bill (No. 215) to incorporate the Buctouche Railway and Transportation Company.—Mr. Carvell.

DISALLOWANCE OF PROVINCIAL LEGISLATION.

Mr. R. L. BORDEN. I inquired of the Prime Minister a few days ago whether or not the government would lay upon the table of the House the papers in connection with the petition for disallowance of certain legislation of the province of Ontario. May I again bring the matter to the attention of the government?

Mr. AYLESWORTH. There is no objection, and the papers will be laid on the table as soon as they can be copied.

SUPPLY—THE RICHIBUCTO WHARF.

House resumed the adjourned debate on the motion of Mr. Fielding 'That Mr. Speaker do now leave the chair for the House to go into Committee of Supply,' and the proposed amendment of Mr. Crocket thereto.

Mr. F. B. CARVELL (Carleton, N.B.) Mr. Speaker, I desire as briefly as possible to review some of the facts in this case, which my hon. friend from York (Mr. Crocket) discussed for three hours and a half yesterday afternoon; and it seemed to me that just before he closed he was attempting to take away from the hon. member from Selkirk (Mr. Bradbury) the distinction which he holds of having made the longest speech on record during the present session. If the hon. member for York could have held out for another 40 minutes, I think he would have carried off the palm; and as he spent three-quarters of his time in reading disjointed portions of the evidence, if he had read a little more, he could have occupied four hours and ten minutes and could have gone back to New Brunswick with a record equal to that which he established last year. It is remarkable that his record of last year was made in an attempt to besmirch the character of the Minister of Public Works, and he attempted to make his record this year with the same object in view. If he does not succeed any better on the present occasion than he did last year, he will have spent a lot of energy and wasted a

great deal of the time of this House in a very useless way. My hon. friend spent four hours last year on a subject to him of so much importance that he divided the House upon it—a subject which had been investigated by an arbitration in the province of New Brunswick under the direction of the provincial government at a cost of from $12,000 to $15,000, and which his own friends in the provincial legislature had not the courage to refer to when the report was laid on the table of the House, and the matter has not been referred to in the province of New Brunswick from that day to this. Now, he has used three hours and a half of the time of this House in the closing days of this session to discuss a matter which is so paltry that it seems to me even the hon. member for York might have been ashamed to have discussed it in the manner he has done. I am sorry that the labour of my hon. friend for the past year has come to naught to the extent that it has in this case. In a political sense we know of nothing that the hon. member has looked after during the last year except this sawdust wharf proposition. This matter came up in the House of Commons last year on the Estimates, and my hon. friend got some information; but that only whetted his appetite for more, and as soon as he got back to New Brunswick he started off on the search. It is well known that in the month of October he spent about a week in Richibucto and the vicinity in company with Mr. Richard O'Leary for the purpose of obtaining whatever information he could on this subject, and it is very strange that he went to no one else for information. It is within the memory of many hon. members of this House who are members of the Public Accounts Committee that on the very day the committee was organized my hon. friend was so anxious to give the public the benefit of his year's research that he demanded that the committee be called together for the very purpose of giving him a chance to have subpœnas issued to certain people in New Brunswick to give evidence on this subject. I do not want to impute unfair motives to my hon. friend, but I want to state the facts, because to my mind they are an indication of the spirit with which my hon. friend has approached this matter from the very beginning down to 12 o'clock last evening. He knew that in the following week the Minister of Public Works would be in the city of Washington and I would be in New Brunswick attending court. He had this knowledge, because I sent a note to his desk mate, the hon. member for the city of St. John (Mr. Daniel), asking for a pair, and when he called for the investigation of this matter the next week I asked him if he could not as a matter of courtesy delay it until after Christmas. He said that it was impossible, because certain of the witnesses could not come after Christmas; and it was only after pleading with him that it was put off for another week. The Minister of Public Works went to Washington and I went to New Brunswick to attend court, and came back for two or three days for the purpose of being at the meeting of the committee. The only witnesses he brought from beginning to end were Messrs. Murray and O'Leary, and they came before Christmas and gave their evidence, and could have come after Christmas notwithstanding the statement of my hon. friend that he had to bring this matter on before Christmas, otherwise he could not get these witnesses.

Now that is the spirit in which my hon. friend approached this matter. That is the spirit in which he conducted the examination of the witnesses. That is the spirit in which he approached the matter last evening, and that is the spirit in which he has discussed the matter from the very beginning. As I understood him last evening the case resolved itself into two branches. The first is whether there was any collusion between the Minister of Public Works or any official of his department, and Mr. Murray, in the purchase of this wharf, and the second is, though my hon. friend tried to slide over it, the value of the property. It may be interesting to some members of the House who have not been members of the committee and who have not followed the discussion, to give a short history of the transaction from the beginning. The village or town of Richibucto is a town of about 1,000 people. It is the shire town of the county of Kent. It is the centre of a large lumbering industry and the centre of the most important fishing industry in the province New Brunswick. There is one railway which enters the town, the Kent Northern railway. It is an independent railway which should be and will be, I hope in the near future, a branch of the Intercolonial railway. The railway enters the town in the rear, and at a point probably a quarter of a mile from the water front. For a number of years there has been a spur running down to what is called the municipal wharf to the water front, but the municipal wharf was only 129 feet in width and when a car was sent down to the wharf, it was impossible to turn it around and lay it alongside the wharf, and any freight to be transhipped from a vessel had to be placed on the wharf and carried around to the car. There is no doubt, however, that the people of Richibucto, the owners of the railway, everybody concerned, were anxious to have these wharf facilities extended for the

transhipment of freight between the water and the railway, and with that object in view, in the month of March, 1908, the Department of Public Works purchased from the municipality of Kent this wharf that is called the municipal wharf, for which they paid $1,500 and on which they have already expended $5,000 to place it in proper condition. My hon. friend did not hesitate to say yesterday that this wharf was a wharf in a splendid condition, all equipped with a railway track upon it for use, and thought it had only cost $1,500. He used the argument in order to show that the other wharf property with which I will deal later, was not worth nearly so much as the municipal wharf. Now, if the wharf was fully equipped, if it required nothing more to make it a workable wharf, is it reasonable that the Department of Public Works would have spent $5,000 already in order to bring it up to the condition in which it ought to be. More than that my hon. friend made this statetment with the fact staring him in the face that the resident engineer submitted a report that it would require $11,000 to rebuild this wharf and place it in the condition in which it ought to be. Then there is no doubt that the owners of the Kent Northern railway, with which Mr. T. O. Murray is connected, wanted further accommodation. I am not going to discuss Mr. Murray. He is only a human being and he is doing exactly what hundreds of other people all over the country are doing. He realized that in order to make this railway profitable he must be able to transhipment freight from the water to the railway in order to benefit the town of Richibucto. It was necessary to have more wharfage facilities in the town of Richibucto and there is no doubt that he did what he could to secure the additional accommodation. He bought this wharf, this property we are discussing, from Mr. O'Leray, for the sum of $700. Now my hon. friend says because he got this property for that amount of money, and sold it for $5,000 that that is evidence of collusion between him and the department, and evidence of bad faith on the part of every person connected with this transaction, from the minister to Mr. Murray. I do not propose to discuss the question of good or bad faith. So far as the Minister of Public Works is concerned, he is perfectly capable of looking after himself. I do, however, propose to discuss this matter to some extent along the lines of what the evidence adduce in that connection, and then I want to discuss it to some extent along the line of value. My hon. friend contends in the first place that Mr. Murray first went to O'Leary and wanted to buy the wharf, and then hied himself off to Ottawa and made a trade with the Minister of Public Works. Well, Sir, I am not going to read the evidence as my hon. friend did; I am only going to show—we have on page 6 of this evidence—the positive statement of Mr. Murray that he never spoke to Mr. O'Leary in his life before he went to Ottawa and that what Mr. O'Leary stated about that is untrue, or rather it is a case of bad recollection, if you want to put it in that way. I know my hon. friends will say Murray is a perjurer and therefore that we should not endeavour to give his evidence any credence. Well, before I am through I will try to show without any spirit of animosity to Mr. O'Leary, that Mr. O'Leary's evidence is not worthy of any more credence than is the evidence of Mr. Murray, or half a dozen other gentlemen who have given evidence in the matter. I am sorry Mr. O'Leary finds himself in an unpleasant position at the present time; I am very sorry that Mr. O'Leary has been dragged into the net of my hon. friend (Mr. Crocket) and his friends over this transaction. I can only say that if Mr. O'Leary wishes to hunt with the member for York he must take his share of the game, no matter what it may be. In the province of New Brunswick Mr. O'Leary and my hon. friend (Mr. Crocket) are not getting any sympathy. In fact this matter has become so much of a laughing stock that one witness referred to it as the Richibucto novel.

Mr. CROCKET. What witness?

Mr. CARVELL. Andrew Loggie. It is called the Richibucto novel because in the opinion of this witness it had a great deal more fiction than fact in it, and I think it is well named. Mr. Murray did go to Ottawa to see the Minister of Public Works on other matters, and he says this question of the wharf was never referred to at all. Later on he bought this property from Mr. O'Leary for the sum of $700 and he at once entered into negotiations with the department to sell it to them. Now, I am not trying to slide that over in any particular whatever. I want to make that just as plain as I can make it, that as soon as he got this wharf he started out to sell it to the department. I have no doubt that when he bought this wharf he bought it in the hope that he might sell it to the department and get better wharfage facilities for the transhipment of freight from the water to the cars. I am not holding up Mr. Murray as immaculate in this transaction. No man can read the evidence without admitting that Mr. Murray was working for

himself, but I do deny that there was anything corrupt in the transaction so far as the department is concerned. Now I come next to the value of the property. My hon. friend read the evidence last night, as I have already said, for nearly three and a half hours, but it is a remarkable thing and it must have taken a great deal of research on his part to have been able to read so much evidence and studiously avoid referring to the value of this property, except in the evidence of Mr. O'Leary. It is another remarkable fact—my hon. friend had the whole resources of the government at his back in order to bring witnesses from any portion of the Dominion to prove the value of this property if he wanted to, and yet he never brought a solitary individual here except Richard O'Leary, and I think his brother, to give a word of evidence. There were seven or eight gentlemen from the county of Kent brought here, most of them by my hon. friend. Among them was Mr. James, who was Mr. O'Leary's personal attorney. And my hon. friend examined, and cross-examined and re-examined every one of these gentlemen, and not one of them gave any evidence to support his theory except Mr. O'Leary. And, in the case of Mr. James, who was his own witness and who, no doubt, to a very large extent is under the control and influence of Mr. O'Leary, he never dared ask him one question as to the value of the property. And Mr. James gave evidence and left the witness box without having been asked a question as to the value.

Mr. MEIGHEN. Why did not you ask him ?

Mr. CARVELL. My hon. friend (Mr. Meighen) I think has had enough experience in law never to fool with a bumble bee. If you have a witness who, you are pretty sure, is against you, it is good enough tactics to leave him alone. I am not giving away any secrets of the profession, I think, in making that statement. The hon. gentleman (Mr. Meighen) will understand pretty well why I did not ask him. But I might retort, why did not my hon. friend (Mr. Meighen) ask him ?

Mr. MEIGHEN. I was not there.

Mr. CARVELL. That was his neglect—he should have been there. Now, we have the evidence of five or six gentlemen some of whom my hon. friend (Mr. Crocket) will say, are prejudiced, but some of whom he cannot say are prejudiced. And I propose to refer briefly to the evidence of these gentlemen as to the value of this property. The first is Mr. Wm. D. Carter. Now, Mr. Wm. D. Carter is a friend of Mr. Murray. He is a prominent Liberal in the county of Kent, and is not ashamed of it. He is a member of the executive committee of the Liberal party in the county of Kent. But Mr. Wm. D. Carter is as independent an attorney as is at the bar of New Brunswick to-day and a gentleman whom even my hon. friend from York (Mr. (Crocket) would not dare to besmirch in his native province of New Brunswick, and whom, I am glad to say, he did not say very much against in his tirade against almost everybody connected with this transaction. I refer especially to page 104, and I will read very briefly from this evidence. Mr. Carter was asked about the value of this wharf :

Q. If you wanted it for business purposes, you would consider it worth $5,000 ?—A. I would, it is a wharf that could not be built for that if a man wanted it.

Mr. J. D. REID. That is no evidence of its present value.

Mr. CARVELL. I think that if the hon. member (Mr. J. D. Reid) will read this evidence carefully, he will get enough to satisfy him as to his present value. I refer also to pages 106 and 107, where Mr. Carter gives a description of the wharf :

With the facing I should say that it is a good wharf.

Q. With the facing you would say that it was a good wharf ?—A. Yes, with the repairs that would naturally have to be made and the facing.

Q. Do you tell me that, Mr. Carter ?—A. I do.

Q. That that wharf is a good wharf to-day with the facing?—A. I said with repairs and facing it would be a good wharf.

Q. Have you been on that wharf this last year?—A. Oh, yes, I have.

Q. Is not that wharf full of holes? Is it not composed of decayed sawdust, so that if you step on any part of it you are not certain that you may not go through?—A. No, I do not say that. Inside where the old saw-mill was filled in between the cribwork with decayed sawdust. On the outside, as far as I can remember—I have not examined this particularly in order to tell you—but my recollection is that outside it is ballast.

Q. Outside?—A. Yes, and what is more, it was stated here, as I understand it, that the outside——

Q. That is under water?—A. No. It is the highest wharf in town, the outside of it.

Q. The highest wharf in town?—A. Yes.

Q. Did you hear Mr. Stead yesterday state that he had reported to the department in his official statement that this wharf was washed away?—A. That would be down——

My hon. friend (Mr. Crocket) as usual, interrupted.

Q. Down to low water level?—A. That is not so. Along the edge may be, but there is a place inside where they keep boats and that sort of thing. In high tide—and we

had the highest tide there probably a couple of months ago that we have had for some time—the other wharfs were submerged, and that inside was submerged, but the part outside was above the level.

There is the evidence of Mr. Carter, a gentleman who will not prejure himself and has no interest in doing so, who states facts which any man can prove by going there—that this is the highest wharf in town, that the outside is a solid gravel bank which is washed away down to low water, and, as I will read in a moment, below the water there must be crib work, because there is ballast which has been discharged for years from vessels coming with lumber, so that all you have to do is to dredge away the ballast in front of the wharf and you have a wharf with thirteen or fourteen feet of water, filled with ballast, and extending some hundreds of feet. Here is the evidence at page 109, the answer being to a question by the hon. member for Northumberland (Mr. Loggie):

Q. And you could bring vessels drawing a considerable depth of water and load them there when within reach of the wharf with 15 or 18 feet of cribwork—originally there must have been 15 or 18 feet of water there?—A. I could not say as to that, but originally it must have been built up with cribwork or the ballast would not have been there.

Q. The ballast has fallen out over the other portion of the cribwork, and it would appear as the shore?—A. Yes, that is it.

Q. But if you look below the water, why you have 13 or 14 feet of cribwork along 600 or 700 feet of water front?—A. I could not tell you anything about it, all that I know is that the cribwork must have been there, because the ballast is there, and the cribwork could not get away while the ballast is there.

Q. And if it were washed away by easterly storms in a block it would show up along the shore farther up?—A. I would think so.

Q. Did you ever see any portion of it along the shore after a storm?—A. No, I do not remember doing so.

Q. There is no evidence, except that it is not in sight at low water, but that it is there still?—A. I think so.

There is the evidence of a gentleman, whether interested or not, as to the condition of the wharf at that time.

Mr. BLAIN. Was not the wharf in the same condition when it was sold for $700 ? And why did not the government buy if for $700 ?

Mr. CARVELL. It was practically in the same condition, except that Mr. O'Leary, after the sale, had carted away some hundreds of loads of ballast and put it on his own wharf. Why did not the government buy it for that ? Surely, the hon. member is not sincere; he knows they could not buy it for that.

Mr. BLAIN. It was bought for that.

Mr. CARVELL. But the government could not buy it for that after Mr. Murray got it. I dare say that if the government had gone before Mr. Murray bought it, possibly they might have bought it cheaper than they did; but they could not have got it for $700—never. Now, I want to take up Mr. O'Leary's side of this question for a moment. It is admitted by everybody that Mr. O'Leary is a very large property owner in Richibucto. And there is no doubt that Mr. O'Leary has a splendid wharf which lies next north alongside this wharf, a wharf suitable to accommodate his business in the past and for many years to come. As far as Mr. O'Leary's private business is concerned, there is no reason to suppose that within the next quarter of a century he or his successors will require further wharf accommodation than they have at the present time. Mr. O'Leary bought this wharf, not because he wanted it—and I hope the House will take note of that fact. He bought it, or he practically—I will not say stole—he received it from his half-brothers for practically nothing because they had left the place, sold out their interests, and were determined to get rid of it at any price. Nobody would buy it, so they sold it to their brother for a small amount of money. Mr. O'Leary kept it for twelve or fifteen years. He had to pay taxes on it; he never used it or expected to use it; so far as he was concerned it was a white elephant, and he was willing to sell it for whatever he could get for it. And when Mr. Murray came to him and made the proposition to buy the wharf, depend upon it, this view was floating through Mr. O'Leary's mind : Let it be understood that Mr. O'Leary has no railway accommodation at this wharf, and it is in evidence that it cost him $4 or $5 to haul a loaded car to the railway station, which is a quarter of a mile away. Mr. O'Leary was doing this for the purpose of selling to the department, and he knew that it was the purpose of the department to build a railway track upon it in order that railway cars might lay alongside the wharf, and he knew that if the department placed a railway track upon it, eventually the tracks would extend to his own wharf and in that way he would get railway accommodation to his own wharf.

Mr. J. D. REID. Does the hon. gentleman mean to say that the government would extend the railway to the sawdust wharf?

Mr. CARVELL. There is no evidence that they would do it, but we know there was a track placed upon the municipal wharf, and either the government or the owners, or somebody else, would be interested enough to have a railway track laid

along the face of this wharf. Now Mr. O'Leary is no child, and when he sold that wharf, believing it would go to the Public Works Department, he knew there would be railway tracks upon it in a short time, and he knew that those tracks could be easily extended to his own wharf, and he knew that in that way he would get the benefit of railway accommodation which he could get in no other way, because there is no other place in Richibucto where the railway can get to the water front excepting over this very wharf.

Now, there is another thing to which I must refer, and that is the value of this wharf from Mr. O'Leary's standpoint. Mr. O'Leary says in his evidence, it is true, that $700 is all it was worth. But when the government wanted to buy a right of way for the sewer three or four years ago, he did not know what to ask for it, but finally he sold, not a piece of land 50 feet wide, as he thought it was, but merely the right to lay a sewer under this wharf extending out 200 feet, and he asked and received from the government $100. Why, Sir, that would not be one-hundredth part of the value of that wharf, because you could utilize it for the purpose of a sewer, and it would not affect its value in any way for wharf purposes, or even for building purposes, and yet he asked and received for this right $100 from the government. There is no doubt that the sewer was not successful, they had to get more right of way, and he wanted more money, at least, according to his own evidence he wanted another $100, and according to the evidence of Mr. Murray, he wanted $300 or $400 for extending this on a few feet further towards the water front. Yet he comes here and swears that the wharf was only worth $700 at that time. You have got to take these things into consideration if you want to judge of the honesty and sincerity of Mr. O'Leary in the statements he has made before that committee. Then again Mr. O'Leary says that a few days ago he offered the department the whole wharf for $1,000. He not only swore that, but he produced what he says was a copy of a letter sent to the Minister of Public Works, which was not a copy at all. However, there was a letter written to the Minister of Public Works, I think in the autumn of 1908 or early in 1909, in which he says that he offered this whole wharf property to the department a few years previously for the sum of $1,000. You will find that on page 46 of the evidence. I am reading now a copy of the real letter, not the one which he produced before the committee:

Richibucto, December 7, 1908.

Hon. Wm. Pugsley,
Minister of Public Works,
Ottawa.

Dear Mr. Pugsley,—Your letter received and carefully noted. With regard to the sawdust wharf property referred to in same, I would say that this property was sold to me by Mr. Murray—May 23—with the understanding that Mr. Murray was acting as agent for the Department of Public Works, at $700. When the price was arranged between Mr. Murray and me, I felt that it was for the full market value. I had a short time before offered the property to the department through their Mr. Waterbury at $1,000, since when I have sold three different lots at $100 each, leaving the property then standing as if the sale were made at $700.

I do not propose reading the remainder of the letter at present, because nothing turns upon it. Now that was the statement made by Mr. O'Leary to the minister, and that is the statement which he swore to when he appeared before the committee on the first occasion. Now, Mr. Speaker, after Mr. O'Leary made this statement, an official of the department in St. John to whom this offer had been made commenced to look around to see if Mr. O'Leary's recollection was correct, and here is what we find. We find that Mr. O'Leary made this offer on the 22nd of April, 1904, to D. H. Waterbury, who was the architect of the Public Works Department in St. John. The letter was brought before the committee, it was in Mr. O'Leary's handwriting, admitted by him to be so, and it was not an offer to sell the whole wharf for $1,000, but it was an offer to sell less than one-third of it for $1,000, he would only sell one-third of it for $1,000, though it left the other two-thirds to him which were worth more to him than they would be to anybody else. I will read that letter, which is found on page 72:

Richibucto, N.B., April 22, 1904.

D. W. Waterbury, Esq.,
Richibucto, N.B.

Dear Sir,—With further reference to your conversation in *re* land opposite to public building in Richibucto, I will sell the whole lot on the eastern side of Water street, the full width of the present lot owned by the government, that is 227 feet in width and running back to the channel 625 feet for $1,000. Or I will sell the 227 feet on the street running back to a depth of 100 feet for $500.

Yours truly,
(Sgd.) R. O'LEARY.

P.S.—Or I will sell a piece 50 feet by 100 feet opposite the public building where the sewer is for $250.

Now, Mr. Speaker, I forgot to state that this sawdust wharf practically contains about 10 acres of land, and part of it has water over it at high tide.

Mr. CROCKET. Does not the deed simply describe the property as containing 7·88 acres of land?

Mr. CARVELL. That may be true, and I will refer to the evidence, on page 73, of Mr. Stead, who made the survey, and prepared the plans from the survey, and brought the plans before the committee. In that he states that the land contains

something near ten acres, as you will find in the evidence on page 73. Now, Sir, this wharf lies 725 feet or 730 feet along the river front, extending from the main street down to the river front on the one side, and on the opposite side of the main street is the post office and Dominion building. The Dominion building has a frontage on the western side of 223 feet, the sawdust wharf property has a frontage on the main street on the opposite side of 730 feet. Mr. O'Leary offered to sell to the department, by this letter, 227 feet opposite the post office building for $1,000. If you figure that out for the whole area, you will find that, in a writing which he cannot deny, he wanted over $3,000 for the whole lot. If you take his second offer and figure it out, that is the offer of a piece of 227 feet by 100 feet at $500, he wanted at the rate of $10,000, and if you take the other proposition, that is 50 feet by 100, he wanted at the rate of $20,000 for his wharf. This is in the letter produced in evidence, Mr. O'Leary cannot change his evidence, and this is the man who says the whole thing is not worth more than $700.

Mr. LALOR. Is it not a fact that he sold the property for $700?

Mr. CARVELL. Why, of course it is, and I have explained that half a dozen times. I trust my hon. friend when he interrupts me again will put a question that there is some common sense in.

Mr. MEIGHEN. Does the hon. member (Mr. Carvell) seriously contend that the figure an owner asks from the government for a property is any fair criterion of its value?

Mr. CARVELL. I have not said so. I say that Mr. O'Leary, a good Conservative, wanted this government to pay him that for one-third of his wharf.

Mr. PUGSLEY. And contrary to what he swore to.

Mr. CARVELL. And when Mr. O'Leary came here, forgetting that the offer was in writing, he said he told Mr. Waterbury that he could have the whole wharf for $1,000, but when the letter was produced it was shown that Mr. O'Leary's recollection was at fault and his failure of memory combined with other things showed that very little credence can be attached to anything that Mr. O'Leary said before the committee.

Mr. BRADBURY. Is your argument that if a man does not ask the government five times what a property is worth he is insane?

Mr. CARVELL. Surely the hon. gentleman does not want an answer to such an absurd question. I don't wonder that hon. gentlemen opposite squirm when this case is put before them in the proper light. But, we have not alone Mr. O'Leary's evidence as to the value of the property; we have amongst others the evidence of Mr. J. D. Irving, a gentleman who I admit is a member of the Liberal party of the county of Kent, and is not ashamed of it. Mr. Irving is a gentleman who has been so successful in business that he is probably the largest property holder and is doing the largest business of any man in the county. But, the hon. member for York (Mr. Crocket) to show his venom cannot discuss even a business man like Mr. Irving without attempting to throw mud upon him, and to infer that he was not a man worthy of credence. Mr. Irving had nothing to do with buying this property and he received no benefit from it. I did hope that my hon. friend (Mr. Crocket) for once in his lifetime—at least once since he became a member of this House—would try to be perfectly fair and read the whole evidence on that point, and not emasculate it. The hon. gentleman (Mr. Crocket) said Mr. Irvine was not worthy of credence, because he was doing business with the government and rented scows to the government at $2 a day, but the hon. gentleman did not tell the House that Mr. Irving only rented the scows to the government for 20 days and that last year he refused to let the government have these scows because a private contractor was willing to pay him more for them and to give them permanent employment as well. And so the scows were taken from the government and given to the private contractor, and Mr. Irving has been getting $2 a day for them during the whole season.

Mr. CROCKET. I stated that Mr. Irving had received upwards of $600 at the rate of $2 a day for a scow which he admitted was not worth $150, and that statement is true as shown by the records.

Mr. CARVELL. My recollection is that there is no such evidence as that.

Mr. CROCKET. I made it up from the Auditor General's Report.

Mr. CARVELL. Then it is not in the evidence, and furthermore it is not true. The truth about it is that Mr. Irving rented an engine for which he got $8 a day, and with that engine he furnished the engineer the fuel, the oil and did the repairs. He did all the work to the engine for some three or four years, and with the scows and all put together he has received from this government $600. The hon. gentleman (Mr. Crocket) cannot show that Mr. Irving got more than $40 in any one year for the scow which he referred to. That is another evidence that my hon. friend (Mr. Crocket) did not deal fairly with the members of this House who were not present in the committee when he was discussing the evi-

dence taken there. He should have quoted all the evidnce on that point as it was incumbent upon him to do as an honourable man, and not to cite emasculated portions of it. The hon. gentleman also spoke of Mr. Irving as being a contractor for furnishing stones to the government for some breakwater, and he alleged that Mr. Irving was getting a great big profit on it, but he did not read to the House Mr. Irving's evidence which went to show that in one year he figured out his accounts and he found he had made the enormous profit of $46, and for the last few years Mr. Irving has not and will not furnish stones to the government at the price they offered him. Then the hon. member (Mr. Crocket) told the House that Mr. Irving had property in Buctouche extending half a mile along the water front and for which he only paid $200. That is not true. The evidence shows that he has half a mile of property along the water front and that 15 years ago he bought one and one only of these wharfs for $220, but the hon. gentleman did not state that.

Mr. CROCKET. I did; I read the evidence.

Mr. CARVELL. The hon. gentleman did not read from the evidence the statement of Mr. Irving that that wharf was to-day worth to him $500 per annum, and that he would not sell it at any price. I am not going to take three and a half hours to make a speech as the hon. gentleman did, but I cannot discuss the question without showing the glaring inaccuracies of my hon. friend (Mr. Crocket). You could not prick his whole speech with a neddle that you will not find some inaccuracy or some omission which if stated would have shown the true state of affairs.

Mr. CROCKET. You can point it out.

Mr. CARVELL. I think I am making a good attempt to do it. The next man who gave evidence on the value of this property of one J. D. Forster—my hon. friend from Halifax (Mr. Crosby) smiles, and I should think he would.

Mr. LALOR. Everybody smiles.

Mr. CROSBY. You make us all smile.

Mr. CARVELL. Now, Mr. J. D. Forster is not a member of the Liberal executive in the county of Kent

Mr. CROSBY. He hopes to be.

Mr. CARVELL. Mr. Forster has been one of the most ardent Conservatives in New Brunswick for the past 50 years. He resided in the town of Richibucto in his early days, he is a property owner there, he knows the value of property there. He was warden of Dorchester penitentiary during the Conservative regime, and he was dismissed from that position when the present government came into power on account of offensive partisanship. Mr. Forster happened to be in Ottawa when the Commons was sitting, and without consultation with the Minister of Public Works or myself or any one else, except the member for Halifax, Mr. Forster was called to the witness box and swore that he knew this property intimately, and I shall read verbatim his evidence from page 135. Remember, this is a man who was dismissed from office by the Liberal government on account of offensive partisanship; a man who swore that the only member of parliament he had ever spoken to before going into the witness box was the member for Halifax; and on page 35 he swore as follows:

Q. Would you say that $5,000 would be a fair and reasonable price in your judgment? —A. If I were doing business there I would not take $10,000 for it.

And in the face of evidence like that the hon. member for York wants this House to believe that a corrupt transaction took place when the Department of Public Works paid $5,000 for that property. Then, we have another witness in regard to whom no doubt my hon. friend (Mr. Crocket) will say he is not worthy of belief because he is one of the culprits, but this gentleman holds a high position in the Department of Public Works as resident engineer for northern New Brunswick. I hold no brief to defend Mr. Stead; he does not require defence. He has been in the department for a great many years; he has discharged his duties honestly and faithfully and if the hon. member (Mr. Crocket) thinks Mr. Stead has been derelict in his duty he can have an investigation in the proper way. But, instead of taking the course which it is his duty as a member of this House to take, he attempts by insinuation to make out that Mr. Stead is practically a thief and not worthy of credence. I will not bother the House by reading all the evidence of Mr. Stead; I will just say that Mr. Stead stated on oath and he also reported before the property was bought in the summer of 1908, that this property contained 1,000,000 cubic feet of material and that at the lowest estimate of 1½ cents per cubic foot he would figure the actual value of the wharf at $15,000. It was on that report and a subsequent report made in August that the minister purchased the property. We have here the sworn statement of Mr. Stead that the property was well worth $15,000, that it could not be replaced for that sum, and I leave it to the House to judge whether his evidence is worthy of credence or not. Then, in addition to this amount of material upon which you could build a wharf you have nearly ten acres of land on the water front of a town of 1,000 population. Does any man tell me

that land like that is of no value? Why, you have only to state the facts and no argument is needed before intelligent Canadians. Then, we had Mr. Andrew Loggie as a witness, and if there is one witness my hon. friend (Mr. Crocket) did not want to see before that committee, it was Mr. Andrew Loggie. It is true that at the commencement of the investigation the Minister of Public Works asked for a subpœna for this gentleman and it is also true that Mr. Loggie sent a medical certificate stating that he was not able to attend. We do not have to come to Ottawa to get a certificate of character for Mr. Loggie. If there is a firm in the maritime provinces that is doing a most honourable business and the members of which are of the highest standing, it is the firm of A. & R. Loggie, and because of the standing of the firm and because of the high repute of Mr. Andrew Loggie, and because of the innate suspicions of my hon. friend from York, because it was stated that Mr. Andrew Loggie was sick—and believing as the member for York does that every man in the Liberal party is a thief and a perjurer, he at once declared that this man must be brought to Ottawa. Every time that committee met for a month we were asked: Where is Andrew Loggie? Telegram after telegram was sent as to Mr. Loggie's illness but nothing would satisfy the hon. member (Mr. Crocket) but the body of Andrew Loggie, dead or alive.

Mr. CROCKET. Did I understand the hon. gentleman to say that I believed that every man in the Liberal party was a thief or a perjurer?

Mr. CARVELL. That is the conclusion I would draw from the statements made by my hon. friend (Mr. Crocket) last evening. If he wishes to withdraw the imputation I have no objection to giving him the privilege of doing so.

Mr. CONMEE. He won't withdraw.

Mr. CARVELL. I thought he would'nt.

Mr. CROCKET. It is not necessary for me to deny such an absurd statement.

Mr. CARVELL. You can depend upon it that the hon. member (Mr. Crocket) is convinced that there is no virtue in the Liberal party; I think I should go further and say that he believes that there is nothing in the Liberal party but vice. I have never heard the member for York say one decent thing about any member of the Liberal party or any transaction of the government that was under discussion. The man is born that way and I am sorry to say he is cultivating his birth proclivities to the fullest extent.

Mr. LALOR. What about the member for Carleton?

Mr. CARVELL. He usually tries to take care of himself. I certainly do not believe that every man on the opposition side of the House is a thief and a robber. We have our political differences, but I would be very sorry to feel that I could not go to the other side of the House and be just as friendly as with my own friends on this side. I am happy to say that I have been treated as well by members on the other side of the House as by members on this side, and I wonder if the hon member (Mr. Crocket) can say that. Finally Mr. Andrew Loggie came here and was examined, and when his evidence was finished no one was more surprised than my hon. friend (Mr. Crocket). Andrew Loggie had sent a telegram to me during the progress of the investigation authorizing me to purchase Mr. O'Leary's wharf for $2,500. It was the policy of the member for York and of Mr. O'Leary to try to minimize the value of the property in the town of Richibucto to the greatest extent possible. They produced every argument they possibly could from the registry office showing where insignificant pieces of property were sold for insignificant prices, and endeavouring to bolster up their contention that the town of Richibucto is the most god-forsaken place in the Dominion. Mr. O'Leary stated that he had a wharf, that it was well constructed and equipped with warehouses and a freezer, that he bought it for $1,500, that he expended $500 on it, and that he would sell it for $2,000. I quote his evidence on page 36:

'Q. What do you value it at now?—A. With the improvements we have added during the year we would sell it at $2,000.

That is the wharf over which Mr. O'Leary is doing business, and which he said he would sell for $2,000. The firm of A. & R. Loggie are doing business in the same town and are rival merchants except that they are now doing about two-thirds of the business. There was a time when Mr. O'Leary was doing practically all the business in Richibucto, and when by some financial arrangement with a New York firm he was able to pay higher prices for supplies than any one else in the town of Richibucto.

I do not know how far Mr. O'Leary contributed to it, but unfortunately two and a half or three years ago this firm went to the wall with liabilities of $2,000,000, and since then the Loggies have been doing the business. They have a wharf half a mile from the sawdust wharf, about a mile from railway facilities, and extending to only about three feet of water, so that it is

practically useless for business purposes. They wanted better accommodation. They would have to extend to their present wharf at an enormous cost or buy another. Seeing in the papers the statement that Mr. O'Leary would sell his wharf for $2,000, they promptly wired me to offer $2,000 and stating that they would go to $2,500 if he would sell. I do not think it is necessary to go very far into this matter, but owing to what the hon. member for York said last evening, I think it is necessary to explain my position. I thought he might have been fair enough to have told the whole story regarding my connection with the transaction. It is in evidence; I made the statement before the committee that I had never before had a letter, a telegram, or a communication of any kind, verbal or written, with this firm in my life; that I had never done business with them or seen them until Andrew Loggie appeared in Ottawa for the purpose of giving evidence in the Public Accounts Committee. They simply sent that telegram to me, knowing that I was a member of the House of Commons from the province of New Brunswick. I asked Mr. O'Leary in the Public Accounts Committee if he would sell that wharf. I offered him $2,500 for it, offering my own personal cheque for $500 to bind the bargain. I did not know that Mr. O'Leary would not sell his wharf. I have known Mr. O'Leary for many years. I have been on important corporation boards with him; I have had some business relations with him; I believed that he was an honourable man, and when he pledged his oath, as he did on page 36, that he would sell this wharf for $2,000, I believed that he would do so; and I was never more surprised in my life than I was when he refused to sell it to the Loggies for $2,500. But I learned then that Mr. O'Leary was bluffing; I learned that the hon. member for York was bluffing; I learned that the property was not of the small value they were trying to make out. Having learned a little later that this property was worth $7,000 or $8,000, I did not wonder that Mr. O'Leary would not accept my offer of $2,500. Then Messrs. A. & R. Loggie offered to buy the whole sawdust wharf for $5,500. I do not propose to read these letters. They are all in the evidence; they will be found on pages 190, 193 and 194. In the first letter the firm of A. & R. Loggie offered to purchase the sawdust wharf for $5,500, or $500 more than the department had paid for it. On page 193 is the answer of the deputy minister, asking if they would be willing to purchase about two-thirds of the wharf, leaving the government 200 feet from the street to channel, along the municipal wharf property. On page 194 is the answer of A. & R. Loggie to the department, accepting the department's suggestion and offering $3,500 for the balance of the property described in the deed, with certain conditions attached, one of which was that they should have a free right of way to lay railway tracks across the municipal wharf property and also across the 200 feet strip retained by the department, and that the department make a survey of the property before the transfer was made. I am in a position to state to the House that that arrangement has been concluded; so that the result is that the wharf will cost the department only $1,500.

Mr. J. D. REID. How much frontage does that leave the government on Water street?

Mr. CARVELL. 200 feet plus the municipal wharf, which is about 120 feet wide, making 320 feet in all. But that strip of 200 feet runs directly along the municipal wharf which the government now owns, and that makes it much more valuable for their purpose than it would be if it stood alone. But the hon. member for York, with his suspicious character, not to use a harsher term, says that these Loggies are interested parties, that they are contractors with the government, and that they had received $144,000 from the government for dredging. The evidence is that they received $44,000, but of course, $100,000 is nothing to the hon. member for York when he is discussing the Department of Public Works.

Mr. CROCKET. The hon. gentleman has misquoted my statement. My statement was that the Loggies had received $44,000 in the fiscal year ending the 31st March, 1908, and the answers given by the Minister of Public Works to questions on the order paper show that in the following year they had claims against the department amounting to $90,000, and that they had large contracts still continuing.

Mr. CARVELL. I can only say that my hon. friend did not say so last night. That is what I object to in my hon. friend, that last night there was not anything stated by him correctly in regard to this whole transaction. It is true, he read certain portions of the evidence, but there was not a solitary instance in which he completed it. He always stopped at the critical point, where it might lead to something which would militate against the argument he was making. I do not care how much Messrs. A. & R. Loggie have received or are going to receive from the government. They are contractors with the government, and honest contractors. The contracts they have received only after due advertisement by public tender; but my hon. friend, in trying to besmirch the characters of these

honourable men last night, said not only that they were contractors with the government, but dishonest contractors.

Mr. CROCKET. I must rise to a point of order. I did not make any such statement. I said that they received some contracts from the Minister of Public Works, and that the Minister of Public Works had illegally awarded the contracts.

Mr. CARVELL. I am willing to accept my hon. friend's version; I think he is putting it better than I did, that is, he has made a more vicious statement than I attributed to him. He is now charging the Minister of Public Works with crookedness, while my statement was that his charge was only against the Loggies. As he has corrected his statement, he has given the reason. He tried to make this House believe that the Loggies were unworthy of belief, because they were interested witnesses. I want to tell my hon. friend, and he knows it, that these men have never done a dollar's worth of work for the Department of Public Works except by fair contract after public tender advertised in the newspapers. They have had three or four contracts simply because they were in every case the lowest tenderers, and they got the contracts in the ordinary course of business. The only exception is a contract for a little dredging done at the town of Bathurst in the fall of 1908. In October or November of that year, authority was given by the department to have a little dredging work done at Bathurst. I do not know the exact amount, but it was under $5,000. The Messrs. Loggie had a contract for dredging at Caraquet at 41 cents per cubic yard, and another contract for dredging at Dalhousie at 50 cents per cubic yard. Bathurst is somewhere between these two points, and they were asked by the department to tow their plant from Caraquet to Bathurst, but instead of giving them the higher price, which they were getting for the Dalhousie work, they only gave them 41 cents per yard, the same as they received at Caraquet. If my hon. friend wants the people of this country to believe that this is an illegal transaction, then I am willing he should do so, and he can take all the glory he can get out of it, but I want to tell him and the members of this House that among the people in the province of New Brunswick he will not get much credit for holding up a transaction like that and calling it an illegal transaction. Now, these are the men forming the company of whom Andrew Loggie is not only one, but the senior member, and Andrew Loggie stated that they considered this wharf was still worth $5,000 and were willing to pay $5,500. They have already paid $3,500, over two-thirds of the price. But I want to call the attention of my hon. friend and of members of this House to a very significant fact away back in 1908 before Andrew Loggie had any idea that he would buy the wharf, in fact before the government had bought the wharf, which shows his idea of the value of the property at that time. I refer to his evidence on page 176. This evidence was partly given by Mr. Murray, but as my hon. friend will say that Murray is a perjurer, I will not take his evidence, but will give Andrew Loggie's version of it. He speaks about a conversation he had with Mr. Murray at the station, I think it was Kent Junction station, when they were waiting for a train. They were sitting down and talking, and finally, Mr. Loggie asked him about the property, and Mr. Murray told him he had sold it, and then this conversation took place:

Q. What did he tell you?—A. That is what I am going to, if he will allow me. He said, 'Andrew, I have sold the sawdust wharf to the government.' I said, 'Yes.' I said, 'What did you get for it?' He said, I got $5,000 for it.' I said, 'Tom, I think you sold this too cheap.'

Some hon. MEMBERS. Hear, hear.

Mr. CARVELL. My hon. friends say, hear, hear. I also say, hear, hear, and I repeat that this statement was made away back in August before he had any connection with the property or expected to have any connection with it.

I said, 'Tom, I think you sold it too cheap.' He said, 'I got a fair profit on it, and I was satisfied to sell it for that.' I said, 'What did you pay for it?' He said, 'I paid $1,000 for it.'

The evidence goes on.

Mr. LALOR. He did not tell the truth.

Mr. CARVELL. I am glad my hon. friends can extract some comfort out of this case for they cannot extract much comfort when they come to read the evidence as a whole. Then he goes on to say:

I said, 'You say you have sold it.' 'Well,' he said, 'I have made them an offer on it.' 'Will you withdraw that offer?' 'No,' he said, 'I could not withdraw that offer, it has gone too far.' That is as far as I can remember of the conversation at that time.

Now I repeat that statement was made as early as August, and at that time Mr. Loggie wanted him to withdraw his offer, but Mr. Murray said, no I have offered it to the department, and I cannot take your offer now. I want to ask any fair minded member of this House or any fair minded man in this country whether that is the conduct of a dishonest man. Before this transaction took place, and knowing that Murray had paid only $1,000, Mr. Loggie was willing to pay $5,000, and wanted Murray to withdraw his offer of the property to the

government. Of course, if my hon. friend says that this man is perjuring himself, I have nothing more to say. But I do say that he dared not say in New Brunswick that Andrew Loggie is perjuring himself. If he did say it he would get nobody to believe him. But my hon. friend will say, suppose he did say that, still he is an interested party, still he is under the control of my hon. friend the Minister of Public Works, still he is not the kind of man whose evidence should be believed in an investigation of this kind. My hon. friend the member from York (Mr. Crocket) attempted to insinuate that to Mr. Loggie and I wish every member of this House could have been present in the committee room that afternoon and seen the manner in which Mr. Loggie gave his answer. He would not have had much doubt that the hon. member (Mr. Crocket) was barking up the wrong tree when he tried to insinuate that Andrew Loggie was perjuring himself. I refer now to page 222 of the evidence.

By Mr. Blain:

Q. When did you talk it over with Mr. Pugsley?—A. I never talked it over with Mr. Pugsley. That is not true.

Q. Did you?—A. I never did.

Q. No communication or correspondence whatever?—A. No, sir, none whatever.

Q. Do you know Mr. Pugsley?—A. Not very well acquainted with him at all.

Q. A friend of yours?—A. Well, I don't know what you would call a friend. I will say right here, outside of gentlemanly courtesy, we are under no obligation to Mr. Pugsley any more than anybody else.

Q. You have a contract in his department?—A. Yes.

By Mr. Carvell:

Q. Does that put you under obligations to him?—A. We are under no obligations to him; I state that positively. We got the contract by public tenders open to the world; we were the lowest tenderer and I don't think under all this, that I am under any compliment to Mr. Pugsley for any of the tenders. Our tenders were public and that is how we got the dredging if that is what you mean

Then on page 223 we find this:

Q. Are you making these offers in order to help Mr. Pugsley out of trouble or as a business proposition, because A. & R. Loggie want the property as a business proposition?—A. We are willing to buy the property to help Mr. Pugsley out of what?

Q. That is the insinuation—that you are helping Mr. Pugsley.—A. I don't see how we think or have the idea in our heads to help Mr. Pugsley. I have given every bit of private information about our business here, but I positively refuse to give that information. From information we have got we are perfectly willing to take the whole of the wharf at $5,500. We are perfectly willing to take that portion of it for $5,500, from information we have got outside of the Public Works Department, or anybody connected with it, as a business proposition, for particular reasons.

Mr. CARVELL.

Now there is the evidence of Andrew Loggie as to why he buys this property, and as his connection with the Minister of Public Works. But my hon. friends even went further. They started to insinuate that probably he had contributed to the election fund, and to their surprise, and horror I at once asked them to go on and press the question. When they saw what they could get they were more surprised than at any time I have seen them in the committee. When they realized they had the fullest liberty to question him as to the election fund or any other fund. Then they were as dumb as oysters, and would not go into that question. That is the man they are holding up here as a perjurer, the man they are advertising throughout Canada as a man not worthy of belief, that is the man they say who is buying this property from the government to help the department out of a hole. Well, I am willing to leave it to the judgment of the people of New Brunswick, and there will not be much doubt as to the verdict in a question between my hon. friend (Mr. Crocket) and Mr. R. A. Loggie. Then they say that he was once offered this property for $1,000 or $800. It is true that that statement was made by one of the witnesses, O'Leary; it is equally true that A. R. Loggie denied that statement positively and you will find his denial on page 222:

Q. What do you say to that?—A. I say that it is not true, absolutely not true that Wm. O'Leary offered me that property.

Mr. J. D. REID. He does not swear that he did not.

Mr. CARVELL. He says that on that page. It is true my hon. friend (Mr. Crocket) read something from the next two or three pages. But he says he has no recollection of it, and he is satisfied he did not receive an offer from O'Leary to buy the property.

Mr. LALOR. Read the evidence.

Mr. CARVELL. I am not going to spend another half hour reading evidence. I admit exactly what was said later on in that cross examination. He said he had no recollection of it. And if hon. members opposite take any comfort out of that, let them have it. But it is mere quibbling; they cannot get away from the fact that Andrew Loggie says he never was offered and never refused to buy that property for $800 or $1,000.

Now, I have some more evidence as to the value. I am sorry to trespass on the time of my hon. friend; but I will make it as short as possible. I stated some time ago that my hon. friend from York (Mr. Crocket) had all the resources of the Dominion of Canada at his command for the purpose of getting witnesses, and yet he was not able to bring a solitary individual,

outside of Mr. O'Leary and his brother, who would say that this property was not worth what the government paid for it. Witness after witness brought here by the hon. member and myself swore that this property was worth what was paid for it. I find, also, in the St. John 'Telegram' of March 2, a despatch containing a statement, an important part of which I will read. I read it to show what Mr. Loggie's friends think this property is worth; to show what Mr. O'Leary's neighbours and friends and relatives think it is worth:

We the undersigned residents of Richibucto, in the county of Kent and province of New Brunswick, do hereby certify that we have a knowledge of wharf property in the town of Richibucto and that we know the O'Leary wharf property in the town, and that in our opinion the said property, as it now stands, is worth in the vicinity of $10,000.

This, it will be observed, is Mr. O'Leary's own wharf. Now, the next is a certificate as to the sawdust wharf:

We the undersigned residents of Richibucto, in the county of Kent and province of New Brunswick, do hereby certify that we are well acquainted with the DesBrisay wharf in the town of Richibucto, commonly known as the sawdust wharf, and also with the industry and business conditions in and around Richibucto.

That the said wharf needs only a new facing along the channel front to make it one of the best and most valuable wharfs in the town, and that if the Kent Northern railway acquired and extended along such wharf as a deep water terminus the said wharf is in our opinion well worth to the government a much larger sum than the $5,000 paid therefor.

That to the firm of A. & R. Loggie, requiring as they do in their business a wharf extending to the channel, the said wharf is in our opinion well worth the $5,500 offered by them therefor; that in our opinion it would cost nearly if not quite that amount to extend the wharf they now occupy to the channel, and for said shipping purposes the sawdust wharf is much better suited to them in their business, as it is much nearer to the railway track.

Dated the 21st February, A.D., 1910.

(Sgd.) W. E. Forbes.

R. L. Johnston, R. D. O'Leary, A. T. LeBlanc, James C. Thompson, Allan Hains, Sr., Alex. Hains, R. McDonald, John T. Caie, J. F. McDougall, J. H. Baird. A. Leger, Jas. A Jardine, I. B. Wright, Thos. M. Fitzpatrick Wm. H. Hannah, S. L. Lynott, R. Phinney. Fred. Ferguson, W. F. Hannah, John W. Legoof, James Legoof, W. F. Copp, Edward Barnett, Charles Barnett, J. D. Legere, B M. Brown, Wm. Curwen. Lestock Shaddick, Theo. P. Graham, Henry Long, Zach. Legere.

Now, I want to know if the hon. member (Mr. Crocket) will go to Richibucto and tell any one of these men that he stated a falsehood when he signed his name to that document? And I am bound to go further and say that this document was offered in evidence of the Public Accounts Committee, but my hon. friend (Mr. Crocket) threw it out because it was not—

Mr. CROCKET. Did the hon. member—

Some hon. members. Order.

Mr. CROCKET. Did the hon. member ask me a question to which he desired an answer?

Mr. CARVELL. Not just now. Later on the hon. gentleman can make a speech if he wants to.

Now, I have discussed this question at greater length than I had intended, and have practically nothing further to say. I have tried to show by the evidence—and I have not wandered outside of the evidence—what is the value of this property. I have contended, and still contend, that the government got good value in this property. The only fault I have to find with them is that they have sold two-thirds of the property for the sum of $3,500. It would have paid the department better to keep the whole property, for then they would have a property which, for all time, would assure the success of the shipping interests of Richibucto and vicinity. However, they have decided to sell, and I am not going to find fault with their decision. One thing is assured, however—the property will be rebuilt. I am pleased to note that there is an amount of $5,000 in the supplementary estimates to be applied toward the rebuilding and repairing of the wharf. I am glad that there is this assurance that the people of Richibucto will have the transportation facilities to which they are entitled. I hope that, in a very short time, the Kent Northern railway may become a branch of the Intercolonial. When that comes about, this wharf will not only be a benefit but an actual necessity. I sympathize with my hon. friend from York (Mr. Crocket) in the predicament in which he finds himself.

Some hon. MEMBERS. Oh, oh

Mr. CARVELL. I sympathize with him because he was compelled to talk for three hours and a half last evening in an effort to make what is recognized in the province of New Brunswick as a dismal failure appear something like a success. I know that he will be able to have all this transcribed in full, and under glaring headings in his newspaper, and that he will attempt, so far as he can, to recover some of the ground he has lost. But I make the prediction now, that as long as he is a member of this House, he will never again go on a junketing tour around the north shore of New Brunswick to hunt up scandals, for this one has proven such a boomerang that it will be long ere he recovers from its effects.

Mr. J. D. REID. I desire to say a word on this subject, because I happened to be present in the Public Accounts Committee when the matter was under investigation. The hon. member for Carleton (Mr. Carvell) began his remarks with the statement that the hon. member for York (Mr. Crocket) had tried to besmirch the character of the Minister of Public Works (Mr. Pugsley), in fact he said that was what the hon. gentleman (Mr. Crocket) had been trying to do for the last two years. Let me point out the difference between such actions as this of the hon. member for York, and the position of such members of this House as the hon. member for Carleton. When an hon. member of this House tries to learn the facts of any public expenditure under the Minister of Public Works, or any other minister, is that to be considered an attempt to besmirch the minister in whose department the expenditure is made? I have always held that every member of this House, Conservative or Liberal, had laid upon him the clear duty of protecting the public treasury. If any member has a suspicion that anything is wrong in relation to public expenditures, it is his duty to have the matter investigated, and the proper place for that investigation is the Committee on Public Accounts. Well, Mr. Speaker, since 1896 when the present government came into power, I have not seen one case of a Liberal member who had the pluck to go before the Public Accounts Committee and investigate any expenditure made by this government, and this notwithstanding the fact that, time and time again, cases have been brought to attention in which there was at least the suspicion of wrong doing. I remember when the hon. member for Carleton (Mr. Carvell) first entered this House. Several other hon. gentlemen made their first appearance in parliament at the same time. There were the hon. member for Carleton (Mr. Carvell), the hon. member for Pictou (Mr. E. M. Macdonald), the hon. member for Saskatoon (Mr. McCraney) and the late hon. member for Lunenburg (Mr. Maclean) who has left this House. The Prime Minister, and I suppose the Minister of Finance with him, selected these four gentlemen to watch the Public Accounts Committee and defend the expenditures there. What is the position to-day? The hon. member for Saskatoon was so ashamed of the whole matter that he never attends the Public Accounts Committee at all; the hon. member for Pictou is in the same position, so ashamed of what is being brought forth in the Public Accounts Committee that he has abandoned it also. Mr. Maclean has left the House in disgust to accept a position in the provincial parliament, and the whole thing is left to the hon. member for Carleton. Now, let me tell the hon. member for Carleton some of the things that he stood up for in the Public Accounts Committee and defended, because he is in the Public Accounts Committe representing the government, representing the scoundrels that have been brought before that committee, and the investigations prove that they were scoundrels. He has a retainer, he has practically a retainer from this government in the way, I have no doubt, of a judgeship, or something of that kind.

Mr. CARVELL. I rise to a point of order.

Mr. SPEAKER. The hon. member's language is not parliamentary.

Mr. CARVELL. I want the hon. member to withdraw that statement in toto. I want to tell him that I have no promise of a judgeship, I have refused a judgeship, I do not want a judgeship, and I want him to withdraw that statement. I have no retainer, and no promise of a retainer.

Mr. J. D. REID. Well, Mr. Speaker, I withdraw it in toto. The reason I said so was because I have known cases that happened before where members sitting in this House have held the promise of a position in their pockets, and they carried on just such work as is being done by the hon. member for Carleton. I want also to state that, judging from the actions of the hon. member for Carleton, he has been acting as the solicitor for some of the witnesses—without a fee, I admit, without promise of a fee. But there is the fact of Mr. Loggie swearing that he telegraphed to the hon. member to act for him, and said he considered that the hon. member was his attorney or solicitor, the hon. gentleman was willing to come into the Public Accounts Committee and there offered $2,500 on behalf of Mr. Loggie.

Mr. CARVELL. Again I must rise to a point of order. I must ask my hon. friend to confine himself to facts. Mr. Loggie did not state that he said that to me because I was the attorney.

Some hon. MEMBERS. Order.

Mr. SPEAKER. The hon. member has raised a point of order, let him make his point.

Mr. CARVELL. I want my hon. friend to withdraw that statement that Mr. Loggie stated that I was there as his attorney. Mr. Loggie stated that he sent the telegram to me because I was a member from New Brunswick, and he had faith in me and he wanted me to act for him.

Mr. SPEAKER. I understand that the hon. member for Carleton is a member of that committee.

Mr. CARVELL. I am. I think the hon. gentleman is not acting the part of a man

when he discusses this matter in such a way, and without giving the whole transaction.

Mr. J. R. REID. The hon. member for Carleton acted for Mr. Loggie as respects the offer of this $2,500 for this wharf to Mr. O'Leary.

Mr. CARVELL. That is correct.

Mr. J. D. REID. And having done so—and mind you I say without any expectation of a fee, although Mr. Loggie swore that he expected to pay the hon. member. But notwithstanding that fact, the fact of the hon. member receiving the telegram and walking right up and giving his own cheque for $500, he thereby assumed the responsibility of being the solicitor for Mr. Loggie in that matter. Now let me state some of the actions which the hon. member has been defending in the Public Accounts Committee. During the time that I was present I remember the hon. member was willing to stand up in that committee as one of these four blockers, if you wish to call them so, he was willing to stand up and defend Phillip Wagner, the crook who stole money from immigrants and afterwards got a better position; he was willing to defend and did defend the grazing land deal, the lands that were robbed from the settlers; he was willing to stand up and defend Phillip Wagner, the crook to friends of the government; he was willing to stand up and defend the grant of the fishery licenses for $10 a year, all the fishery licenses in the Northwest; he was willing to defend the Saskatchewan land deal; he was willing to defend the North Atlantic Trading Company. Is there any hon. member who stood up and defended more vigorously the North Atlantic Trading Company, insisting on the names of the gentlemen who composed that company not being divulged for fear some of them would commit suicide? He was willing to stand up and defend the subtarget business, where there was a large amount of money being spent; he was willing to defend the Ross rifle

Sir FREDERICK BORDEN. And the whole country defends that.

Mr. J. D. REID. Only that part of it sitting on the other side. He was willing to defend the Canadian Fog Signal Company. When it came down to the Minister of Public Work's Department, he was willing to defend the notorious Geo. McAvity, who was getting hundreds of thousands of dollars out of this government, and who was the chief Liberal organizer in New Brunswick. He was prepared to defend B. F. Pearson, the man from Halifax, who was purchasing ties for this government. He was willing to defend these dredging contracts. The other day he was willing to stand up and defend this Gaspereau dredging contract which was given illegally and wrongfully; I do not hesitate to say that the statutes of this country were violated, because the contract was given before tenders had been received in accordance with the advertisement. He went further than this, he was willing to defend Joseph Nixon, the man who robbed the mails, and afterwards he was willing to defend this government for giving him another position. He was willing also to defend the government and tried to save the government from the effect of the scandals in regard to the steamer 'Arctic.' He fought for a month or six weeks trying to bring in a report which would clear the government. And worse than that, when I made the statement in this House that the government were paying 50 to 100 per cent more for goods than I could purchase them privately for, that was the Merwin transaction, there was not a man in the Public Accounts Committee who defended Merwin more energetically than the hon. member for Carleton, and who tried harder to prevent us from going on with the Merwin business. He knows to-day that this country was robbed, publicly robbed, and he was not man enough, or at least he did not—I will withdraw that expression, I do not want to say anything for which the hon. gentleman can call me to order; but he would not get up and prosecute Merwin for robbing this country. Why, Sir, when we wanted an investigation into the Merwin business the hon. gentleman (Mr. Carvell) tried to prevent it, and it was only when it became so conspicuous that the government were forced to it that an inquiry was granted. And the result was that three appointees of the government as well as his honour Judge Cassils decided we were right, and yet the hon. gentleman (Mr. Carvell) has never up to this day expressed regret for his conduct in that transaction. The hon. member (Mr. Carvell) sympathizes with the hon. member for York (Mr. Crocket), but the hon. member for York does not need his sympathy—it is the hon. member for Carleton who needs the sympathy, not only of this House, but of every man in this country, for the position he takes here in trying to defend men who have robbed the country and who are continuing to rob it, and he is the only member on the Liberal side who will stand up in that committee and fight the battles of these rascals who are brought there for robbing the country. The hon. gentleman complains that the hon. member for York (Mr. Crocket) only brought Mr. O'Leary here as a witness to prove the value of the property. Why should it be necessary to bring anybody else? Mr. O'Leary was the man who sold it and he is the man who could tell what he got for it. This morning the hon. mem-

ber read the names of a number of gentlemen who had signed a certificate since the inquiry to say that the wharf was worth what was paid for it, but there is a wide difference between signing a certificate and swearing before the Public Accounts Committee. The men brought here by the hon. member (Mr. Carvell) to prove the value of the wharf were afraid to say what they thought. They brought here three men who are under pay and receiving money from the Department of Public Works. I defy the hon. member to name any one who was examined as a witness, except some man who was practically under the control of the Minister of Public Works owing to money being paid him. Let us see who these men were. The hon. member stated that one of them, Mr. Forster, had been dismissed from office because he was a Conservative.

Mr. CARVELL. On account of violent partisanship.

Mr. J. D. REID. I have been told that that man was dismissed because of irregularities, and I wish to add that, that is, if what the hon. gentleman states be true.

Mr. PUGSLEY. That is rather a mixed statement.

Mr. J. D. REID. If that is a mixed statement, the hon. gentleman was mixed the other day himself. Do I understand the hon. member for Carleton to say that no one had any conversation with Mr. Forster before he gave his evidence?

Mr. CARVELL. Except the member for Halifax.

Mr. J. D. REID. Why didn't the hon. gentleman state that Mr. Forster swore that he had had a conversation with some gentleman from Richibucto?

Mr. CARVELL. They were not members of the House; I referred to members of the House.

Mr. J. D. REID. Here was Mr. Forster in the city of Ottawa, and what was he doing? He was seeking the assistance, or he intended to seek the assistance of the hon. member (Mr. Carvell) and the Minister of Public Works and other members from New Brunswick, for the purpose of getting the superannuation he would have been entitled to if he had not been dismissed. The hon. member for Carleton won't deny that. He was a nice man to bring as a witness. In addition to that, he was I should think about 70 or 75 years of age, and he swore he left Richibucto when he was 28 years old, and he had been 45 years a non-resident of that municipality, and then he swears to the value of property there.

Mr. PUGSLEY. Did he not swear he had been there over and over again in the interval?

Mr. J. D. REID. Oh, yes, and what he swore was that the wharf was worth so much money if he was in business there and wanted the property. Why, any man could swear it would probably be worth $100,000 if he wanted it.

Mr. PUGSLEY. People don't usually buy property unless they want it.

Mr. J. D. REID. Oh, yes they do, and did not the minister himself buy this property when he did not want it?

Mr. PUGSLEY. The minister wanted it for public purposes.

Mr. J. D. REID. No, he did not, but I will tell him why he did want it. They had been trying to sell the municipal wharf to the government since 1906, and within a few months after the minister came into office he purchased the wharf for the government, and on the 10th day of March, two months before purchasing the sawdust wharf, it was recommended by Mr. Stead that it should be purchased.

Mr. PUGSLEY. The wharf was not purchased for six months afterwards.

Mr. J. D. REID. On the 10th of March the municipal wharf was purchased and on the 7th of May, Mr. George W. Robertson and Mr. Murray came to Ottawa and then they went back and immediately purchased the wharf on the 10th of May, that is about two months afterwards. I take it for granted that at that time the government had indirectly purchased the wharf.

Mr. PUGSLEY. The hon. gentleman takes a great deal for granted.

Mr. J. D. REID. No, I think what I say is correct.

Mr. PUGSLEY. There is not a particle of evidence as to that.

Mr. J. D. REID. The municipal wharf was purchased because this Kent Northern railway is owned by five men: Mr. Murray, Mr. Robertson, Mr. Jardine, Mr. Carter and Mr. Finnie, and these five men had the wharf rented for $50 per annum, and it was in need of repair, and Mr. Murray, who was an official of the Minister of Public Works and Mr. Robertson, who was also an official of the Minister of Public Works——

Mr. PUGSLEY. Not at all, there is no evidence of that; he was not an official of the Public Works.

Mr. J. D. REID. He was an official because he is getting $3 a day as an inspector of work which was being done by the

Public Works Department; he was receiving pay from that department. And Mr. Jardine was practically an official because he had a large contract from the Department of Public Works; and Mr. Carter was the solicitor for the Public Works Department in all these transactions. Let me show you how these men were all connected. Mr. Murray wanted this wharf repaired and he gets the Minister of Public Works to buy the municipal wharf. Then he immediately gets the minister to let him go and repair it by day work, and puts himself on as inspector and spends $2,500 of the money of the people to repair a wharf that was practically for the benefit of these men themselves. Mr. Jardine has work at the Richibucto pier and Mr. G. W. Robertson is the man who inspects the work and certifies to it. There is the connection between these men. There is no check on them, and in my opinion, from the very fact of their being all Liberal heelers down in that section, and one inspecting the work of the other, there is no doubt about it in my mind, but that they are robbing the people of this country.

At one o'clock, the House took recess.

House resumed at three o'clock.

Mr. J. D. REID. Mr. Speaker, when the House rose for lunch, I was explaining the connection of these gentlemen with the selling of this wharf. Mr. Murray was the general manager of the Kent Northern railway, which is about twenty-eight miles long. According to the evidence given in the Public Accounts Committee, and admitted by Mr. Murray himself, the traffic on this railway consists of one train each way per day, the train being composed of one passenger car and one freight car. Mr. Murray is one of the owners of the railway, Mr. Robertson another, Mr. Jardine another Mr. Carter another, and Mr. Finnie another. Mr. Murray admits that he had a rake-off, or that he was the middleman between Mr. O'Leary and the government, to the extent of $4,300.

Mr. PUGSLEY. He does not admit anything of the kind. He was the vendor.

Mr. J. D. REID. Perhaps he was, because the deed was given to him. But let me explain to the Minister of Public Works how he was the middleman. Mr. Murray came to Ottawa on May 7, with Mr. Robertson. They came, as they stated, without any intention of buying this wharf. They left here a few days afterwards. They went to Richibucto and purchased the wharf on May 20. On the same day Mr. Robertson and Mr. Murray went to St. John and negotiated for the amount of money required. On the same day, May 20, that they purchased the wharf Mr. Robertson wrote a letter to the Minister of Public Works stating that more wharf accommodation was required at Richibucto. The minister on the 23rd of May, writes to his chief engineer instructing him to have a report made, and the chief engineer writes to Mr. Stead instructing him to make a report. Mr. Stead makes his report, and the transaction goes through.

Mr. PUGSLEY. But when?

Mr. J. D. REID. It went through practically then.

Mr. PUGSLEY. It did not. It did not go through till the fall.

Mr. J. D. REID. It did not go through for this reason. In September Mr. Murray telegraphed, asking if the order in council had been passed.

Mr. PUGSLEY. Telegraphed to whom?

Mr. J. D. REID. To the chief engineer.

Mr. PUGSLEY. He did not. He telegraphed to Mr. Valiquette. He was not the chief engineer. The evidence shows that that telegram did not come to the knowledge of the chief engineer, and certainly not to the knowledge of the minister, until long afterwards.

Mr. J. D. REID. However, he sent that telegram, and within a day or two the order in council was passed. Therefore, it must have come to the hon. gentleman's attention.

Mr. PUGSLEY. That telegram had nothing to do with it.

Mr. J. D. REID. That is the story all through; but it must have come to the knowledge of some one, because an order in council was passed a couple of days afterwards. Here is the telegram and the reply taken from the public records in the minister's own office:

Ottawa, September 24, 1908.

To Thos. Murray, Richibucto. Matter of wharf purchase has passed council. Waiting for Department Justice to furnish title. Signed for the Chief Engineer.

Mr. PUGSLEY. Signed by whom?

Mr. J. D. REID. This is the official copy of the telegram furnished by the hon. gentleman's department. The signature is not on it; it just says, 'for chief engineer,' the money was sent down to Richibucto about October 10, and the deed was then got, but it was not registered till away on after the general elections. If that is not sufficient evidence to show that Mr. Murray was the middleman, I do not know how you can make out a better case. That is the kind of man Mr. Murray is. Besides that, I stated in the Public Accounts Committee, and I state now, that Mr. Murray deliber-

ately and willfully perjured himself. In order to prove that, all you have to do is to turn up his evidence. He was asked:

Q. Did you ever ask more than $5,000?—A. No more than $5,000, sir.

Here is what Mr. Stead said:

Q. Now, was $5,000 the amount that he mentioned to you in the first place as the sum he wanted to get from the government, or did he mention any other sum?—A. There was a mention of $10,000.

Q. Did you hear Mr. Murray give evidence yesterday?—A. Yes.
Q. Did you hear Mr. Murray state that he never asked more than $5,000?—A. Yes.
Q. Notwithstanding that you heard Mr. Murray swear to that yesterday, you swear to the contrary to-day?—A. Yes, I have recollection of having heard $10,000 mentioned.
Q. Then you say that Mr. Murray was wrong in his statement?—A. Yes, I think so.
Q. You say that he asked $10,000; was that his first figure?—A. Yes, his first figure, so far as I know.
Q. You declare that do you? Was there any talk of $15,000?—A. No.
Q. Why did he write the minister that there was?
Hon. Wm. Pugsley.—He did not write to the minister that there was. Why do you say that he wrote me to that effect?
By Mr. Crocket:
Q. Do you remember writing the minister a letter in connection with this matter?—A. Yes.
Q. I call your attention, Mr. Stead, to a letter which you wrote to the minister on the 21st January, 1909, in which you state (reads):
'$15,000 was mentioned as the price, but I think not seriously. $5,500 was asked, and $5,000 was the lowest figure I could get.

Now, there is Mr. Stead's evidence. He certainly was not a party interested as Mr. Murray was, and he swears directly opposite to Mr. Murray. That is the kind of man Mr. Murray is. Now, Mr. Robertson, as I have stated, was an official of the department. He was an inspector of works in that district and was getting a certain pay per day. Therefore, he was absolutely interested with Mr. Murray, not only as an official of the department, but as one of the owners of the railway. Mr. Jardine had been taking money for years from the department as a large contractor with the department, and there is no doubt that he was one of the owners of this railway. And Mr. Carter, as I have stated, was not one of the owners of the railway, but he is the general solicitor in that district for the government. Now, these men were all interested in this matter. I would like to draw the attention of the hon. member for Carleton (Mr. Carvell) to a statement which he made. If the hon. member for Carleton (Mr. Carvell) will give me his attention for one moment I will call his attention to the statement he made that what the hon. member for York (Mr. Crocket) said was not a fact, insofar as Mr. Irving received $2 a day or something like $600 for the use of a scow that cost $150. I think he stated there were only 20 days on which he had received $2 per day.

Mr. CARVELL. I said 20 days in a year.

Mr. J. D. REID. Then the hon. gentleman admits that probably he received $600 for the use of a scow that cost $150.

Mr. CARVELL. I did not say so.

Mr. J. D. REID. The hon. member for York (Mr. Crocket) tells me that he went over the Auditor General's Report to see if this were a fact. He collected his information from the official record. I had a few minutes to spare and only a few minutes, and, of course, I could not go over the whole department to find out how much had been received. But to satisfy the hon. member (Mr. Carvell) that he received a great deal more for the use of his scow than the value of it, I will give him a few items in the Auditor General's Report.

Mr. CARVELL. The hon. gentleman must remember that this man had more than one scow. All these scows are now employed by another contractor.

Mr. J. D. REID. This is the same scow, because the evidence here shows it was the only scow. In 1905, he used this scow 15 days; in 1906, 10 days; in 1907, 30 days; in 1908, 40½ days and in 1909, 28 days. The total amount paid to him for that work was $247, and I have just taken it out in about ten minutes. I think that should satisfy the hon. member for Carleton (Mr. Carvell) that this man received a great deal more than the scow was worth.

Mr. CARVELL. That covers a period of five years.

Mr. J. D. REID. That does not make any difference. Now, so far as the use of this wharf to the railway was concerned, let me say this. It is quite evident that these gentlemen, all owners of this railway, conspired to sell the railway to the government and they solicited the influence of the Minister of Public Works so that he might throw his net around the Minister of Railways and Canals and get this deal shoved through. The evidence shows that every time they recommended the purchase of a wharf, the municipal wharf or this sawdust wharf, it was on account this railway being extended. The hon. member for Carleton (Mr. Carvell) forgot to mention one point. He said it was necessary to have this sawdust wharf to extend the railway, but why did not he read the evidence sworn to by Mr.

O'Leary, and not contradicted by Mr. Murray or any other witness, that Mr. O'Leary had offered this wharf to the railway company, or at least had offered the right to put tracks on there and give them a lease for all time to come for $1 per annum. They were willing to give the right to run their tracks over the sawdust wharf and use the wharf.

Mr. PUGSLEY. If they would carry it down to O'Leary's warehouse.

Mr. J. D. REID. The sawdust wharf.

Mr. PUGSLEY. And carry it down to O'Leary's warehouse.

Mr. J. D. REID. But the railway company would not accept it. There was no business for it down there. But they recommended it to the government and what struck me when they recommended the government to purchase this wharf was, that if they could get the government to purchase it, they would be in the same position, these men I have mentioned, as they were in the case of the municipal wharf. Now, when they wanted to put on the government the municipal wharf they saw that they could get an opportunity of spending the money themselves, one as a contractor and the other getting the contract expenditure. Then if they could sell the sawdust wharf they could make a lot of money out of it. It had to be all fitted up; according to Mr. Stead's evidence it would require many thousands of dollars to repair it and of course Mr. Murray was a government official at Richibucto who would have the superintending of the building of this wharf. It strikes me if I remember rightly that in the Public Accounts Committee it came out—I heard it some where—that Mr. Murray made a profit on the lumber that went into the municipal wharf.

Mr. CARVELL. No evidence of that.

Mr. J. D. REID. Well I heard it, and if he is the kind of man he was shown up to be in the Public Accounts Committee I have no doubt at all he would do it. Now these are the kind of men that are running affairs down in Richibucto and what surprises me is that the member for Richibucto (Mr. LeBlanc) does not know anything that is going on. They simply elect him and this is the way they get the money, because the telegram shows that the money was needed for the election of LeBlanc.

Mr. PUGSLEY. It does not say that.

Mr. J. D. REID. It says it would be a great help to LeBlanc, that it would be important to LeBlanc.

Mr. PUGSLEY. Might not the inauguration of a public work there be an advantage?

Mr. J. D. REID. Yes, the inauguration of a couple of thousand dollars for a corrupt fund would be worth more.

Mr. PUGSLEY. It would take more than that to face Richard O'Leary.

Mr. J. D. REID. Of course the hon. gentleman had the experience last time and knows, and is in a better position to judge than I am, but I am glad to hear that he admits putting money in there.

Mr. PUGSLEY. I know the length of O'Leary's purse in election time.

Mr. J. D. REID. Now, let us see who are the witnesses that were brought here to prove the value of this property. Mr. Loggie comes here as a witness and of course Mr. Loggie, as we all know is a large contractor for the Public Works Department, and only since the present Minister of Public Works came in.

Mr. PUGSLEY. Oh no, before that.

Mr. J. D. REID. He gets Mr. Loggie a contract in his department.

Now, certainly, Mr. Loggie is not going to do anything to injure the Minister of Public Works. Especially so, in view of the fact, admitted by the minister the other night, that there was some $48,000 in his hands waiting to be paid to Mr. Loggie. When Mr. Loggie was giving evidence he knew that there was this $48,000 that the minister might squeeze him or hold him out of. He might, therefore, stretch his conscience to the extent of saying that if he wanted this property for some business purpose he would pay so much for it. But when he sent a telegram to authorize the purchase on his behalf of this property which he said was worth $8,000, all he offered was $2,500. Another witness is Mr. J. D. Irvine, another contractor, another servant of the Minister of Public Works, a man who has been making his bread and butter out of the minister's department for some years and has got his contracts regularly every year. He knows well enough that he may meet the same fate that Mr. Mayes did in St. John if he does not toe the mark. But I want to give my hon. friend from Carleton (Mr. Carvell) credit for one thing—the only time I ever knew him to do right in these matters. Last year, when one of the most outrageous cases ever heard before this House was under discussion, the Minister of Public Works said that the hon. member for Carleton would take the matter up for him. And the hon. member for Carleton sat tight and said nothing. Not a single man would defend the case, and the member for Carleton walked out in disgust for fear he would be compelled to take part in the defence. Now that I recall the case, I really must apologize to the hon. member for Carleton. But I am

sure the opinion I expressed of the hon. member can hardly be wondered at considering the zeal he has shown in defending these rascals in the Public Accounts Committee.

Mr. SPROULE. It must have been an awfully bad case.

Mr. J. D. REID. It was. Another witness was Mr. Foster, who, as I have already said, left Richibucto when he was twenty-eight years of age, and has been living elsewhere for forty years, though he has been back to Richibucto a few times. And he was here trying to get the assistance of hon. members from New Brunswick to get superannuation which he thought he was entitled to.

Mr. PUGSLEY. Therefore, you think he lied.

Mr. J. D. REID. Even he did not swear that the property was worth it.

Mr. PUGSLEY. Yes, he did.

Mr. J. D. REID. He swore that if he was in business and wanted a property of that kind, it would be worth $5,000 or $10,000 to him. But there was an 'if' in it—every one of these witnesses put in an 'if' When it comes to selling the property the hon. member for Carleton tried to prove that this 200 feet was cheap at $1,500. I think that is the impression he wanted to leave with the House. He should have told the House that 227 feet, practically the same property was offered to Mr. Waterbury by Mr. O'Leary for $500.

Mr. CARVELL. A thousand dollars.

Mr. PUGSLEY. A thousand dollars, and leaving the strip between it and the railway, which was the valuable part of the property.

Mr. J. D. REID. I will read it, so that I may be sure. Here, on page 72, is the offer:

R. O'LEARY,

Manufacturer of Lumber, Exporter of Canned Lobsters and Fresh Fish.

Richibucto, N.B., 22nd April, 1904.

D. H. Waterbury, Esq.,
Richibucto, N.B.

Dear Sir,—With further reference to your conversation in re land opposite the public building in Richibucto, I will sell the whole lot on the eastern side of Water st., the full width of the present lot owned by the government, i.e., 227 feet in width and running back to the channel 625 feet for one thousand dollars ($1,000). Or I will sell the 227 feet on the street running back to a depth of 100 feet for five hundred dollars ($500).

Yours truly,
(Sgd.) R. O'LEARY.

Mr. CARVELL. Just to put the hon. member (Mr. J. D. Reid) right, I may explain that the government have now sold all but 200 feet, and that strip runs from Water street, the six hundred odd feet to the river front. So, they are now getting practically the same amount of land which Mr. O'Leary wanted to sell to the government five years ago at $1,000.

Mr. PUGSLEY. And much better situated.

Mr. J. D. REID. But $1,000 is what he offered it for—227 feet. And now the government are paying $1,500 for 200 feet.

Mr. PUGSLEY. Yes, but infinitely the best part of the property.

Mr. J. D. REID. Why?

Mr. PUGSLEY. It is a part next to the railway wharf, and must be the best.

Mr. J. D. REID. I would like to know how it was that on March 10, when he was so anxious to assist these gentlemen by buying that wharf—

Mr. PUGSLEY. Not anxious to assist them.

Mr. J. D. REID. Yes, on March 10 he bought this municipal wharf for these four gentlemen.

Mr. PUGSLEY. Not for them—for the public benefit.

Mr. J. D. REID. For the use of the Kent Northern railway, and they are practically the only ones who get any use of it. I ask how it was that he did not realize then that it was necessary to have the other wharf too? Within a few months, the minister comes to the conclusion that it is necessary to have so much more wharf property at Richibucto. And there is another peculiar thing. The minister wrote to Mr. Stead censuring him for not taking a little more care in finding out the value of the property. We know that Mr. Stead was there on the 20th of May, and there is every reason to believe that he saw the deed and knew the consideration. But, he never went to Mr. O'Leary to find out anything about what he had sold the wharf for. The minister censured him for that. But, is it not a fact that the minister has increased Mr. Stead's salary since then? That goes to confirm the statement I made in this House many times, that the minute an official in any one of these departments commits a wrong act his salary is immediately increased. But, what I cannot understand is how the Minister of Finance (Mr. Fielding) allows them to pull the wool over his eyes. Of course, I do not attribute any personal wrong to him—no one would do that—but we can hardly acquit him of great carelessness when he allows the money in his charge to be frittered away in this manner.

Now, the hon. member for Carleton spoke of these men in Richibucto as being Liberals and said he was proud of them.

Mr. CARVELL. Hear, hear.

Mr. J. D. REID. He is proud of this kind of work. He is proud to see these people rob the public as they did in this case, and proud to defend their actions in the Public Accounts Committee. But I for one do not believe—I cannot believe—that this is the feeling of Liberals generally in this House or outside of this House. But we see that these gentlemen are offered no choice but either to swallow a transaction of this kind or be excommunicated from the party.

Mr. TALBOT. Will the hon. member permit me a remark or a question? Does he challenge members on this side of the House on this point and tell them that they act under compulsion in these matters? Has he any doubt as to the honesty of the transaction or of our sincerity in endorsing it?

Mr. J. D. REID. I have no doubt whatever of the dishonesty of the transaction. And as to the members of the Liberal side being obliged to swallow them, I only speak from what I have seen in the past

Mr. TALBOT. Will the hon. member permit me to say——

Mr. J. D. REID. If the hon. member (Mr. Talbot) has a speech to make——

Mr. TALBOT. Mr. Speaker——

Some hon. MEMBERS. Order.

Mr. J. D. REID. If the hon. member has a question to ask——

Mr. TALBOT. Does the hon. gentleman refuse——

Mr. J. D. REID. Certainly, I am finishing——

Some hon. MEMBERS. Order, order.

Mr. TALBOT. Does the hon. member refuse me opportunity to say——

Mr. J. D. REID. I do not know what the hon. member wants. But he can speak when I have finished.

Mr. SPEAKER. The hon. member for Grenville (Mr. Reid) has the floor.

Mr. J. D. REID. There are some hon. members on the other side of the House at least who have had positions promised them and who have letters in their pockets to show it. I mentioned that the hon. member for Carleton practically has a retainer or the promise of a judgeship. I do not wish to say that he has an actual promise, but I will take the hon. gentleman's own words for it. That admission came from the hon. gentleman himself in a speech at Woodstock. He made the statement that he intended staying in public life even though they were throwing judgeships at him. When that hon. gentleman will stand up here, as he did, and state that he has no promise and that he is doing all this good work for the Liberal party simply in the interest of the party or the country, he certainly must expect that we will take the meaning out of his words which we think was intended. Therefore, I feel that while he may not have the promise of a judgeship at the present time, yet it must have been thrown at him and that he may pick it up at some future time; he has to carry on the good work he has been doing in the Public Accounts Committee.

Mr. CARVELL. And he refused it, too.

Mr. J. D. REID. If he does not continue the good work there the judgeship will be withdrawn, and he would lose all the good effect of the work that he has done in the past. Now, the very fact of the existence of a case of this kind convinces me that there are many members on the other side of the House practically in the same position that he is. The hon. member for Bellechasse told us that his name was never mentioned in connection with a matter of this kind.

Mr. TALBOT. I never said anything of the kind.

Mr. J. D. REID. It was stated in the public press that the hon. member for Bellechasse was doing his best to be appointed Deputy Minister of Marine and Fisheries when that position was vacant.

Mr. TALBOT. I deny the statement as being made out of whole cloth and absolutely untrue.

Mr. J. D. REID. I am not saying it is true; I am saying what was in the press——

Some hon. MEMBERS. Withdraw.

Mr. J. D. REID. —and the best evidence we have that it is true is that if the statement published in the press was untrue——

Some hon. MEMBERS. Order, order.

Mr. J. D. REID. An hon. member, when an untrue statement is published, generally gets up and denies it, but that statement was never denied by the hon. member for Bellechasse, either in or out of this House.

Mr. TALBOT. I deny it now.

Mr. J. D. REID. He denies it now, because the position has been filled and he knows he could not get it. Now, if there are any other gentlemen on the other side of the House like the hon. member for Bellechasse, and if they kindly get up, probably I will be able to give them a lit-

tle history that they do not think is known by hon. members on this side of the House. I have taken up longer time than I intended.

Some hon. MEMBERS. Hear, hear; go on.

Mr. J. D. REID. No, I have taken up so much time. I promised the hon. member for Carleton that if he would let me have half or a quarter of an hour before one o'clock, I would finish the few remarks that I intended to make. However, he trespassed a little on my time, and I was compelled to continue after three o'clock. I apologize for taking more time than I intended. The only thing further that I wish to say is that I regret that there is not a member on the Liberal side of the House who had the pluck to stand up as the hon. member for Bellechasse has done and make the same statement that he has made. But, hon. members are looking for senatorships, deputy ministerships or something of that kind, and they swallow this thing——

Mr. J. P. TURCOTTE (Quebec). (Translation). Mr. Speaker, I rise to a point of order. The hon. member, I think, has no right to cast aspersions on a whole section of the House, I mean on those hon. members who support the government, by charging them with holding promises of rewards, in such a way as to prevent their giving an independent vote. It is contrary to the dignity and the rule of this House to discuss political issues on such lines. I shall await your ruling, Mr. Speaker.

Mr. J. D. REID. I am very sorry that I do not understand my hon. friend because I certainly would have been very pleased to reply to the hon. gentleman if he had addressed me in English, which, of course, I know he could do. However, I simply wish to say before taking my seat that I condemn this transaction as one of the most outrageous that has ever been before this House.

Mr. SPEAKER. The hon. member for Quebec (Mr. Turcotte) raised a point of order to the effect that the hon. member for Grenville had no right to say that members of this House had voted for certain measures because of promises that have been made or might be made of rewards in the shape of senatorships or judgeships. I think that as a rule these assertions should not be made, and that these are things that had better be left unsaid. I do not know whether or not it is a violation of the rule directly, it being such a general charge, and not directed against any one in particular, but that is the substance of the point and I am sure the hon. member for Grenville has no intention of insisting upon it.

Mr. J. D. REID. I do not wish to say that members on the other side of the House all voted for that reason, but I say that there have been members on the other side of the House who have had promises in their pockets, and who have voted knowing that they were going to be appointed to judgeships and senatorships.

Some hon. MEMBERS. No.

Mr. TALBOT. Who are they?

Mr. J. D. REID. There are records to show who they are. If the hon. member for Bellechasse desires it I could name some of them.

Mr. TALBOT. Name them.

Mr. SPEAKER. I think the House had better come back to the question before the chair.

Mr. J. D. REID. I simply wish to conclude by stating that although this is a small transaction it is a sample of many that have been going on in the past in the Public Works Department, and it is time that something was done in order that this should not be allowed to continue any longer.

Mr. TALBOT. A change of power.

Mr. J. D. REID. Yes, if we had my hon. friend the leader of the opposition as premier he would not have a man supporting him who would do such a thing. It is a surprise to me that the Prime Minister of this country should allow such rascality to go on as is going on in these several departments.

Hon. WM PUGSLEY (Minister of Public Works). As the amendment moved by the hon. member for York (Mr. Crocket) not only seeks to attack the judgment of the engineering branch of my department in connection with the purchase of this wharf at Richibucto, but also goes further, and asks this House to declare that that was a corrupt and fraudulent transaction, I think it becomes advisable that I should address some observations to the House before hon. gentlemen are called upon to vote upon this motion of want of confidence in the government. Now I desire to say, first of all, that if any hon. gentleman will take the trouble to read carefully the evidence which was given before the Committee on Public Accounts he cannot help being struck with the evident desire and determination upon the part of the hon. member for York to give to this House only a part of the case, and to withhold evidence which was, and which is of a most material character. I desire just for a moment to call attention to one striking fact in the remarks of the hon. gentleman, which afford a key to his whole conduct in the discussion of this question. The hon. gentleman

stated that when an application was presented to my department by the Kent Northern Railway Company in the month of May, 1908, for additional wharf accommodation at Richibucto, immediately on receipt of that request I sent an order to the chief engineer of the department that an examination and report should be made without delay. Those are the words of the hon. gentleman, that 'an examination and report should be made without delay', thus seeking to convey the impression to this House that I lost not a moment in having this report made, that I was particular to give the unusual direction to the chief engineer to have report made without delay. Now, in order that there may be no mistake in that regard, I will call the attention of the House to the language of the hon. gentleman. It will be found on page 7780 of the 'Hansard':

> No mention then of the report of the 10th of March, what it seems to me would necessarily have been made had the minister not been cognizant of the plans of Geo. W. Robertson and Thos. O. Murray. On that very day he issues an instruction to the chief engineer to have a report procured upon the matter of this letter without delay.

And the hon. gentleman emphasized that. Now, when I call your attention to the fact that the order which I gave to the chief engineer, was the order which is usually given, the order which is almost universally given for making a report, simply instructing the engineer to have an examination and report made upon the property, not using at all the words 'without delay', giving no directions to the chief engineer as to when he should have the report made, giving no directions that an unusual hurry should be exercised, when you find that the hon. gentleman has used these words, supposing, I presume, they would escape the notice of the House, when they are not contained in the order, I think you will be able to form some idea of the desire which the hon. gentleman has had with reference to the information which he should give to this House to enable the House to determine how they should vote upon this question. In addition to making that erronous statement, the hon. gentleman all through his remarks is careful only to give a portion of the evidence which was submitted to the committee. For instance, I happen to have in my mind one striking fact. The hon. gentleman, in referring to the negotiations which had taken place during the present year with the Messrs. Loggie for the purchase of this property, and to the proposition submitted by my department offering to them a portion of the property, they declined, he says that Mr. Loggie stated that if we sold to him all the property except 200 feet, it would entirely defeat the plan which the department had in view for establishing terminal facilities at the port of Richibucto. The hon. gentleman was careful not to refer to a further part of Mr. Loggie's evidence in which, although he said that he was acting on business principles, not having regard to the interest of the department, but rather to the interest of his firm, a little later on, and the hon. gentleman must have been aware of this, when the question was put to Mr. Loggie he stated that he could not say that it would at all interfere with the plans of the department because, reserving as they did 200 feet, it would give them a large frontage on the Richibucto river in connection with the railway terminals of the Kent Northern railway. I might go on and call attention to other portions of the evidence in which the hon. gentleman has, I will not say wilfully, Mr. Speaker, I would rather be charitable, and I would say with an ignorance of the duty which the hon. gentleman owes to the members of this House to give them full information, the hon. gentleman has failed to discharge that duty which, as a representative, he owes to the members of this House and to the people of this country.

Now what further? The hon. gentleman said that if so and so is the case, if it is true that Mr. Murray and Mr. Robertson came to Ottawa and consulted with me with regard to the purchase of this property, then the Minister of Public Works will be implicated as the originator of this transaction. But, Sir, unfortunately for the hon. gentleman, there is no such evidence as that; unfortunately for the position taken and the charges made by the hon. gentleman, there is no evidence that either Mr. Murray or Mr. Robertson spoke to me one single word with respect to this Richibucto wharf when they visited Ottawa. On the contrary, there is the sworn testimony of Mr. Murray, and the hon. gentleman did not choose to ask the committee to send for Mr. Robertson. He may say that Mr. Robertson is in a distant part of the country, but if he had applied to the committee the committee would no doubt have ordered his production here as a witness, the same as the committee ordered the production of every witness whose name was given to the chairman by my hon. friend. But Mr. Thomas Murray swore that when he and Mr. Robertson visited Ottawa, the subject of the purchase of this wharf was never mooted between himself and myself, or between Mr. Robertson and myself in his presence; and yet, although I affirmed it to the committee, and although he knew that a charge of that kind would necessarily involve my honour as a member of this House, as a member of this government and as Minister of Public Works, the hon. gentleman had not the

manliness to ask me whether I spoke of this wharf transaction when these gentlemen were in Ottawa. But, Mr. Speaker, in face of his omitting to do that, in face of his omitting to do what every honourable man would feel it to be his duty to do in the discharge of the fair obligation which one man owes to his fellowman, in face of his neglecting to do that, in face of the positive evidence of Mr. Murray that we said not one word with reference to this wharf transaction when he was in Ottawa, the hon. gentleman asked this House to believe that Mr. Murray and Mr. Robertson came to Ottawa and advised with me, or were advised by me, to go back and buy this wharf property for $700 in the expectation that they would sell it to the government for the sum of $5,000.

Sir, could a more heinous charge be made against a public man than is insinuated by the hon. gentleman—did I say 'made'?—no; the hon. gentleman has not the courage to make a charge like that upon the floor of the House. He has been here long enough to know that if he made a charge of that kind and failed to prove it he would be placing in jeopardy his seat in the House, and there would be meted out to him the punishment which should be meted out to every man who without good reasons makes a reckless and villainous charge against a fellow member of this parliament.

Mr. MEIGHEN. Mr. Speaker—

Some hon. MEMBERS. Order.

Mr. PUGSLEY. I repeat, Mr. Speaker—

Mr. MEIGHEN. I wish to ask a question.

Some. hon. MEMBERS. Sit down.

Mr. SPEAKER. The hon. member addressing the House can only be interrupted with his consent.

Mr. PUGSLEY. I have no objection at all.

Mr. MEIGHEN. If an hon. member of this House were to make a charge in the form the minister prefers, by whom would that charge be investigated; would it be by a committee of this House?

Mr. PUGSLEY. There is a regular and well established procedure for the investigation of such charges and the hon. gentleman should know that.

Mr. MEIGHEN. Will you answer the question?

Mr. PUGSLEY. It is enough for me to say now that the hon. gentleman (Mr. Crocket) although he has had the courage to insinuate, has not had the courage to make a direct charge which would involve—

Mr. MEIGHEN. Will the minister—

Some hon. MEMBERS. Sit down.

Mr. PUGSLEY—which, Sir, would involve serious consequences to him.

Mr. MEIGHEN. Will the hon. minister—

Some hon. MEMBERS. Sit down.

Mr. SPEAKER. I have already said several times that the hon. member addressing the House cannot be interrupted.

Mr. MEIGHEN. I have asked a question and he refuses to answer it.

Some hon. MEMBERS Sit down.

Mr. PUGSLEY. The hon. gentleman (Mr. Crocket) has not had the courage to make a charge which would involve upon him the serious consequences which a member of this House should suffer if he makes a charge which he cannot substantiate. Now, Sir, I declare to this House that the evidence of Mr. Murray is absolutely true: that when he and Mr. Robertson visited Ottawa the subject of this Richibucto wharf was not mentioned between us, was never referred to in any conversation which we had while they were at Ottawa. The hon. gentleman (Mr. Crocket) has not ventured to say that he would question any statement I would make, but he says that he would not believe the statement of Mr. Murray, and that he would rather take the evidence of Mr. O'Leary than the evidence of Mr. Murray. Well, Mr. O'Leary cannot tell what took place at Ottawa and Mr. Murray would know whether he had a conversation with me or not, and whether he received any advice or instruction or not, and Mr. Murray swore positively that he had no conversation with me on the subject of the purchase of this wharf property. And, if it were to become a question as to who was telling the truth as to what took place in Richibucto— in regard to which I am in no way concerned, with regard to which the chief engineer of my department is in no way concerned— with regard to which the deputy minister of my departmnt is in no way concerned— but if I were called upon to determine from what has taken place in this case as to which of these two men is entitled to the greatest credence, I would say that I would infinitely prefer—and the members of this House who have read the evidence carefully would infinitely prefer—to give credence to the evidence of Thomas O. Murray rather than to the evidence of Richard O'Leary. And, I will tell you why. Mr. Richard O'Leary came here determined if he could to make out a case against my department and against me—I say that advisedly—and he showed a willingness to swear to anything which would tend to the accomplishment of that end. Let me show the House the grounds

upon which I make that statement. To begin with, Richard O'Leary swore that I wrote him a letter in the fall of 1908, which I did, and which I shall invite the attention of the House to, as the hon. member (Mr. Crocket) has not chosen to do so. Mr. O'Leary swore that he wrote me a reply and he produced what purported to be a copy of the reply he had sent me. Hon. gentlemen will find that at page 45 of the evidence and in that pretended letter to me Mr. O'Leary writes that Mr. Murray came to him, apparenty acting as agent of the Public Works Department and gave him to understand that he was buying the property for the government. Well, if that had been true, if Mr. Murray had represented that he was the agent of the department as is stated in that pretended letter of Mr. O'Leary's which he says he sent me, then Mr. Murray would be obliged to account to the department for the difference between the $700 and the $5,000 which he received from the government. I cannot but think that Mr. O'Leary deliberately intended to make the committee believe that he had sent a copy of that letter to me. It was a confidential letter. He supposed I had not kept a copy of it, and he came here before that committee intending to make the committee believe that Mr. Murray represented himself as being an agent of the department. Fortunately, Mr. Speaker, I had the letter which I had received from Mr. O'Leary, and I produced it, and you will find it on page 46 of the evidence, but you will find no statement in it that Mr. Murray represented that he was acting as agent of the department. That letter which I received is a letter entirely different in character from the letter Mr. O'Leary said he sent to me so far as that most important fact is concerned. I say Sir, that that incident stamps Mr. O'Leary as being a man upon whose evidence but little reliance can be placed. But, what further is the position which Mr. O'Leary occupied as a witness? When seeking to depreciate the value not only of this property but of all property in the town of Richibucto he went so far as to declare that the wharf property occupied by himself and which had cost him $1,500, was only worth $2,000, and he said he was willing to sell it for $2,000. Before the committee he pledged his solemn oath that he was willing to take $2,000 for that property. And, the hon. member from York said: Oh, could any one for a moment think he was willing to sell it for $2,000? Well, I would say probably not in the light of the other testimony we had from Mr. O'Leary. But assuming that Mr. O'Leary was a truthful man upon whose evidence reliance could be placed one had a right to believe he would sell that property for $2,000. Well, Messrs. Loggie saw in the newspapers that he had made that sworn statement before the committee and they being willing, nay, they being anxious to secure a good property at a low price, they at once telegraphed to Mr. Carvell asking him to offer Mr. O'Leary, if necessary, $2,500 for the property which he swore he would sell for $2,000.

But when Mr. O'Leary found that there were people who were willing to buy, he at once went back on his oath and said he was not willing to sell the property for either $2,000 or $2,500. Mr. O'Leary, in order to influence the committee in respect to the value of the property which the department had bought, deliberately swears that a property which the evidence showed to be well worth $8,000, is worth only some $2,000; and yet although he had sworn he would do so, when a purchaser presents himself he would not consent to sell it for that amount or even for $2,500. What further have we as tending to discredit the evidence of Mr. O'Leary? He went further and said: 'This property is absolutely without value; I held it for years, it was of no value to me, and I offered the whole property to Mr. Waterbury, the agent of the department, a few years ago for the sum of $1,000.' If we had not the documents to disprove Mr. O'Leary's statement, we would have been placed in this position, that the department had bought at a larger price a property which a few years ago had been offered to it for the sum of $1,000. In the face of what I am going to tell this House, we cannot believe that Mr. O'Leary had forgotten what had taken place. We cannot believe that he, having offered only a small part of this property for $1,000, was telling what he believed to be true when he said that he had offered the whole property for $1,000. But that was the statement he deliberately made in the committee, evidently believing that the offer had not been put in writing, and that we would not be able to produce any documentary evidence to show that he made a statement to the committee which he knew to be untrue. After that statement was made, I sent for Mr. Waterbury, who is the superintendent of buildings in New Brunswick for the Department of Public Works, a man who is very careful in the way he looks after the business of the government, and asked him if he had not some document to show what had taken place between him and Mr. O'Leary at that time. Although it was four or five years ago, he was fortunately able to produce a letter written by Mr. O'Leary at that time. His evidence was that Mr. O'Leary having told him what he would sell a portion of this property for, he had asked Mr. O'Leary to put the proposition in writing, and he produced a letter containing Mr. O'Leary's

proposition, which he said was the only proposition Mr. O'Leary had made to him. If hon. gentlemen desire to see what Mr. Waterbury said on that point, they will find his evidence at pages 168, 169, 170 and 171. They will find the letter of Mr. O'Leary set forth on page 72. It is a little out of its order, not having been given in the evidence of Mr. Waterbury, but in the evidence of Mr. O'Leary. You can see, Mr. Speaker, how important that letter was. You can understand what a strong point would have been made against the government if, having had an offer from Mr. O'Leary some five years ago to sell this whole property for $1,000, the department, without making any further inquiries, without going to see Mr. O'Leary, without referring the matter to the Exchequer Court, without having an arbitration or anything of the kind, had actually paid $5,000 for the same property. But upon an examination of that letter, we find that what Mr. O'Leary at that time was careful to do was to reserve a space of about 150 feet between the railway wharf and the piece of property he proposed to sell to the government. He was careful also to reserve another strip of about 200 feet, or perhaps even more, between the property he proposed to sell to the government and his own wharf property farther along the river; offering the department a strip out of the centre, and reserving a space on each side. That is what he proposed to sell for the sum of $1,000, based on a valuation of somewhere in the neighbourhood of $3,000 for the whole property. He made the department a second offer of another small piece for $500, which was based on a valuation of $10,000 for the entire property; and he made a third offer of a smaller piece still, which was based on a valuation of $20,000 for the entire property. When we had on the stand, a glib witness like Mr. O'Leary, who is one of the strongest partisans in the province of New Brunswick, and when we found him deliberately swearing that he had offered the whole of that property to the government for the paltry sum of $1,000, was it not a fortunate thing that we were able to face him with his own letter, in which he made the proposition to sell a small piece at the rate of $20,000 for the whole, a larger piece at the rate of $10,000 for the whole, and a still larger and less valuable piece at the rate of $3,000 for the whole? Having been able to confront Mr. O'Leary with this documentary evidence, I repeat with all confidence the statement I made a short time ago, that I for one would infinitely prefer to take the evidence of Mr. Thomas O. Murray to the evidence of Mr. Richard O'Leary. I think it is important that Mr. Murray has made the statement—and his evidence was in no way contradicted or discredited—that no communication, either verbal or written, ever took place between him and myself before the report was made upon this property, and which was made in consequence of an application submitted to my department in the regular way.

Having made these preliminary observations, let me just state briefly what took place, so far as my department was concerned, and so far as I as Minister of Public Works was concerned. Early in the spring of 1908 I was urged to purchase what was known as the municipal wharf in Richibucto. That matter had been pending before my department for some two or three years. After I became minister, I freely confess, I became impressed with the desirability of doing what would be reasonably necessary in order to give improvements to the harbour of Richibucto, as I had been doing in respect to a great many harbours all over Canada. It is part of my business as Minister of Public Works to encourage the transportation interests of this country so far as they concern our rivers, lakes and harbours. Therefore, I felt it my duty to give respectful attention to the representations made to me on behalf of the very important town of Richibucto. I say important advisedly, because that town has a glorious history. It is a town which in the early days of the province of New Brunswick did an enormous business, a business which to a certain extent has passed away; but it is a town splendidly situated for business. Situated as it is, it can become an important point for the distribution of coal from the rich coal mines of Nova Scotia; it is a most important fishing centre; and although Mr. O'Leary may think that the business of the town is declining, that simply means that his business is declining and is being done by Messrs. Loggie, Mr. Forbes and the other people who are coming in there and helping to provide facilities for carrying on a large and profitable trade. Well, although Mr. O'Leary thinks that, or appears to think that, yet Richibucto is improving. That is the evidence we had before us. I say again it is splendidly situated several miles from the mouth of the Richibucto river, and very large ocean steamers can pass and repass right in front of this wharf and the other wharfs in the town of Richibucto. Well, Sir, of recent years this government has undertaken a system of improvement of the port of Richibucto. We are building breakwaters, we are giving protection to the harbour. We have been endeavouring for some years to afford to vessels better facilities, and we believe we are accomplishing a good work. Therefore, in view of what we are doing now, in view of what I thought were the possibilities of traffic in the future, I was willing to lend a favourable ear to the

representations made to me as to the necessity of making harbour improvements in the port of Richibucto. Now, hon. gentlemen will say that these improvements are largely for the benefit of the Kent Northern railway. Mr. Speaker, can you imagine a case where you make improvements for the transhipment from the water to the railway in which you do not generally benefit the railway. Take the city of St. John. Take the great national work which we are doing there upon the western side of the harbour, giving to the people of western Canada the means of getting the products of their fertile prairie lands to the markets of the world through Canadian ports. Are we not benefiting the Canadian Pacific railway? Every ton of freight which comes over the Canadian Pacific railway and every ton of freight which is transferred from the steamship to the railway or which is transferred from the railway to the steamship, to a large extent benefits the railway company, but it benefits the public at the same time. You cannot improve the transportation facilities of this country without conferring a benefit upon all. So with regard to Richibucto. By giving facilities to the steamers that come to the wharf immediately adjoining the railway, giving greater facilities for the transfer of goods from the vessels to the railway and from the railway to the vessels, we will necessarily improve the trade of the port and advance the interests of the public, while at the same time we must necessarily render some advantage to the railway company, because by doing that we will increase the facilities for carrying on their business. Therefore, Sir, I decided to do there what I am doing in all other parts of this country, that is, seeking to improve the transportation facilities for the people. Later on in the spring, in the month of May, when it was urged upon me that this municipal wharf which we were buying had only a frontage of about 150 feet, certainly not exceeding 200 feet, and that the railway track which was going down the wharf was such that it would be necessary to back a train down in order to get a car near the edge of the wharf, and that the end car would necessarily be at right angles to the face of the wharf, and knowing from my experience in the city of St. John and other places what a great inconvenience a track so located would be, so far as transferring freight from the railway to the vessels, and from the vessels to the railway, was concerned, I made up my mind that it would be desirable to have that wharf extended so that the railway track could be carried along the face of the wharf and made parallel to the vessels as they lay off the wharf.

Every man who knows anything about terminal facilities will recognize the force of what I am saying, that to afford a convenience to the merchants and the manufacturers and the railway company to which they are reasonably entitled, it is necessary to have a greater frontage, so far as a wharf is concerned, than 150 feet which is I believe the frontage of the municipal wharf. Therefore, although I did not decide what I would do, and although I gave no indication as to what I intended to do, yet when that request was made to me on May 20, 1908, I thought it was my duty to have the matter looked into and to have a report made. And, Sir, that is what I did, and so far as this record shows and so far as any facts which have come to the knowledge of my hon. friend (Mr. Crocket) will show that is the first step which my department took in connection with the purchase of this wharf property. The request came to me dated May 20, 1908, made in a regular way, made on behalf of the Kent Northern Railway Company, urging that additional terminal facilities were required at the port of Richibucto, and asking if I would take the necessary steps to secure these facilities. All I did was in the usual and ordinary way, to make an order to the chief engineer to have an examination and report made. I have not given the exact words, but hon. gentlemen will find them there in the evidence. It was the usual order, an order made in hundreds of cases. It is always my practice when an application comes which I think is worth being inquired into, it is always my practice to hand that application at once to my secretary, and to ask that an order for the chief engineer be made out. In this case the language used is identical with that used in hundreds of other orders which hon. gentlemen will find upon the files in the department. Well, Sir, it went to the chief engineer. The chief engineer some four days afterwards sent it forward to the resident engineer with directions that he should as early as possible have a report made with regard to the additional wharfage required at Richibucto and generally upon the subject. Well then, what next took place? It appears from the evidence that Mr. Stead goes to Richibucto for the purpose of making an examination and report, and while at Richibucto he meets Mr. Murray, also Mr. Robertson and others. He makes the examination as to the wharf and he asks Mr. Murray so that he might report to the department, what he is asking for this property. Bear in mind, Mr. Speaker, that at that time, this property had been bought by Mr. Murray. Mr. Murray was the owner and when my hon. friend (Mr. Reid) says that Mr. Murray was a middleman, I say he was not. Mr. Murray had become the owner of that property and he had become the

owner as this record shows, and as I declare to this House without any intimation from me or from anybody acting with my authority that the department would purchase that property. Mr. Stead says that after talking the matter over with Mr. Murray he asked him to name his lowest price so that he might make a statement to the department and give it information as to the amount it would take to purchase the property if the government should decide to buy, and Mr. Murray fixed the price at $5,000. Now, what next comes to my department? We find a report from the resident engineer which hon. gentlemen will find on pages 56 and 63 of the evidence. The first report is on page 56 and is dated June 9, 1908:

Sir,—As requested in your letter of the 27th May, I have looked into the matter of the wharf accommodation which has been asked for at Richibucto, Kent county, New Brunswick.

On the 10th of March, 1908, I reported on the proposed acquirement by the department of the municipal wharf at Richibucto.

It is now asked that the wharf known as the 'sawdust wharf,' formerly used as a site for a saw-mill, which is situated immediately below the municipal wharf, be also acquired. Included with this wharf is the area in the rear which has a frontage on the main street of about 443 feet and lies just opposite the lot already acquired by the government for the site of the new public building. The total length of the area measured parallel to the main street is 730 feet.

And I would like hon. members who know anything of the value of water frontage, and particularly those hon. gentlemen who so vociferously applauded the hon. member for York (Mr. Crocket) when he was presenting his half-measured case for their consideration, to bear in mind what that means. This property is right in the heart of a town of 1,000 people, and fronts upon a river up and down which ocean steamers drawing from 18 to 20 feet of water can pass without difficulty. Measure in your own minds what that means—to have a wharf property in the centre of a town of that size, with the prospects of Richibucto, a property 730 feet on the water, and 400 feet frontage on the main street of the town.

Mr. BLAIN. May I be permitted to say that the postal revenue of the town is small.

Mr. PUGSLEY. I do not care. I know what Richibucto is; I know the business that is being done there. Besides, we have the evidence of men from that town—of Mr. Carter, of Mr. Irving, also of Mr. Forster, and others. And we have the statement of Mr. Forbes and twenty or thirty others of the prominent men of the town.

The report of the engineer further states:

The shallow point lying between the municipal wharf and the sawdust wharf, formerly used as a timber pond in connection with the mill property is also included. The area which the government is asked to acquire is 9 acres of land, and land on the water reaching to the channel, that is, to about the face of the wharf. Four acres of this is land and wharf above high-water line.

Including the 200 feet pier head of the municipal wharf, this would give a frontage on the river of about 775 feet

It is looked upon as certain that the Kent and Northern railway will shortly be taken over by the government and this land and wharf will furnish a very desirable and central site for the station, railway yards, and especially for an ample deep-water terminus.

An offer to sell the wharf, water rights and land area for $5,000 is inclosed herewith.

While the outer faces of the wharf are gone to about low-water level and new cribwork will be required there, the wharf forms a wide approach to deep water, and could not be built now for several times the amount asked. Taking into account also the value of the frontage on the street, and its central position, the price asked is reasonable.

A right-of-way through this land must shortly be bought by the government for a sewer for the public buildings.

The correspondence received with your letter and also a plan of the property are inclosed herewith.

Yours obediently,
GEOFFREY STEAD,
Resident Engineer.

E. D. LAFLEUR, Esq.,
Chief Engineer, Department of Public Works, Ottawa.

Then, on page 60 is a supplementary report from Mr. Stead:

10th June, 1908.

Sir,—In my report of yesterday's date, on Richibucto sawdust wharf, instead of saying that the wharf 'could not be built now for several times the amount asked' I might have stated more definitely that it contains about 1,000,000 cubic feet of cribwork, slabs and mill refuse, ballast and gravel. Classing this all as filling—new cribwork faces being required—it would cost about one and a half cent per cubic foot or $15,000—three times the price asked for the property.

Yours obediently,
GEOFFREY STEAD,
Resident Engineer.

Now, it is important, I think that, when a charge of corruption, misfeasance and fraud is being made against, I do not know whom—it may be either against Mr. Stead, the resident engineer, the chief engineer, the assistant engineer, the deputy minister, or myself; the hon. member (Mr. Crocket) has not specified against whom he makes the charge—it is important, I say, to bear in mind that, down to the time when the resident engineer makes that report, there is not a tittle of evidence that either I or any officer of my department made any suggestion to Mr. Stead with reference to the report he should make. I was on the witness stand; Mr. Stead was on the wit-

ness stand. If the hon. gentleman (Mr. Crocket) suspected that any influence had been brought to bear upon Mr. Stead by any suggestion made to him, surely it was his duty to make inquiry upon that point. He did not do it; and, as I have said, there is not a particle of evidence that any suggestion was made by me or by any officer of my department to the resident engineer as to the report he should make upon this property. And we find that the report and supplementary report show the nature and position of the property—show that there were 1,000,000 cubic feet of filling which could not be put there for less than $15,000 and contained a plain declaration that the price of $5,000 for the property was fair and reasonable.

Now, what next took place? The hon. gentleman (Mr. Crocket) would have you believe that I was anxious to purchase this property, that I had arranged to purchase it and was only awaiting the report of the engineer—whose report, he says, I told the chief engineer in writing to get without delay, a statement which as I have stated, is absolutely without foundation. I did nothing further in the matter, so far as the records show, between the time when this report comes in on June 10, to about the 9th of August, a space of two months. During that time, my attention was given to other matters. I presume that I read the report—I do not recollect at the moment; my attention was given to other matters of great importance in all sections of this country. I am pressed again to acquire this property. I have not then made up my mind what I shall do; and, in August, I make an order for another report. Hon. members will find that report at page 60 of the evidence. This report came in. It was dated at Chatham, the 8th of August, and was as follows:

> Sir,—In reply to your letter No. 4255 of the 4th August, in which you ask for a report on the value of an additional wharf property required at Richibucto, New Brunswick, I give the following extract from my report on the property, dated 9th June, 1908, and a copy of my note in further reference to the subject, dated 10th June, 1908.

Then follows this quotation:

> 'An offer to sell the wharf, water rights and land area for $5,000 is inclosed herewith.'
>
> While the outer faces of the wharf are gone, to about low water level and new cribwork will be required there, the wharf forms a wide approach to deep water, and could not be built now for several times the amount asked. Taking into account also the value of the frontage on the street, and its central position, the price asked is reasonable.
>
> A right of way through this land must shortly be bought by the government for a sewer for the public buildings.

So, you will see, Mr. Stead reiterates the report he made on 9th and 10th June. I mention this to show that I was displaying no eagerness in reference to the purchase of the property. After the report of June 9, I took no action until I ordered the next report in August. I do not remember at the moment whether I wanted further information or what the point was. I considered the matter very carefully, and am free to say that I thought the price of $5,000 stated by resident engineer Stead, and approved by the chief engineer was a reasonable price. I had nothing within my knowledge to indicate that it was anything but a reasonable price. I have some knowledge of wharf property, and its value, both upon the north shore and in the city of St. John, and I have the report of the engineer that this was a property having a frontage of 730 feet on the Richibucto river, a property where there was a million cubic feet of mill refuse, gravel and ballast—there must have been a large quantity of ballast, because it showed above the water, and there must have been a vast amount of cribwork underneath or that would have been washed away years ago. It was a property with a frontage of 400 feet on the main street, and with a depth of over 600 feet, which meant nearly ten acres of land. I confess I thought that $5,000 was a ridiculously low price for this property. I was prepared to act upon the report of the resident engineer, approved of as it was by the chief engineer of my department. But the hon. gentleman says that later on—and I am going to call attention to that—later on I wrote to the resident engineer that he should have called my attention to the fact that there had been a recent transfer of this property and he should have stated the price. The hon. gentleman says, why, when that report came in, and when you acted upon it, you knew just as well then as you knew afterwards that he had failed to make reference to transfers. The hon. gentleman has omitted one important fact, and that is that I had no knowledge, and the evidence does not show that I had any knowledge, and I affirm before this House that I had no knowledge, that Mr. Murray had bought this property from Richard O'Leary. I had no knowledge whatever upon the subject, there was nothing in the report, there was nothing in anything that had taken place, to indicate, but what Mr. Murray had been for a considerable time the owner of this property. Therefore when I saw this report making no mention of any recent transfers, I took it for granted that Mr. Murray had been the owner of the property for a number of years.

Mr. R. L. BORDEN. Is it the practice to report recent transfers in giving valuations?

Mr. PUGSLEY. With regard to buildings it is. The department makes very few purchases of wharfs, and it had never been the practice to issue instructions to engineers to make reports with regard to transfers. But with regard to buildings there are specific instructions that go out to the valuators to report recent transfers by the valuators, and there are forms provided for that purpose with regard to purchases. But with regard to wharf purchases there has been no regular practice in the department. So far as I had any information, Mr. Murray was then, and had been, and I had no reason to suppose, but that he had been for years, the owner of this property, and I was of the opinion that his price was a fair and reasonable price. Now I wish to emphasize this fact, that although Mr. Murray was upon the stand, and Mr. Stead was upon the stand, although Mr. Lafleur was available, and I am not sure that he was not on the stand, and the deputy minister of my department and myself were on the stand, there was no attempt made to show that I had any knowledge until after this property was acquired as to Mr. Murray having purchased it from Mr. O'Leary, and I repeat my declaration to this House that I had no knowledge as to Mr. Murray having purchased it from Mr. O'Leary, and there is no evidence which would tend to show that I had any knowledge whatever on that subject.

Now, upon these reports being submitted to me, the recommendation was made to council that this property should be purchased, the chief engineer stating that in his opinion the price was a fair and reasonable price. It appears that some time in September, Mr. Murray sent a telegram to Mr. Valiquet. Mr. Valiquet was not the chief engineer. It may be that Mr. Lafleur was away at that time, I think possibly he was ill during the summer of 1908. However, Mr. Murray sent a telegram to Mr. Valiquet, asking as to closing up the wharf property, and saying it was important for Leblanc, meaning the gentleman who was running in the county of Kent in the interest of the government. Now the hon. gentleman seems to think that telegram is material, because he says that telegram forges the last link in the chain of evidence which connects the Minister of Public Works with this transaction; with all the dramatic effect which my hon. friend can show he declares that this is forging the last link in that chain. Well, Mr. Speaker, in considering whether that is so or not, is it not important to ascertain whether I ever saw that telegram? Is it not important to know whether it was ever brought to my notice? The evidence does not show that it was, and I declare that it was not. I never knew that Mr. Murray had sent that telegram to Mr. Valiquet, Mr. Valiquet does not appear to have thought it his duty to bring it to my notice. Business was going on in the usual way, it was not brought to my notice, and I never knew, and I do not suppose the Deputy Minister of my department knew, of that telegram until in the usual way we returned it to the Committee of Public Accounts with a record of this whole transaction, because we had nothing whatever to conceal with regard to it, and we wished the committee to have all the facts as quickly as possible. But the hon. gentleman says that shows that Mr. Murray wanted this money for campaign purposes in order to assist Mr. Leblanc; and I suppose he would go further and intimate that Mr. Murray wanted Mr. Valiquet to know that he needed the money for campaign purposes. Is not that the inference to be drawn from the language of the hon. gentleman? Now, does he think that if Mr. Murray wanted that money for campaign purposes, and I, as minister of the department, was willing to assist him in getting that money for campaign purposes, does he not think that Mr. Murray would have wired me or seen me instead of wiring an official of my department? What does the hon. gentleman think of that?

Mr. CROCKET. No, I do not think so.

Mr. PUGSLEY. No? The hon. gentleman thinks that Mr. Murray, wanting this matter put through, wanting to get the money for campaign purposes, wanting to help Mr. Leblanc, would send a telegram to an official of my department and convey to him that meaning, that he wanted this money for campaign purposes, and that he would not communicate at all with the minister and try and get him to hurry the matter along! Well, I thank the hon. gentleman for his suggestion that Mr. Murray would not dare to send such a telegram to me, but that he would send it to one of the prominent officials of my department. Now is that not open to this other interpretation, that in view of the election coming on, it would be of interest to the people of Richibucto to know that they would be likely to get in the near future the improved terminal facilities which the purchase of this wharf would affords. Hon. gentlemen know that when votes are taken for public buildings they are anxious that as soon as reasonably the sites of those buildings may be acquired, and why? In order that people may know that their expectations with regard to public improvements are likely to be fulfilled in the not distant future. And so it may well be that in that telegram which Mr. Murray sent to Mr. Valiquet, he wants him to understand that the people of Richibucto were anxious to know as to whether

the government was bona fide going on with the purchase of this property for which provision had been made in the estimates in the year 1907-8. That, I think, is a fair and reasonable inference to be drawn from the telegram which Mr. Murray sent to Mr. Valiquet, and not the very extraordinary inference which the hon. gentleman sought to draw from that telegram. At all events, it is important to bear in mind that there is no evidence whatever given before the committee which would tend to show that I ever had any knowledge of the sending of that telegram from Mr. Murray to Mr. Valiquet.

Now, then, the purchase is completed. The hon. gentleman says there is another strong link, and it is that the Minister of Public Works recommended that W. D. Carter should be appointed agent to the Justice Department, and what is the suggestion of the hon. gentleman with regard to that? So that he would know when the cheque came forward, and I suppose he would be able to get his hands on the money and use it for campaign purposes. Well, in determining as to the weight which should be given to that insinuation of the hon. gentleman, it is important to bear one thing in mind. They had Mr. Carter on the witness stand, and they had an opportunity of examining him, brought here by themselves as their witness, but he does not appear to have handled a single dollar of the proceeds of the cheque which was sent in payment of this property.

There is another thing that I think you might very well bear in mind, and that is that Mr. Carter is one of the most prominent lawyers in Richibucto. He is and has been for years the friend of the government, and he is the one man to be found in that place who would naturally be selected for the purpose of completing the transfer of this property. He acts as the agent of the Justice Department, and was not he, of all men, the one person who would properly be selected for the purpose of seeing that the title was all right and that the government was getting what it was paying for? Yet, Sir, the hon gentleman, with his distorted imagination, with—if I were outside of this House I would say—his inexcusable desire to do wrong and injustice to a political opponent, seeks to put away all that circumstance and seeks to show that if Mr. Carter was selected as agent of the Minister of Justice to perform the legal business in connection with this case, it was done from some sinister motive in order that Mr. Carter might get a part of the proceeds of this cheque, and use these proceeds for the purpose of assisting his friend, Mr. Leblanc, in the election. The hon. gentleman makes that insinuation without a shadow of evidence to sustain him in so doing. I am no more surprised at that act on the part of the hon. gentleman than I am at the greater portion of his conduct all through this inquiry and all through his participation in this case now before the House. As I say, the transaction was completed by the Justice Department. The evidence shows that. I had nothing to do with it, that after I had sent my recommendation to council I had nothing further to do with it, that I did not know how the transaction was completed or how this money was paid. But later on, I think in the month of December, I wrote a letter to Mr. O'Leary, the letter which my hon. friend has referred to. I wrote to Mr. O'Leary because my hon. friend the member for Kent, New Brunswick, came to me and told me that he had heard some criticism of the payment which had been made for this property, and I felt it to be my duty, in consequence of the representations made to me, to look into the matter. Who was the first man to whom I ought to apply? It was Mr. Richard O'Leary, the man, who I had been informed, had owned this property. I wrote to Mr. O'Leary a letter. It had been marked 'confidential,' but when, before the Public Accounts Committee, he said he had received a confidential letter from me to which he had sent, not the reply which he produced before the committee containing this false statement to which I have already invited your attention, but the reply which you will find upon the page to which I have alluded. I wrote Mr. O'Leary a confidential letter, and I said at once that I had no objection to the letter going in evidence. Although it was confidential, I felt it was right that the committee should have the benefit of it, and it was read at my request. It is as follows, and it appears at page 44 of the evidence:

Office of
The Minister of Public Works of Canada.
Ottawa, 2nd Dec., 1908.

Confidential.

Dear Mr. O'Leary,—My department has recently purchased from Mr. Thomas Murray a wharf property at Richibucto known as the 'sawdust wharf.' It contains a frontage of 570 feet, and joins the municipal wharf. I purchased this with a view of making necessary improvements for the accommodation of vessels at Richibucto, and did it upon the report of Mr. Stead, the resident engineer, who stated that the price asked, namely $5,000, was fair and reasonable, and that the wharf could not be built now for several times the amount asked; also that it contains about a million cubic feet of cribwork, slabs and mill refuse, ballast and gravel. He says 'classing this all as filling', new cribwork faces being required—it would cost about 1½ cents per cubic foot or $15,000—three times the price asked for the property.

I have learned within a few days that this property was formerly owned by you, and have also been informed, whether reliable or

not I do not know, that the value placed upon it by Mr. Stead is excessive. Before proceeding to improve the property, I should like to get as full information as possible with regard to its value, and would be obliged if you, as the former owner, would give me your opinion as to Mr. Stead's valuation.

(Sgd.) WM. PUGSLEY.

Richard O'Leary, Esq.,
Richibucto, N.B.

Now, is not that important from two standpoints? Is it not important, first, from the standpoint that I, up to that moment, or a few days before, I wrote that letter to Mr. O'Leary had no knowledge that Mr. Murray had bought this property from him. If I had other people would have known it. I had just learned a few days before that he was the former owner of this property and what position would it have placed me in if Mr. O'Leary, a very strong political opponent and the strong political opponent of my hon. friend who so worthily represents the county, had been able to produce evidence that the minister knew that he was the owner of this property and that he had sold it to Mr. Murray? Taking into consideration the fact that he was a political opponent and that only a few days before I wrote that letter to Mr. O'Leary I had no idea whatever that he had been the owner of this property and had sold it to Mr. Murray, I ask you whether you think I would have written that letter to Mr. O'Leary. But, it is important for another reason; it shows that I wanted to get the fullest information upon the subject and I went to the one man who above all others I thought would be able to give me accurate information in regard to it. Well, Mr. O'Leary proposed to furnish a copy of a letter which he did not write to me at all.

Mr. PUGSLEY. From Mr. Leblanc ,the member for Kent. Mr. Leblanc thought whom he had learned that O'Leary owned the property, from whom he had learned that the price was excessive?

Mr. PUGSLEY. From Mr. LeBlanc, the member for Kent. Mr. LeBlanc thought it was excessive and told me that he had understood that Mr. O'Leary had bought it for a considerable smaller sum and that his profit was larger than it ought to be. That was the criticism of Kent county as my hon. friend told me. Later on my hon. friend from Kent told me that when he made the statement to me he was under the impression that we had only bought a very small piece of this property, and that he had spoken of the price being excessive because he believed that that was the case. When he learned afterwards that we had bought the whole property he thought that we had given a fair and reasonable price for it.

Mr. PUGSLEY.

Now, I may say to you, Mr. Speaker, that I and the chief engineer of my department had relied upon the report of Mr. Stead. I had made up my mind that if Mr. Stead had not acted in good faith, if he had not exercised good judgment, but had acted from any improper motive and by collusion with the vendor, it would be not only my duty to dismiss him from the department, but it would be my duty to take steps on behalf of the Crown to recover back the money which had been paid for this property and to have the transfer of it cancelled and set aside. That is what I had made up my mind to do in the discharge of my public duty and upon the 13th January I wrote Mr. Stead. My hon. friend says that the letter of the 13th January is conclusive evidence that the whole thing is a fraud, and that I was a party to it from the beginning. I would appeal to all fair-minded men on both sides of this House and I would ask if the hon. gentleman is warranted in making that statement? Bear in mind that it was my duty to act fairly towards my employee, that it was my duty to hear all that he had to say. Surely I would not be acting in the fair discharge of my duty, if I did not give him an opportunity to vindicate himself if he could. Surely it would not, in order to save myself from criticism, in order to prevent—shall I say a narrow-minded, bigoted and prejudiced man—a man actuated by partisanship, from criticising my action in this matter to do an injustice to a public official. Would I have been acting the part of a man if I had discharged this official, who for years had so far as I know worthily and honourably, and faithfully discharged his duties as an employee of the Public Works Department under my predecessors and under myself? No, I do not think that would be a manly part for me to take and I determined I would give him an opportunity to justify himself if he could, and to show that he had exercised his best judgment in regard to this property. Accordingly, when he saw me in St. John during the Xmas season, having come there to see his family and expecting to speak to me about different matters connected with the department, seeing me for a second when I could not give him the opportunity of an interview, I told him I would write him—not telling him what the contents of the letter would be—and this is another matter which the hon. gentleman concealed from the House: that Mr. Stead says that although he was expecting a letter from me he was surprised at the contents because it was not what he was expecting to receive. In pursuance of what I had said I wrote him on the 13th of January, 1909, as follows:

January 13, 1909.

Dear Sir,—It has recently been brought to my notice that the wharf property at Richibucto purchased by my department for the sum of $5,000 had been acquired by the then owner for a very much less amount

At that time I had a letter from Mr. O'Leary in my possession informing me he had sold the property and the price at which he had sold it and I proceeded to say:

As the price which he paid for the property would under ordinary circumstances be regarded as a fair criterion of its value I should like you to furnish me with all information which you had regarding the property and its value when you reported that the price of $5,000 was fair and reasonable.

I would also remind you that in your report to the department you made no reference to any previous transfers. This is information which should be in the possession of the department, because it might, as you can readily understand, influence the judgment of the officials as well as that of the minister in determining upon the purchase. In the future, you will please keep in mind, and report all previous transfers, together with the consideration, made within two or three years previous to your report, and also all other facts which might in any way afford information to the department as to the reasonableness of the price asked.

I am, yours very truly,
(Sgd.) WM. PUGSLEY

Now Mr. Speaker, I appeal to you and I appeal to the members of this House as to whether, never having known, as I did not know until I had heard it from Mr. Leblanc in the month of December, and had it confirmed by the letter which Mr. O'Leary wrote, learning that Mr. Murray had bought this property from Mr. O'Leary for a very small sum and that the resident engineer—the man in whose judgment we had to trust because a minister must give trust to his officials throughout this country—knowing that the resident engineer had made a report that this property had a fair value of $5,000, I ask you, Sir, whether or not it was a reasonable and a proper thing that I should write to Mr. Stead that letter of the 13th of January? Is there any man in this House who will say I did anything but what was right and fair and proper and just to an employee of my department in writing that letter? Now then, Mr. Stead replied:

Resident Engineer's Office,
Chatham, N.B., 21st January, 1909.

Dear Sir,—I beg to acknowledge receipt of your letter of the 13th instant, and to say that I very much regret not having mentioned in my report of the 9th June, 1908, the previous transfer of the wharf property at Richibucto lately acquired by the department, and I will carefully observe your instructions in this respect in future.

In the case of this property the previous transfer appeared to be a matter of common knowledge. I saw a notice of it in a newspaper and presumed that it was published in the legal records and supposed you would have heard of it, otherwise I would have mentioned it.

The consideration mentioned was $1,000, but I do not know what the actual amount paid was. In the case of my small property at Chatham, if I had known at the time that it was a usual thing to do, I would have saved myself $10 or $20 yearly in taxes by making the consideration in the deed a nominal figure.

Will you pardon me in saying that in many cases I do not consider that the price paid can be taken as a fair criterion of the value of the property.

In Richibucto properties have been bought which immediately after and continuously since their purchase have yielded thirty-three per cent of the price annually in rent, showing that they must have been worth at least three times the price paid.

The fact is that the former owner had sufficient wharfs for his own use in this neighbourhood of his store, warehouse, &c., and the wharf property in question was there practically useless to him.

Even so, I heard many expressions of surprise that he had sold it, and especially at the above, supposed, price, and a Buctouche merchant said he would gladly have bought it if he had known it could be had.

No such property could be bought in Chatham, Loggieville, or Buctouche for $10,000, or even more.

He speaks here of the different lots which had been sold and on page 67 of the evidence his letter continues:

A wharf must reach deep water to be of general use. Where deep water is close to the shore the expense of the approach will be slight. At Richibucto the channel is about 500 to 550 feet from the shore, an approach twenty feet wide of this length, which would ordinarily be built of cribwork at seven cents per cubic foot, would cost about $7,000.

The wharf property in question, however furnishes an approach to deep water about 250 feet wide at the outer end and 450 feet wide at the shore. At the very low value of one and a half cents per cubic foot, which would be the cost of the cheapest filling material, the approach would cost $15,000. If valued at the usual price of stone ballast it would cost about four cents per cubic foot, or $40,000.

This large area, together with the shallow pond included in the property, will furnish not only convenient and ample accommodation for a railway wharf with a possible river frontage of about 560 feet, but also for a station, railway yard, engine house and general terminal facilities, and lies in a central part of the town. The present terminus of the Kent Northern railway is in the rear of the town and rather out of the way. The area is very limited and will accommodate two engines and about nineteen freight cars, but with no room for expansion; and should the Kent Northern railway be acquired by the government

great benefit will, I believe, result to the railway and to the town by removing the terminals to the wharf property. This property also offers the only way to extend the railway along the remainder of the wharfs and river front.

And that surely is important when you are considering the value of a wharf property:

A short time ago two of the principal firms had a survey made at their own expense for a frack from the Kent Northern railway to reach their wharfs, freezers and stores and a sawmill belonging to one of the firms. For this track a right of way would be required across the property.

From these considerations I have stated that the price asked was reasonable and this view is upheld by several disinterested parties from Buctouche, Chatham, &c., who know the property and the value of wharf property generally.

$15,000 was mentioned as the price but I think not seriously. $5,000 was asked and $5,000 was the lowest figure I could get. I was of course not empowered to make any cash offer.——

And these gentlemen in the face of that statement and in the face of the sworn testimony would have the members of this House believe that I and my department had determined to buy this property, and so informed these men away back in the month of May before that property was purchased. But, Mr. Stead says, and says truly:

—I was of course not empowered to make any cash offer as is often done to get a better bargain, and I had in my mind when making my report the great expense of arbitration proceedings and also the case of the Shives' wharf property in Campbellton.

The Richibucto property is considerably more extensive than the Shives' wharf, though in a worse state of repair, but both wharfs required new faces. Allowance must, however, be made for the greater population—roughly about double—and much more extensive shipping of Campbellton. The Shives' wharf was bought in 1890 for $1,700 and was offered to the department in 1895 for $8,000. Mr. Shewen then valued the wharf at $5,335, the value being placed on the cubic contents similarly to the method in my report, Mr. Shewen's figures were, however, 2½ cents per cubic foot, or 67 per cent higher than my valuation, though prices of wharf material have increased very largely since 1895. Between 1890 and 1895 the owner had added about 20 per cent to the contents of the wharf which being deducted leaves Mr. Shewen's valuation $4,268 against $1,700, the cost price.

Mr. Day in 1903 estimated that the Shives' wharf could be built now for about $14,000 and in 1902-3 the wharf and smaller water front are connected with it were acquired by the department at a cost of $35,000, to which expropriation proceedings added an additional cost of $2,180.71.

I am, dear sir,
Yours faithfully,
GEOFFREY STEAD,
Resident Engineer.

Mr. PUGSLEY.

If my hon. friend from York had been animated by a desire to give to this House all the facts of this case, would he not have felt it to be his duty to have read that answer which Mr. Stead made by way of vindication to my letter of the 13th of January? It seems to me so. What does Mr. Stead say there? He gives full information in regard to the area of this property; shows its advantageous situation; speaks particularly of the fact that it immediately adjoins the railway wharf and affords the only opportunity which exists in Richibucto for the extension of the railway along the water front. He also refers to arbitration proceedings, and mentions the case of the Shives property at Campbellton, which had been bought for $1,700, and afterwards expropriated by the government and an award of $35,000. I happened in that case to be counsel for Mr. Shives; and this Mr. Day, whose name was mentioned by Mr. O'Leary, who was an appointee of the Conservative government, and who told him, as O'Leary swears, that he could not sell his property to the Liberal government, had valued that property at $5,000, and afterwards in the arbitration proceedings swore that the full value of the property was $5,000, while the department, on the advice of Mr. Shewen, offered Mr. Shives $8,000 for the property. I advised Mr. Shives not to take it. I said that the fact that he had bought it for $1,700 was no criterion of its value, that the judge of the Exchequer Court would look to the future prospects of business from the wharf, and would fix the valuation accordingly. The matter was referred to the Exchequer Court, and the late Mr. Justice Burbidge appointed as arbitrators: Mr. Wm. H. Thorn, who was for many years president of the Conservative Association of the province of New Brunswick; Mr. George McLeod, another gentleman who stood high in the ranks of the party; and Mr. George McKeen, one of the most prminent business men of New Brunswick. These three gentlemen were appointed arbitrators and heard evidence in the case, and the result was that instead of the government getting that property for $8,000, which was the amount they had offered on the advice of the engineer, the arbitrators allowed Mr. Shives the sum of $35,000 for it, and that amount the government had to pay. I suppose that if the government had bought that property for $10,000, gentlemen like the hon. member for York would have been found to criticise that payment and to declare that it was an outrage that Mr. Shives, who had bought the property only a short time before for $1,700, should receive the magnificent sum of $10,000 for it. And yet, Sir, these arbitrators, men of judgment and integrity, who stood high in

the province of New Brunswick, awarded to him the sum of $35,000. And, Sir, with the report of Mr. Stead, with the evidence which he furnished as to the contents of this property, I was of the opinion that if we simply expropriated it and put the matter into the Exchequer Court, with men like the Messrs. Loggie ready to testify that they were willing to give a larger sum for this property, with other men like Mr. Irving and Mr. Forster ready to testify that it was worth anywhere from $5,000 to $10,000, I felt that the government would in all probability have to pay considerably more than $5,000 by virtue of proceedings in the Exchequer Court, besides a large amount in the way of costs, before they could get rid of the liability in respect of the purchase of this property. Knowing all that, I was prepared to believe, and did believe, that the resident engineer, Mr. Stead, had acted in perfect good faith, had made a report according to his best judgment, and that it would be very much better for the government to act on his report and complete the purchase of the property than to throw the case into the Exchequer Court. And, Mr. Speaker, I had other experience in respect to wharf property. It is a class of property, the value of which cannot be determined at all by the methods applied to other properties. Wharf property may fall into decay, but if you begin to build wharfs or breakwaters and give facilities for traffic, there are many people who will then be willing to make an investment in wharf property and trust to the future. My hon. friend who represents Queens and Sunbury (Mr. McLean), but who lives at St. John, knows a property near where the Long Wharf now is, that was purchased at public auction for an insignificant sum, but which in a short time realized to the owner many times—I think I am almost safe in saying scores of times—what they paid for it. I have in mind Mr. Joseph Likely, who bought a property from the Fisher estate at Chubb's Corners for $1,700, and in a short time received for it at the hands of arbitrators $50,000 or $60,000. I happen to know property in that same vicinity which many years ago was bought by the late Dr. Stockton, who so worthily filled a considerable place in this House as the representative of the constituency which I have the honour to represent, the present Judge McLeod and myself. That property had become comparatively derelict. We bought it for the sum of $25,000, made improvements on it, built it up, put on some additional cribwork, put a cover on it, built a warehouse on it, built a highway bridge at a cost of $2,000 or $3,000 to connect it with one of the streets of the city, and on arbitration we obtained an award of $118,000 for that property; and one of the witnesses, the manager of the Bank of Montreal, swore that the property was worth $280,000. I know another most remarkable instance. One day I happened to see in the newspapers that five pieces of land facing on Sand Point slip on the western side of the harbour of St. John were for sale. I happened to be at Chubb's Corners, and I thought I would see what took place. I found one of the aldermen of the city of St. John there to watch the sale in the interests of the city, the lots being held under lease from the city. There were five lots of 250 feet frontage. He bid them up to $23.50, and I bid $25, and the whole five lots were knocked down to me. The wharfs were in a dilapidated condition, the logs floating out and drifting about the harbour.

I sold them out a short time afterwards for $120. It was not very much, but the man to whom I sold them, before many months, sold them for $6,500, and the man who brought them for $6,500, within a short period sold them with, I think some small additional property to the city of St. John for the sum of $20,000, and to-day you could not buy that property for several times that amount even without the miprovements. These are instances showing that when you begin to make improvements in a port, wharf property begins to take a different value from what it has when everything has been allowed to go back. I am happy to say to you that all over this country, in Richibucto as well as in hundreds of other harbours, which extend along the Atlantic coast and the Pacific coast and the great lakes, this government is engaged in the great work of improving ports and giving facilities to aid and encourage the transportation interests of this country. Well now I should not sit down without referring to the offer which Messrs. Loggie made for this property. The hon. gentleman (Mr. Crocket) has said it was an extraordinary thing that Messrs. Loggie should send a cheque for $5,500 for this property without knowing that the Minister of Public Works was prepared to sell, that the whole thing must be stamped with fraud and that for that reason the House ought to condemn the minister and declare the whole transaction fraudulent and corrupt. Now, Sir, let me explain why I think the action of Messrs. Loggie was a reasonable one. Remember that they had written a letter to Mr. Stead stating that in their opinion $5,000 was a low price for this property and that if they had had it, they would not have sold it for that price. Remember that when Mr. Murray and Mr. Andrew Loggie had a talk about the property, and he informed Mr. Loggie that he had offered the property to the government for $5,000, Mr. Loggie asked him, if he would not withdraw that offer and stated that his firm would gladly

give more for the property. Now, Sir, when this investigation came on, I stated to the committee, and this appears in the proceedings, that as Mr. Stead had inclosed to the department that letter from Mr. Loggie, and as Mr. Murray had stated that that was Mr. Loggie's opinion of the property, I wanted Mr. Loggie here as a witness. Mr. Loggie would know that that was the object of calling him as a witness. He would know there was no other purpose in calling him as a witness because he had had no other connection with this transaction in any shape or form. At my instance Mr. Loggie was subpœnaed, but unfortunately he was taken ill—he was suffering from a very severe attack of asthma, as the certificate of his attendant physician showed. He was unable to come to Ottawa, but knowing as he did that the object of calling him as a witness was to have him testify as to the value of this property and as his firm had been willing to buy it, Mr. Loggie did what he thought was even better than giving his evidence; being unable to come to Ottawa by reason of his illness, he sent a certified cheque from the firm for $5,500 being of opinion that that was the best evidence he could give that he was desirous of purchasing this property for the benefit of his firm. Does it strike you, Mr. Speaker, that that was an unreasonable thing for Mr. Loggie to do? It does not so strike me. It seems to me that Mr. Loggie, knowing that all what he was wanted for as a witness, was to give his testimony as to the value of this property and to corroborate the statement he made to Mr. Murray that he would pay upwards of $5,000 for it, he sent his cheque for that amount. Was it not a reasonable thing that when through illness he was unable to respond to the subpœna and come to Ottawa, he should send forward his certified cheque with an offer to buy the property for the sum which he had previously said he was willing to give for it? He did so and sent forward the checque for $5,500. He came here afterwards and under oath swore that the property was well worth the sum of $5,500 and that the government had got a good bargain when they got it for the sum of $5,000. Now, Mr. Speaker, some reference has been made to the fact that the department under my direction decided not to accept Mr. Loggie's offer, but that we agreed to sell a portion of the property for the sum of $3,500. Well, I am free to admit, Sir, that in three or four years if any criticism is passed upon my conduct, when this wharf is extended, when the railway track is built along the wharf, and when as the result of that the people of Richibucto get much needed railway terminal facilities, and when so great an advantage as that has accrued to the place by reason of the improvements we shall have made—if any criticism be then passed upon my conduct in connection with this property, it will be, not that we purchased this property for $5,000, but that we have sold two-thirds of it for less than it was worth and that we should have held on to it in the public interests or else insisted upon getting a larger price. That will be the criticism passed on my conduct before three or four years have passed away. But, Sir, I have felt that at present or in the near future, all we intend to do is to extend this wharf a distance of about 200 feet along the front which will give us a frontage of from 350 to 400 feet. That will enable the railway to be carried along parallel with the face of the wharf so that the cars will lie face to face with the steamers, and other vessels that come there. That will be given reasonable accommodation to the people and I thought that as I had the opportunity of disposing of the remainder of the property for the sum of $3,500, it was not an unreasonable or an improper thing that we should accept the offer made to us, or rather that we should carry out the counter offer made by us to Messrs. Loggie. One condition is attached to it, it is true, but it is not in any way contrary to the public interest. It does not militate in any way against the public interests. They will put a face on the wharf and they are desirous of having the railway extended to their own wharf and in order to do this, it will be necessary to have tracks made across the portion which the government has reserved for public properties. They have stipulated for that and we have agreed that two tracks of railway shall be laid by them, but in such a place as the chief engineer shall determine, and under the supervision of the engineer of the Department of Public Works. In that way, I think the public interest will be reasonably safe-guarded. I think it is not an unreasonable thing to sell this property to Messrs. Loggie for $3,500 being the portion of the property to which I have referred, leaving to us, to the Crown, 200 feet immediately adjoining the wharf upon which the railway track, which is the vital part of the property, so far as extending the terminal facilities in connection with the Kent Northern railway is concerned will be laid. Therefore we get for the sum of $1,500 the most valuable part of this property, the part which so far as the government is concerned, so far as extending these terminal facilities is concerned, is worth as much as all the rest of the property and when we have extended the wharf, we shall have very excellent terminal facilities, sufficient to meet the requirements of the town for many years to come. At the same time we are happy to know that we are selling the remainder of the property to the firm of A. and R. Loggie, one of the most enterprising firms in the maritime provinces,

men who develop any property which they acquire, men who are going to improve and build up that wharf and extend the railway along it, thus giving facilities for the transhipment of fish and other products of the province of New Brunswick. It seems to me that in doing that we have made an arrangement which is not contrary to the public interest, but which the public will say is very greatly and very clearly in their interest.

Now, just a word in regard to the evidence as to the value of the property. I think that too much stress cannot be laid —and I appeal to hon. members opposite who were not before the committee if I am not correct in this—upon the fact that the hon. member for York (Mr. Crocket)—who has taken practically the whole time of the Committee on Public Accounts in connection with matters relating to my department, and particularly matters in the province of New Brunswick, and who has been able, by simply making his request to the chairman, to bring any witnesses he pleases, whether they live in Vancouver or in Richibucto—has not been able to produce a single witness, outside of Richard O'Leary, the strong, prejudiced partisan who sold this property, not a single resident of Richibucto, not a single inhabitant of the county of Kent, who was prepared to say that we paid a single dollar for this property more than its fair value. To the contrary. We had the evidence of Mr. Forster, a man who knew Richibucto as any hon. member of this House knows the village in which he was born and spent his boyhood and early manhood. Mr. Forster lived at Dorchester, not far from Richibucto, had been in Richibucto frequently, and knew the property thoroughly. He swore that if a man wanted it for a business property he thought it was worth $10,000. Mr. James D. Irving, who knows that part of the country well, placed the value at $5,000 to $10,000. Mr. Carter, a gentleman called by the other side, placed the value at not less than $5,000. And we have Mr. Loggie, who not only swore that it was good value for $5,500, but backed up his opinion with a certified cheque which he was prepared to give on receiving the conveyance of this property. This is in addition to the fact which I have already mentioned, that this hon. gentleman (Mr. Crocket) did not call—because he could not—any respectable resident of the town of Richibucto, except Mr. O'Leary, who would say that we paid too much for this property. They had one man, Mr. James, who has lived all his life in Richibucto, their own solicitor, a man employed by Mr. O'Leary, to draw the papers, yet they did not venture to ask him whether or not we had paid too much for that property. So the case stands to-day with the absolutely conclusive evidence that this property is worth more than, or, at all events, as much as the government paid for it. It is absolutely proved that the resident engineer of the department acted in good faith and in perfect honesty when he certified that the value of this property was $65,000. And, in the absence of any evidence that I ever knew, but that Mr. Murray had been for years the owner of this property, in the absence of any evidence that I acted otherwise than in good faith upon the report sent me by the resident engineer, approved by the chief engineer, and in face of the fact that all the witnesses, with the exception of Mr. O'Leary himself—the unreliability of whose testimony I have already pressed upon your consideration—declared their opinion that the price paid was fair and reasonable, I think this House will hesitate before adopting the want of confidence resolution proposed by the hon. member for York, that this is a corrupt and fraudulent transaction deserving of the censure of this House.

Mr. ARTHUR MEIGHEN (Portage la Prairie). Mr. Speaker, I regret that I cannot congratulate the Minister of Public Works (Mr. Pugsley)—nor do I think he will find much encouragement in the reflection—on the contrast which was forced upon our notice between the violent enthusiasm at the commencement of his address by his followers—four-fifths of whom never heard the accusation, and I venture to say ninety per cent of whom had never read the evidence—with the slight attention paid him by a waning attendance, and the dribbling hosannas which marked the close of his remarks. Nor do I think he would be much comforted by noting that the hon. gentleman beside him received his address in alternate fits of sleeping and wakefulness, and that the hon. member (Mr. Leblanc) for the county concerned in this matter received every remark made by the minister respecting himself with a very significant smile.

The Minister of Public Works when he commenced his address this afternoon, clearly signified the character of the reply he would make. He called in question the motives of the hon. member for York, and tried to detract from that hon. gentleman's reputation in this House, and in the country. And with forceful declamation, which I shall not be able to imitate, and with an artificial irritation and a form of righteous indignation of which he should be proud—and which also I shall never be able to imitate—he told the hon. member for York that the key to the character of that hon. gentleman's address was contained in its first remark concerning a certain letter written by the Minister of Public Works on 23rd May, 1908. I accept the challenge of the minister and am prepared to ad-

mit that the hon. gentleman's (Mr. Crocket's) remarks on that point are a fair sample of the correctness of his statements. Did the hon. member for York make any mistake in his reference to that point? He stated that a letter was written on the 20th of May, the very date when the transaction was closed by Mr. Murray with Mr. O'Leary. This was written by George W. Robertson who accompanied Mr. Murray to Ottawa to see the minister. It was written from Richibucto to the minister in Ottawa, requesting on behalf of the Kent Northern railway, that further wharf accommodation be provided by the government at Richibucto. And the hon. member (Mr. Crocket) remarked that the minister wrote and instructed the chief engineer of the department to have an investigation made without delay.

Now, the hon. member chose to put the words 'without delay' as applying to the minister's letter. That is a logical and, in fact, truthful statement of the relation. For, if ever the minister acted without delay, he acted without delay on that occasion. The letter of the Kent Northern railway was dated May 20, 1908. It could not have been posted before that date. It had to travel from Richibucto to the city of Ottawa, and by no possibility could that letter have been received and answered earlier than it was received and answered by the Minister of Public Works. He had not, as he admits himself, any other communication on the subject; he had the communication only of Mr. George W. Robertson, who had seen him a few days before in the city of Ottawa on behalf of a two-by-four railway that runs into the village of Richibucto; he had no other. Does the minister always act on a single representation like that with that wonderful degree of promptness? I have not found that to be the case, and I do not think that any member of this House has ever found the minister acting with that degree of promptness, 'without delay'. Did the minister act without delay or did he not? My hon. friend from York was correct.

Mr. PUGSLEY. Would the hon. gentleman allow me to call his attention to page 7779, where the member for York stated:

> On that very day he issues an instruction to the chief engineer to have a report procured upon the matter of this letter without delay.

You see he says that is contained in my instructions to the chief engineer; I say that is not the case.

Mr. MEIGHEN. Those are the words of my hon. friend from York just as I quoted them, and I say again that the words 'without delay' in that report were attributable to the minister on the part of my hon. friend, and the minister acted with a promptness unprecedented in any department of this government. Now the minister asked me permission to ask a question, and I will let him know that all through my remarks I will never take up the attitude he assumed, that no member shall ask me a question. He proceeded after that point to read a lecture to my hon. friend from York on the subject of duty, and of course we bow to the Minister of Public Works on that subject. He complained that my hon. friend from York had not fulfilled his duty because he quoted sparingly from the evidence, but the minister followed the hon. member for Carleton, the whole burden of whose complaint was that my hon. friend from York had quoted so liberally from the evidence that he took up three hours and a half. The minister in the course of his criticism did not add, so far as I can recollect, one single quotation from the evidence that was not already put on record by my hon. friend. Now, Sir, he struggled, just as he has struggled before in this House, and the contest in which he is now engaged is by no means new to the minister. He has had experience before of being imprisoned by evidence just as conclusive as the evidence is now, and he has adopted the same means he adopts to-day. Just as in a previous session he clung to a typographical error in an affidavit, so to-day he clings to straws of a like character. Wherever he can find a little technical, meaningless error he clings to that, and he uses all his power of declamation to ridicule a person who may have fallen into that error.

The minister proceeds to call in question the testimony of Mr. O'Leary. That was certainly to be expected. The minister cannot possibly square his own conduct with the testimony of Mr. O'Leary; consequently if he is to continue to enjoy the confidence of the government—I do not say the confidence of the people of this country because that he has not—if he is to continue to enjoy that, he must necessarily bring down the character of Mr. O'Leary. Now, Mr. O'Leary is contradicted on one point alone, of importance, in the whole course of this controversy; he is contradicted by Mr. Murray, and by the Minister of Public Works, of course, on the question as to whether there were negotiations previous to the 19th of May as to the procuring by the Department of Public Works of this sawdust wharf at a price. Mr. O'Leary says on that point that he offered to give the department permission to put through that sewer for $100, the same as they had paid before, and that nothing else whatever was mentioned in the month of April, 1908, between himself and Mr. Murray with reference to any purchase except the right of way for that sewer. He says that on the

4th of May, Mr. Murray telephoned him that he was going to Ottawa to see the minister about it, and would like to know if the offer to sell that right of way for $100 was good, and if he could keep all there was in it over $100. The fact is he came to Ottawa, the fact is he and Mr. Robertson saw the minister. My hon. friend from York stated why. Mr. Murray denied having mentioned anything about this matter to the minister, and the minister affirms that again to-day. But this country, and this House cannot lose sight of the fact that Mr. Murray, in evidence before the Public Accounts Committee, or since, or in any other way whatsoever, has never explained to this House or to the country what he did come to see the minister about. The minister has made the statement and has closed, and the minister has never told nor indicated to this House the subject of the conversation he had with Mr. Murray. Mr. Murray stated on his oath in the Public Accounts Committee that he had no knowledge of what he came to see the minister about, that he could not state what the subject of that conversation was.

Mr. PUGSLEY. Would my hon. friend turn to the page of the evidence which says that he came to Ottawa to see me at all.

Mr. MEIGHEN. I did not say that the hon. member stated that he came to Ottawa to see the minister, I said that Mr. O'Leary's evidence was that he said he came to Ottawa to see the minister. Not only did he come to Ottawa to see the minister, but to this hour he has not told us any other reason that he came to Ottawa for, or any other reason that he saw the minister for. Now, the very best witnesses that ever stood in a witness box in any court or before any committee will make errors attributable to inaccuracy. Sometimes it is argued, and argued successfully, that this is rather an evidence than otherwise of their truthfulness. But no witness will come to a court and, in sixty per cent of the answers he gives relative to transactions less than two years ago, will state that he does not know anything about them, and cannot remember anything about them. If there is one argument that weighs with judges and juries against the credibility of a witness it is the fact he repeatedly answers that he cannot remember, particularly whenever the question is one that is vital to his own honour and to the success of his case. Mr. Murray stands in that position in the transaction, and he is the support which the minister has. He stands in a similar position in every other case wherever his word is opposed to that of another. He cannot remember what he did with the $5,000. He swears that he paid out that $5,000 in five and ten dollar bills to various people, and he can only tell the name of one man that he paid a dollar to although this only occurred a year and a half. He stated that he is so much of a business-man that he had put $5,000 in his wife's hands instead of putting it in the bank and that he paid out $2,000 of it as nearly as he could tell to Mr. Robertson, the campaign manager for the Liberal party. He could not tell us to whom he had paid out a dollar of the other $3,000 of that money. Nor could he tell us what he owed Mr. Robertson. If ever a man gave evidence that stamped him as a perjurer, Mr. Murray stands in that position before the public to-day, and the minister seems satisfied to have only Mr. Murray's support behind him in this transaction.

Now, the minister resorts to his old plan. He calls upon the members of this House to make charges against him in a certain form. I asked the minister, if I were to take the responsibility as he calls it, of such a charge, by whom would I be tried? He refused to answer that question: The fact is, and the minister knows it, that if any member of this House made such a charge and staked his position in this House on the verdict he would be tried by a partisan committee on which there would be a majority of the hon. gentleman's supporters. There was a time in this country (and there is a time still in other countries) when a man can afford to trust his honour to the judicial temperament of even members of parliament. But Sir, in this country under the influence of this government that time has gone by. I venture to say that there is not a a single member of this House who would trust the fortunes of his family cat to the tender mercies of a committee of a majority of the partisans of the party in power. So that, when the hon. gentleman calls for such a charge, he might as well make his position plain and say: I want to unseat the man who has the temerity to make a charge against me, and in order to unseat him he must throw himself politically into the keeping of a committee which I shall name.

The minister proceeded to complain of Mr. O'Leary on the ground that he had stated that he wrote a certain letter to the minister on the 5th December, 1908, which letter he had not written, and he stated that in the actual letter Mr. O'Leary did write the minister he said that Murray had repeated to him when he purchased this property that he had acted as the agent of the government and that in a subsequent letter which he actually sent he did not make that statement. I want to tell the minister that neither in the first nor in the second letter did Mr. O'Leary state to the minister that Murray had re-

presented that he had acted as the agent of the Public Works Department, and that Mr. O'Leary said in both letters that he was given to understand and did understand that Murray was purchasing this property for the Department of Public Works. I do not think that Mr. O'Leary was very far out in that regard. I believe that Mr. O'Leary believed, and believed correctly, that Murray was purchasing this property for the Public Works Department directly or indirectly. You can read the letter that the minister received and the copy that O'Leary presented, and there is no hon. member in this House who can point to one particular in which they are materially different. Still, the minister stands up in his place and condemns Mr. O'Leary as a perjurer because he did not present the exact copy. He had not the manliness to tell the House the very clear explanation that Mr. O'Leary gave of that transaction. Mr. O'Leary stated that after dictating the letter to his stenographer he decided to change the phraseology of it, that he dictated another, that he intended the second one to go, and that evidently the stenographer so intended it——

Mr. CARVELL. Would the hon. gentleman show me the page of the evidence at which any such statement appears?

Mr. MEIGHEN. I cannot quote all the pages of the evidence at a moment's notice, but the hon. gentleman will find it immediately after the page that the minister pointed out.

Mr. CARVELL. The hon. gentleman cannot find it in the evidence.

Mr. MEIGHEN. I am sorry for the hon. member.

Mr. CARVELL. I make that statement, and I would like you to prove what he said. He stated that that may have been the case, but he did not state that it was the case.

Mr. MEIGHEN. Evidently hanging this case on a very slim technicality again. I affirm that the minister endeavoured to lead this House to believe that in the letter of the 20th May, which Mr. Robertson, on behalf of the Kent Valley railway, wrote to the Department of Public Works, he indicated that the municipal wharf, which the government were negotiating for, would not suffice for the purposes of the village of Richibucto. If the minister did not say that, let him say so, and we will refer to 'Hansard' to-morrow. I understood the minister to lead this House to believe that Mr. Robertson, in his letter, had given the dimensions of the municipal wharf and had indicated that the wharf was not sufficient to answer the wharfage purposes of the village of Richibucto. Now, Sir, you may be surprised to know that the letter of Mr. Robertson——

Mr. MEIGHEN

Mr. PUGSLEY. Did the hon. gentleman say that I said that the letter stated that the wharf did not give sufficient accommodation?? I made no such statement.

Mr. MEIGHEN. If the minister had listened he would have understood better what I said. What I stated was that the minister led this House to believe in clear language that in a letter of the 20th May, written by Mr. Robertson, on behalf of the Kent Valley railway, he had stated to the minister that the municipal wharf was not of sufficient dimensions and did not answer the wharfage purposes of the village of Richibucto, and that consequently more wharfage was needed.

Mr. PUGSLEY. The hon. gentleman is entirely in error. I did not say that the letter referred to the municipal wharf at all. That is my recollection.

Mr. MEIGHEN. I listened very carefully to the hon. gentleman and I took down what he stated, because I was surprised. The minister knows just as well as I know that that letter made no reference whatever to the municipal wharf, as the minister will see, because he is not intellectually dull, that it would have been entirely out of the course of Mr. Robertson's purpose to have made any reference whatever to the municipal wharf. But I will tell the hon. minister now what was most remarkable; it was not that Mr. Robertson left out of his letter all reference to the municipal wharf, but what is startling and incredible is the fact that the minister in his reply to the letter written by Mr. Robertson did not tell Mr. Robertson that they had already under negotiation the purchase of that municipal wharf. Mr. Robertson wrote the minister on the 1st of May, just a few days after he got back from Ottawa, and the very day they closed the transaction for the purchase from Mr. O'Leary of the $700 sawdust wharf; he wrote to the minister and pointed out that the government had no wharfage accommodation whatever in the village of Richibucto, stating that they required wharfage there, and he asked the government to examine and see at once whether or not that was correct. And notwithstanding the fact that for two months the minister had had under consideration the purchase of a wharf in the village of Richibucto, he saw fit to make no reference to that in his reply to Mr. Robertson, and that omission has not been explained by the minister. One would think that would be in the mind of the minister when he received a letter from a friend complaining that there was no government wharfage at Richibucto. Is it not to be supposed that he would say in his reply: It is true, we have no wharfage in the village of Richibucto, but for two

months past we have been negotiating for the municipal wharf in that village. And, Sir, the fact that the minister did not state so is consistent entirely with his knowledge of this transaction from its very inception, and it is consistent absolutely with his determined purpose that he pursued right through to the end for which it was intended. Now, Sir, I must compliment the minister at least on the physical energies which he summoned to the unhappy task which was before him. The hon. minister, it is true, is not wanting either in physical energy or in intellectual gifts. We must do him that credit. He has performed certain feats in both lines that must deserve the admiration of the House. But, Sir, the regrettable fact to most, and I think to all hon. members, is not that he lacks in either of these particulars, but that to these qualities are not united these other qualities which would command the confidence of the people of this country and which would warrant some trust in the department over which he presides. What the hon. minister lacks is not the ability of a lawyer to meet a desperate case; what he lacks is that moral courage which would estimate at its true value what a party advantage is, and which would also estimate at its true value what real political progress is, and which would resolutely determine him that he would not pay too big a price for either.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. MEIGHEN. Mr. Speaker, I do not think I could more aptly resume my remarks than by satisfying the curiosity of the hon. member for Carleton, who just before six o'clock challenged a statement I made to the effect that Mr. O'Leary had given a very sensible, and no doubt correct explanation of the fact that the wording of the copy of the letter to the hon. minister which he produced did not agree with the letter which the hon. minister received and produced. I told him that I would undertake to produce the words of Mr. O'Leary from the evidence. If the House will look at page 124, of the evidence they will find that Mr. O'Leary states as follows:

I would like, Mr. Chairman, to make an explanation. I have brought my letter-book with me, when I was here there was a difference in the letter read here as having been written by me to Dr. Pugsley and the copy which I produced from my letter-book. Not that I imagine it makes any difference, but the St. John 'Telegraph,' had a very interesting telegraph despatch on it, headed 'O'Leary reads a typewritten document entirely different to the letter he sent to the minister.' When I went home I hunted up my letter-book and I found that my letter-book had copied in it the very letter I read here, and the letter which I actually sent Dr. Pugsley is not in the letter-book. The stenographer I had at the time is no longer with me, and the only explanation I can give is that when I dictated the letter the girl brought one letter to me which did not suit me and that I dictated another and she copied the wrong letter in the copy book, sending one to Dr. Pugsley and copying the other in the letter-book. What I read to the committee here is a copy of the one in the letter-book.

This is exactly what I stated to the House, and, as I said before, there is no material difference between the copy produced by Mr. O'Leary and the letter the minister actually received. The fact is of importance in considering whether Mr. O'Leary meant, as the hon. minister so loudly asserted, to deceive the committee. Even if they had been different, Mr. O'Leary could not possibly have dreamed of deceiving the committee, for he would know that the letter he wrote was in the possession of the minister. I observed that when the hon. minister was reciting this circumstance, instead of saying that he had the actual letter, he kept repeating that he had a copy, as if it were a letter he had written that was under discussion instead of one he had received, and which every sensible business man knows would be in his possession. This among other straws of a like nature shows the desperate straits to which the minister is driven when he seeks out of that circumstance to make a case against Mr. O'Leary. While the hon. minister himself, and the hon. member for Carleton were apparently in danger of breaking their backs struggling to pick up little pieces of chaff and straw like that, they did not meet squarely the charge levelled against the minister and supported by this evidence. They did not attempt to shoulder the burden of that charge that is crushing the last remnant of respect out of the department, and its head in the eyes of the people of this country. How does the hon. minister explain such an array of circumstances as these? The hon. member for Carleton wisely did not try to explain them; he said he would leave that to the minister. Let us see how the minister explains them—the sworn and unretracted evidence of Mr. O'Leary that Mr. Murray told him, at the very hour of his departure for Ottawa, that he was coming here to see the minister about this wharf; the further fact that as soon as he gets back from Ottawa, his partner and joint owner of the railway and joint manager of the Liberal party in the county of Kent writes a letter to the minister suggesting that they should make a start to procure for the people from the govern-

ment wharf accommodation in the village of Richibucto; and that in reply to that letter the hon. minister does not do the only natural, the only conceivable thing that he would do if his attitude in this regard was what he asserts, namely, state clearly to Mr. Murray that they had already made a start to procure for the people wharf accommodation at Richibucto, and ask him if he really meant that more than that should be provided. How does the hon. minister explain the remarkable circumstance, that while the question of the advisability of purchasing the municiby the department before there had been under consideration for two or three years by the department before there had been an order for an inspection and valuation, the proposition to purchase an additional wharf, this sawdust wharf, was before the minister, not for two or three years, but two or three hours, probably two or three minutes, before he ordered an inspection, and the further fact that it was not before him on the authority of a requisition from any board of trade or any village or city council, or on any petition of the residents or taxpayers of Richibucto, but that it was before him on the authority, and at the instance of one man alone, Mr. George W. Robertson, the associate of Mr. Murray, and the companion of Mr. Murray in the mission to Ottawa? How does he explain the further fact that a short time afterwards, within a very few days, Mr. Geoffrey Stead, the engineer of the department, goes down to Richibucto, and in company with Mr. Murray, actually sees, as he does not deny, the deed under which Mr. Murray holds that property, and forthwith values the property at $5,000, sends his report to the minister, and omits to state the most significant fact that would be in his mind or in any other man's mind, that only a few days before that property had been purchased by Mr. Murray for $700?

The minister attempted to make use of the fact that he did nothing in the department for two months, or until the month of August: Why, Sir, who would expect him to take action, if this transaction bore the complexion that the hon. member for York (Mr. Crocket) attributes to it, and attributes rightly, I think. Who would expect him to have taken action in the month of July. There was no election pending then. There was no election close at hand at that time, and it would not have been advisable to put this money in the hands of Mr. Murray away back in May, or June, or July. But no sooner had the writs issued for the election of 1908, no sooner had the writs for that election issued I say, than the message goes from the department to Mr. Murray that this wharf is purchased. The hon. Minister states that he never saw that telegram. But is the House going to forget that the telegram was only received a few days when the very action which could only be taken at the minister's instance, and on his authority was taken and Mr. Murray notified thereof. Now, Sir, the significance of that letter cannot be too firmly impressed on this House. If there was one subject which the minister slid over with that grace of which he is master, it was the subject of that telegram. What is the telegram? On the 18th September, Mr. Murray sends this telegram to Mr. Valiquette, an officer of the department of the Minister of Public Works. It appears on page 13 of the evidence:

Kent Junction, N.B., Sept. 18.

A. Valiquette,
Chief Engineer, Public Works,
Ottawa.

Please let me know if wharf matter passed council. This matter important to Mr. Leblanc. Please rush it.

Now, Sir, let me make this remark first in reference to that telegram. Mr. Loggie, whose praises both of these gentlemen have sung so loudly, swore before the Public Accounts Committee that as soon as he heard that Mr. Murray had purchased this wharf and had offered to sell it to the government for $5,000, he remonstrated with him for his foolishness, and urged him to cancel the offer and instead to sell it to him. Now, Mr. Loggie took the position that he had asked Mr. Murray to cancel the offer to sell to the government, and instead to turn it over to Mr. Loggie. The offer to sell to the government had not been accepted, so far as the records show at all events. Whether it had been accepted before being offered or not, of course we can't tell. But, Sir, the records show that it had not been accepted. Mr. Murray magnanimously took the position that having offered it to the government, he could not withdraw his offer from them, no matter how anxious he might be to do so. But here is the telegram coming on the 18th September in which he urges the government to accept it, notwithstanding the fact that it did not make any difference to him because as he states he could get more money from Mr. Loggie. Now how do these two circumstances sleep together. Why would Mr. Murray be urging the government to accept in his telegram of the 18th September, if all the while he had a standing offer from Mr. Loggie to purchase it at the same price. Here is this telegram, and I invite any member of this House to state to me one sensible reason why that telegram should have been written, if it had not been that Mr. Murray wanted this transaction put through in order to procure funds for himself and for the Liberal committee of Kent. 'Important to Leblanc.' The minister says it is very important in this connection before we

ascribe anything to him to see whether he received this telegram. And he invited me, and the members of this House to be bold enough to say that if it was intended to get money for the purposes of an election campaign, the telegram would have been sent to him instead of to an officer of his department. I told the minister then, and I tell him now that if the purpose of that telegram was to get funds for the Liberal campaign in New Brunswick, it would have been sent just as it was sent. Sir, the path of treachery is not the path of daylight. The thief does not walk in open day and steal from his victim. He gets out in the darkness of night. He adopts a subterfuge. He goes underground, if necessary, and tries to avoid of all things publicity. And that is what Mr. Murray was anxious to avoid. He had in his mind, that if he addressed the telegram not to the minister, but to a mere subordinate official of his department, it would never perhaps reach the files of the minister, and would never perhaps reach the light of day, and the committees of this House. He had the idea in his mind that he could reach the ear of the minister without going through the public telegraph, and addressing the telegram to his name. That is exactly the course, and every sensible man in this House knows it to be exactly the course, that Mr. Murray would have adopted, if he had been desirous of screening this transaction. 'Important to Leblanc.' Yes, important to Mr. Leblanc, the Liberal candidate for the county of Kent. The minister says it had nothing to do with him unless it is shown that he was a party to that telegram. Sir, if I am a co-conspirator with another man, and I am charged with being a conspirator and there is found in my possession a letter from my fellow conspirator outlining the whole plan of attack—I can only explain the receipt of that letter and the possession of that letter on two grounds. The first is that I am a conspirator, and the second is that if I am not, the other fellow is putting up a job on me. There is no other explanation but these two. Now, which one does the minister take. The most daring actor would not take the position that Mr. Murraay was putting up a job on the minister. The minister would not dare to take that position himself. Secondly, it must be that the Department of Public Works to whom that telegram was address was a party to the intention which was embodied in that telegram. Now, Sir, what is the intention with which that telegram clearly sets out. The hon. minister tells this House that the telegram did not mean that Mr. Murray wanted funds for his Liberal committee in Kent, but that it meant that he wanted the government to purchase the wharf in order that the mere advertisement of that fact, would assisst Mr. Leblanc in his constituency. Now, how does that square with the other facts. The hon. Minister of Public Works took good care not to mention some of the other circumstances when he was bold enough to set out that the advertisement of the purchase of the wharf by the government would assist Mr. Leblanc in the county of Kent. The answer, the final answer to that, is that it was never advertised, that from the very day on which that telegram was sent, the purchase was kept concealed from the public and purposely concealed. Why, Sir, according to the evidence of Mr. Carter, whose praises the minister so loudly sang, turning to his evidence of page 100 what do we find was the attitude of the Liberal committee in respect to this wharf? Does it indicate that Mr. Carter, or Mr. Murray was anxious that the purchase of that wharf should be heralded far and wide for the purpose of assisting Mr. Leblanc. It shows the very opposite. Mr. Carter was afraid to register the deed of purchase for fear the public would know about their action, and in disgust vote against Mr. Leblanc. Mr. Carter was compelled to admit it and did admit it before the Public Accounts Committee. Here is what he said:

Q. And you held that deed over for a month, until the election was over, before recording it?—A. I held it for about a month, yes.

Q. When was the deed recorded? On the 2nd November, I think.—A. That is what is stated there and I presume it is correct.

And that only six days after the election.

Q. Will you explain why you did that?—A. There were two reasons.

Listen to the two reasons. The first one is worthy of the Minister of Public Works himself:

A. The first reason was that I was very busy at the time

He was so busy that he actually had not the time to dictate a letter to the registry office to register that document. That is the first reason, and I hope the House will be so generous to Mr. Carter as to give due weight to that very important reason. What was the second reason?

The second reason was because I did not want to at the time.

Q. And why did not you want to?—A. I did not want to because there were some people making inquiries about it, and I did not want them to get the satisfaction of getting the information.

So, the favourite witness of the Minister of Public Works is on record as swearing that he deliberately, for the purpose of concealment, declined to register that deed until the election was over. And still the Minister of Public Works suggests to this House—for on no other suggestion can he square himself or his honour in this trans-

action—that the transaction was put through for advertising the merits of the government in the county of Kent. Now, let me add to that one or two other facts, which, I am sure, are at this moment present to the mind of the Minister of Public Works. This purchase of a wharf was not asked for by any public meeting in Richibucto, by any board of trade, by a municipal council, by any public body, or by general petition. It was not asked for even in a newspaper. It was all done quietly, secretly, secretively—indicative of the character of which it partook. And not only was it not asked for publicly, but the fact that it was procured was never made public, either by the registration of the deed or in any other way. Can the hon. minister point to a newspaper in Kent county that announced the fact that the government had purchased the sawdust wharf for $5,000? Not a newspaper in Kent county was made acquainted with the fact —not even one citizen was informed, beyond those interested in its procurement. Outside the perpetrators of the fraud, nobody was permitted to know the facts. Is there one hon. member who will stand in his place and say that Murray meant to suggest in that telegram that the very advertisement of the fact that the government had procured the wharf from him was a matter 'important to Leblanc'? Surely there is not one. If further testimony was needed, we have it from Mr. Murray himself. And that testimony is absolutely inconsistent with the theory of the minister, and it is on Mr. Murray that he depended again. When Mr. Murray was asked about the telegram, what was his first answer? The first was an absolute denial that he had sent a telegram to the Minister of Public Works or any officer of the department. How does the minister square the much-vaunted credibility of Mr. Murray with the fact that, in answer to question after question covering a third of a page of evidence, he persistently and emphatically denied that he had sent the telegram, and stuck to it until the telegram was produced before his face? He denies and again denies; the telegram is produced. The next question is: What do you mean by saying in the telegram that the purchase of that wharf was 'important to Leblanc'? What was his answer? I submit to the members of this House that if Mr. Murray had meant to say in that telegram that it was 'important to Leblanc' for legitimate purpose, in the first place, he would not have denied sending the telegram, and, in the second place, he would have had in his mind at once the purpose for which the telegram was sent, and would at once have answered that it was 'important to Leblanc' from the public point of view that it should be known that the purchase was made. But what was his answer? I think it is at page 66 of the evidence, but, at any rate, his answer was: I cannot tell you what those words mean. Here he was faced with his telegram stating that the procurement of this wharf by the government, and of $5,000 by himself, was 'important' to the Liberal candidate, yet he tells the hon. member (Mr. Crocket), in answer to his question, that he has no reason to give for and no meaning to attach to the words 'important to Leblanc.' How does the minister square this with his theory? It is absolutely impossible. And it is just as impossible for him to square the reputation and honour of his own department, and of the head of that department, with the sending of that telegram by Mr. Murray. I make the assertion that, if that telegram stood alone surrounded by the explanation given of it by Mr. Murray, it would be conclusive proof of every assertion made by the hon. member for York. And the Minister of Public Works, in his laboured defence of his position, deigned to take some three or four minutes to refer to that telegram. Sir, if that telegram had not been sent, I venture to say he would have had more courage in addressing the House this afternoon. That telegram cannot be concealed, the signature to it can never be denied, and the existence of that telegram marks the exact position in which the minister stands in relation to this whole transaction.

Now, what is the next thing that occurs? Mr. Murray procures the $5,000. He got that money, I think, between the 12th and 15th of October, 1908—at any rate, in the first half of that month. He gets the cheque cashed, and he is careful to cash it in $5 and $10 notes. Now, why did he cash it in $5 and $10 notes? Is that the usual way in which $5,000 cheques are cashed? But, in the first place: would a gentleman of the extensive business, that of Mr. Murray—so extensive that he professed he could not remember the transaction—be likely to cash a $5,000 cheque at all? The minister knows that that is absolute nonsense; that it is not the habit of business men in this country or any other country. A gentleman of extensive business, part owner of a railway, would not cash in $5 and $10 notes, or any other notes, a cheque for $5,000. He would deposit that cheque with his banker, and, if he had debts to pay, he would cheque the money out like a business man. Why did not Mr. Murray do that? Because the cheques would tell the whole tale of the transaction. But the Minister of Public Works asks, why did not he deny that he got the cash in $5 and $10 bills?—nobody was there to make known the facts. But Mr. Murray knew it would be marked on the back of the cheque, and there would

be no possibility of denying it. But, to go on: What did he do with this $5,000? Took it home and gave it to his wife. Is it usual for a business man of the province of New Brunswick, receiving a cheque for $5,000, to draw the cash in $5 and $10 notes and take the money home and give it to his wife? Especially, is that usual just about fifteen days before a general election? The man who does it is one of the campaign managers of the Liberal party in Kent county, New Brunswick. But the mystery does not end there, and to call it a mystery would be a euphenism. He pays out $5,000, and he cannot tell any of the persons to whom he paid it except to another campaign manager of the Liberal party, and he does not know what on earth he paid him. Now, Mr. Speaker, have you, in the course of your business or public career, ever seen a transaction like that? Is there a precedent for anything of that sort in the history of honest dealing in this country? $2,000, he wont deny it was that, which he paid to Geo. W. Robertson, who saw the minister in the matter, and who later on accompanied Mr. Murray to Ottawa to see the minister in St. John, and who was a partner with him in managing the Liberal party in the county of Kent, paid him $2,000 in cash in payment of a debt, but he cannot tell what the debt was for or how much the debt was. But it does not end there. He knows nothing about all the rest of the debts which he paid with the other $3,000. But strange to say the only debt that up to that time had come to light as touching Mr. Murray, is the debt that he did not pay at all. He owed Mr. O'Leary a large sum of money, but he did not see fit to turn in any of this money to Mr. O'Leary. Perhaps the explanation is that Mr. O'Leary was not a joint manager of the Liberal party campaign fund in Kent.

Now, what is the next thing? The next thing that occurs after this deed is registered, is the public scandal, it becomes a matter of notoriety, it passes from mouth to mouth, that the old heap of sawdust has been purchased by the Dominion government shortly before the election for the colossal sum of $5,000. That comes to light just after the general election. A scandal ensues, as the minister practically admits, and that scandal proves that Mr. Carters judgment was sound when he decided that this deed should not be registered until after the general election was safely passed. The scandal ensues, the Minister of Public Works hears of it from the member for Kent, New Brunswick (Mr. Leblanc), a gentleman of parts, and so far as we know, a gentleman of honour. The member for Kent, who, strange to say, knew nothing about this transaction, who had never represented to the Minister of Public Works that there was any earthly use for this heap of sawdust, goes to the Minister of Public Works and complains that it is a scandal to the honest community that the government should pay $5,000 for a wharf like that. Then the Minister of Public Works gets busy and he begins to write letters. He writes a letter to Mr. Stead and a letter to Mr. O'Leary, and in those letters he betrays those same symptoms of injured innocence that he manifested to the House this afternoon. And he proclaimed it as a great credit to himself that he wrote to Mr. O'Leary after the election was over and after the facts about this transaction had been disclosed. A great credit to him when the notoriety of the scandal was rampant throughout Canada, and when nothing but this was possible for him to do in order to cover up the evidence of the job that has been committed. Now, Sir, the minister writes to Mr. O'Leary; Mr. O'Leary replies, just as one would expect him to reply. The minister writes to Mr. Stead, and here is something that is certainly worthy of attention; the ingenuity with which the Minister of Public Works met this was something that should go down as of scientific importance, if for no other cause. Now, Mr. Stead was in the witness box in December, and he swore that he did not see the Minister of Public Works about this transaction from the time of his report on the 10th June, 1908, until the minister wrote him a letter on the 13th January, 1909. Now, the minister's letter was meant to convey the impression to those who read it that he had very recently been informed that Mr. Murray had purchased this wharf for a small sum of money, and had within a few days turned it over to the government for $5,000; he meant to convey the impression to Mr. Stead that he had only just been informed of this, and was innocently waiting for information. No other meaning could be taken out of that letter of the 13th of January; the letter is in the 'Hansard,' and I need not quote it again. Do you believe, Mr. Speaker, that these were the facts, that the minister had just been informed of it, and that he was for the first time apprising Mr. Stead of the position? The minister tried to convey the impression to the Public Accounts Committee that those were the facts. But those were not the facts. Worse than that, the minister actually endeavoured before the Public Accounts Committee to put into the mouth of Mr. Stead a statement which was not a fact, and which it is impossible to believe the minister did not know was not a fact. The minister himself was the gentleman with whom Mr. Stead consulted on the 26th December about this very transaction, 20 days before he wrote the letter. He meant to put into Mr. Stead's

mouth that he had never seen the minister about the transaction at all between the 10th June and the 13th January, and Mr. Stead, after the words were put into his mouth, positively swore that he had never seen him about it. But when Mr. Stead was brought before the committee, and when he was compelled to produce his diary, he was compelled to admit that he had seen the minister about it, and had actually discussed this transaction with him on the 26th December. That is something the minister did not bring to the attention of the House. Not only that, but the minister told him he had better get out and produce some evidence, discover some facts, in order if possible to support the transaction. That is what took place on the 26th December, so far as the evidence shows. The evidence does not show that anything more was said; but it does show that the matter was discussed between these two gentlemen, and Mr. Stead also stated that the minister told him he would write him a letter about it, and that Mr. Stead expected the very letter that he received on the 13th January, 1909. And how does the minister square that with the contents of the letter itself; and why did the minister not frankly state that he had discussed this matter with him on the 26th December, if the minister was as innocent of the whole transaction as he would have this House believe?

Now, Mr. Speaker, put all these circumstances together, and what is the only conclusion? That is for the members of this House to decide. It is what the minister has not answered, it is what no hon. member on the other side of the House has attempted to answer. What is the significance of the chain of circumstances—a chain of circumstances on half the extent of which more than one man in this country has been hanged? The hon. member for Carleton and the minister himself tried to wipe out the shame of this transaction by bolstering up the value of this wharf. Whether this wharf is worth $1 or $5,000,000 is of very little consequence in so far as the guilt of the minister and the shame of his department are concerned. If this wharf is worth $10,000,000 to-day, what does it signify and how does that affect the direct and plain responsibility of the minister for the whole fraud connected with this transaction? How does that impair the chain of circumstances that all along show the cognizance of the department of the deliberate attempt that has been made to filch out of the treasury of this country money for the carrying on of elections in the province of New Brunswick? If that wharf was sold at $700 and then, a few days after, sold for $5,000 I venture to say that to the unprejudiced electors of this country there will be no explanation for it except the explanation that I hope this House will accept.

On the matter of valuation I do not propose to say very much. On the question of valuation, in order, if possible, to divert public attention from the enormity of the crime, they dwelt long. Valuation! In every trial or legal procedure in this country at which questions come up that involve expert testimony, expert testimony and information can be procured. If it were a matter of valuation you could procure valuations for any purpose whatsoever and every lawyer in this House knows it. But, Sir, the fact that stares the people of this country in the face is that a wharf that had laid idle for fifteen or twenty years, worthless and unused, in a village of 700 people, constantly declining, in numbers, is sold for $500 in 1905 to one Frank Ingersoll, who pays $50 down, then rues his bargain and forfeits his $50 because he believes that the wharf is not worth the other $450. The minister had it in his power, if he disbelieves Mr. O'Leary in that regard, to call Frank Ingersoll, but he did not do it. The wharf remains from that time on until May, 1908, when Mr. Thomas Murray suddenly buys it after visiting the Minister of Public Works, for $700, and in the course of eight days has virtually completed a transaction by which he sells it to the government for $5,000. The sale of that wharf for $700 on the 4th of May, if it were worth what the minister and his friends claim, is only accounted for by one hypothesis, and that is the absolute insanity of Mr. O'Leary. Nobody says for a moment that Mr. O'Leary is a dupe. He was not away down in the southern states, or in South America, or in India, he was living right there on the ground, the largest property owner in the town, admitted by every person to be shrewd, capable business man. He sells that wharf for $700 on the 4th of May and the government are actually forced to make this country believe, if possible, in support of their position, that when he sold it is was actually worth from $5,000 to $15,000. That is what the government are faced with. But, that is not all. Who else has given evidence as to the value of this property? I submit to the minister and to you, Mr. Speaker, that the assessor of Richibucto is a man who ought to know what this property is worth. It is on record that the assessor of Richibucto, after Mr. O'Leary had sold the wharf, refused Mr. O'Leary's request to reduce the assessment by reason of the wharf being sold and gave as his reason that the wharf was of no value whatever, and that consequently its alienation did not detract from the value of the whole property. If the minister disbelieves Mr. O'Leary in that regard, why did he not call the assessor? The minister

did not call the assessor, and he did not call Ingersoll; he is obliged to call those who have intimate connection with his own department and in whom the obligation to be on good terms with the department heavily rests. The assessor is therefore on record. But what more is on record? What is the criterion of the value of property anywhere? It is, first, what shrewd business men will buy it for; it is, secondly, what other property sells for in the neighbourhood, and I submit to this House and the minister that every record of sales in Richibucto absolutely gives the lie to the position of the Minister of Public Works. Case after case was put on record by the hon. member for York. I do not need to go over them again, but we have it on record that this wharf for which the government paid $5,000 was sold for from seven to twenty times what it was actually worth. Against this the minister can call till Doomsday those who have contracts from the government, those who are making money out of his department to give evidence, but the people of the country have too much common sense to listen to any evidence of that sort after the evidence of actual facts.

When is the time coming in this country, when is the time coming in this House, when hon. gentlemen opposite will venture to throw off the garments of party and vote what they actually believe to be correct and true with respect to a resolution before the House. When is the time coming when we can rely on hon. members of this House to vote against transactions that are exposed as this one has been in the light of day and whose true character must be admitted by every member of this House? If the minister says: Make a charge—for what purpose make a charge? In order that there may be an investigation? I tell him that this has already been investigated and that the minister has been there to defend himself. He was there throughout the whole inquiry. What more does he want in the way of investigation? The evidence is there. Now, I aver that while this class of transaction does not stand alone, this is one of the worst that has ever been brought to light against this government. It is true that this is only a breath from that atmosphere of political depravity that envelopes this government and supplies the only nourishment upon which it can subsist but this debate is surely not without a purpose, and I hope it will have this result that the minister will never again proclaim in this House or on the hustings that he carried the province of New Brunswick and thereby vindicated his own character and the administration of the department over which he presides.

Mr. R. L. BORDEN. Mr. Speaker, this matter has been so fully debated that I do not intend to occupy the time of the House for more than a few moments. The amount involved is not a large one, but the question at issue is not without importance, because I think we may learn from the methods disclosed in this transaction some of those which perhaps are applied to transactions of greater amount. My hon. friend the Minister of Public Works did not seem to be so much at ease as usual when he was undertaking to defend this transaction this afternoon, and I do not wonder at that. He made some rather curious suggestions in the course of his speech. For example, he argued strenuously—and I am inclined to think that we ought to accept his word—that if any telegram with regard to campaign funds had been sent by Mr. Murray, it would have been sent to him and not to Mr. Valiquette. My hon. friend was ready to give his assurance to the House in that regard, and I am inclined to think that, according to the well understood usages of parliament, my hon. friend from York and my hon. friend from Portage la Prairie should have accepted this statement.

I do not propose to quote any evidence, but to consider certain facts seriously disputed. My hon. friend the Minister of Public Works has based his defence, if you can call it a defence, upon certain theories as to the value of this property derived from the evidence of certain witnesses given before the Committee on Public Accounts. I prefer to take events and transactions when there was no controversy at all about the value of this property, and when men acted upon what they believed to be its value. My hon. friend from Portage la Prairie has put in a very few words what I desire to say in that regard. Here was a property purchased for $400 in 1902, sold for $500 in 1905, just three years before this transaction, sold to a man who put up $50 and preferred to lose that sum rather than carry out his bargain. The owner of the property, Mr. O'Leary, according to the judgment of the Minister of Public Works, and according to the judgment of the hon. member for Carleton, is as shrewd and capable a business man as is to be found in the province of New Brunswick. That man, after having had this property on his hands for years, after having paid $400 for it and having vainly tried to sell it for $500, sold it in the month of May, 1908, for $700, and thought that in doing so he made a very good bargain. In addition to that, when he went to the assessor of the town afterwards, and endeavoured to get the taxes on his property reduced by reason of the fact that he had parted with this property, he was not able to get one cent taken off his taxation, for the reason that the assessors considered the property of so

trifling a value that they could not conscientiously reduce the value of his remaining property on the municipal records. Is there any dispute about these statements?

Mr. PUGSLEY. Will the hon. gentleman allow me to ask him a question? In the province of New Brunswick real estate and personal property are assessed at exactly the same ratio, and the personal property that Mr. O'Leary got in the shape of money would take the place of his real estate, so that he would not be entitled to any reduction

Mr. R. L. BORDEN. Will any hon. gentleman in this House be good enough to tell me what answer I ought to give to the hon. gentleman's 'question'? Let us go on a little further. There had been some negotiations between Mr. Murray, the purchaser of this property, and Mr. O'Leary, the owner of the property, previous to the occasion on which this property was actually purchased. There may be some dispute between these two gentlemen as to whether or not in the first instance there was a negotation as to a purchase of the whole property. I have listened very attentively to this debate. I have endeavoured by examining the evidence itself as the various speakers went along, to follow up this matter, so that I could come to a correct conclusion about it; and so far as the various controversies are concerned that have arisen between Mr. Murray and Mr. O'Leary with respect to matters of fact, I venture to think that any hon. gentleman in this House who gives an intelligent consideration to that evidence, cannot fail to accept the statements of Mr. O'Leary and reject those of Mr. Murray. If my hon. friend from Carleton should have evidence of that kind presented to him when he comes to accept one of those judgeships which have been alluded to this afternoon, I have sufficient confidence in his judicial fairness to believe that without one single moment of hesitation he would accept the statement of Mr. O'Leary and reject that of Mr. Murray. I say further than that, that if my hon. friend from Carleton, sitting as a judge upon the bench, had evidence of this kind presented to him upon the motion of my hon. friend from York, he would not stop to reserve judgment, but would give judgment on the spot in favour of my hon. friend from York upon the evidence adduced. I am glad to see that my hon. friend from Carleton smiles assent to that.

Mr. CARVELL. Almost any man would smile at a statement like that.

Mr. R. L. BORDEN. I do not see why my hon. friend should smile at the idea of his possessing judicial fairness. Let us look a little further into this matter. According to the testimony of Mr. Murray, the only purchase spoken of in the first instance was the purchase of a right to place a sewer through this property. It is established that Mr. Murray went to Ottawa afterwards. It is established again, although the evidence was extracted with great difficulty, that he saw the Minister of Public Works. Is Mr. Murray so much in the habit of coming to Ottawa and visiting the Minister of Public Works that he cannot remember what took place or what induced him to come on any particular occasion? Will any hon. gentleman have the hardihood to rise in his place and say that he can credit the testimony of a man who came to Ottawa on an occasion of that kind, saw the Minister of Public Works, and when interrogated on the witness stand, was absolutely unable to give any explanation of his visit except the one that has been suggested by my hon. friend from York? Well, he went back to New Brunswick, and what occurred then? He wanted to purchase this property outright. There is no dispute about that; he admits it, and O'Leary stated it. He had suddenly, for some reason, acquired the idea that it would be greatly to his advantage to become possessed of this property as its owner.

He did become possessed of this property for the sum of $700. Mr. O'Leary was not only willing but absolutely delighted to get rid of the property at that price. Now, Mr. O'Leary had held this property for a number of years, he had carried on business in that town for a number of years, and according to all the evidence given he is a shrewd business man. But in parting with this property for $700, Mr. O'Leary must have been absolutely bereft of his reason if the property were worth anything like $5,000. Then, some further things happened which are not without significance. There had been a proposal in the previous March, that a certain municipal wharf should be acquired by the government and a report had been made favouring the acquisition of that wharf. The resident engineer of the Department of Public Works was sent to make and he did make a new report, and changing his view of the situation for some reason which he did not very satisfactorily explain, he arrived at the conclusion that it would be desirable to purchase this property and he advised the purchase of it for $5,000. If his report is to be trusted he regarded that as a very reasonable price indeed. Now, in the course of his examination, not at first but during his subsequent examination he was compelled to admit that at the time he signed that report he knew that that property had been conveyed by Mr. O'Leary, by means of a deed of conveyance which expressed upon its face that the purchase price of this pro-

perty was not more than the sum of $1,000; and this purchase had taken place barely one month before the time he reported that $5,000 would be a fair and reasonable price for that property.

An hon. MEMBER. Only sixteen days before.

Mr. R. L. BORDEN. Sixteen days. I did not know it was so close as that; I was certainly not exaggerating the peculiar feature of the situation in that regard. Now, I would like to know from the Minister of Public Works whether he would have put through that purchase if he had known that that property had sold for $700 in the previous May. The Minister of Public Works did not give us any explanation in that regard. He did write a letter on the 13th of January, 1909, and I am bound to say that that letter has fully served the purpose for which it seems to have been written—it has been quoted in this House. That letter expresses the disapprobation of the Minister of Public Works of the course this engineer pursued in not reporting that that property had been sold for not more than $1,000 just sixteen days before he made his report. To show how deep was the disapprobation of the Minister of Public Works of this action of his engineer, I am informed that he not only gave him the statutory increase of $100 in his salary, but he gave him a special bonus increase to the extent of $200 besides. I venture to say that having been taught a lesson, such as that, this engineer will never sin in the same way again. I do not know of more condign punishment that can be visited upon a man for negligence of that kind than to give him the usual statutory increase and give him a special increase of $200 besides. Still, matters did not proceed rapidly enough, and later, on the 18th of September, Mr. Murray sent a telegram to Mr. Valliquette, whom he designated as chief engineer of the Department of Public Works, and Mr. Valliquette was entreated by the terms of that telegram to hasten this transaction for the reason that it would be very important to my hon. friend (Mr. Leblanc) who is the sitting member for the county of Kent. I do not know whether my hon. friend from Kent agrees that this transaction was important to him; I have rather understood that he dissents from the view of Mr. Murray. At all events the telegram was so effective that the Minister of Public Works, on the 24th of September, made a report to council, an order in council was passed, the transaction went through and the money was paid to Mr. Murray about the 10th of October. Mr. Murray describes himself as a man of large business transactions. He is part owner of a railway and his transactions with Mr. Robertson and other gentlemen are so extensive, and they have become so confused in his mind that he is unable to recollect the details of a single transaction. And in order that there may be absolutely no question in regard to this he received the whole $5,000 in $5 and $10 bills. I want hon. gentlemen to realize what this amount of bills would mean. Assuming that the sum of money was equally divided between $5 bills and $10 bills, Mr. Murray went home with no less than 750 bank notes in his pocket, and he handed them over to his wife. Then, he proceeded to deal with that money according to his usual business methods, and in the first place he paid to Mr. Robertson, the gentleman who had accompanied him on his visit to Ottawa, the sum of $2,000 in partial payment, or in entire payment, or in over-payment, or in some kind of payment, of a debt, the nature of which or the amount of which he is absolutely unable to describe. He had taken the precaution in the first instance to carry home the 750 bank bills and after that he paid the $2,000 out. Is there any hon. gentlemen in this House so simple minded as to place credence in a story of that kind. Is it not taxing our credulity a little too much to ask us to believe that this was an ordinary plain business transaction as the Minister of Public Works would have us believe. Why, the story is absolutely incredible upon its face. Sir, this is an absolutely undefended case. I will not take up the time of the House further than to say that every credit is to be given to my hon. friend from York (Mr. Crocket) for exposing this transaction. ,I for my part congradulate him upon his action in this case. I may say that when he brought this resolution and submitted it to me before presenting it to the House, I said to him: its terms are pretty strong; can you make them good; do not go any further than that which you are able to maintain by reference to the evidence upon the floor of parliament. And my hon. friend (Mr. Crocket) said to me: I can make it good. And Sir, at this moment I have only one criticism of his resolution and that is that I do not think he made it strong enough.

House divided on the amendment (Mr. Crocket).

YEAS.

Messieurs.

Armstrong,	Macdonell,
Arthurs,	McCall,
Barnard,	Magrath,
Beattie,	Meighen,
Blain,	Middlebro,
Blondin,	Nantel,
Borden (Halifax),	Owen,
Boyce,	Paquet,
Bradbury,	Perley,
Broder,	Porter,
Burrell,	Reid (Grenville),
Campbell,	Roche,

Chisholm (Huron),
Cowan,
Crosby,
Crocket,
Crothers,
Currie (Simcoe),
Daniel,
Donnelly,
Edwards,
Elson,
Fraser,
Goodeve,
Haggart (Winnipeg),
Henderson,
Herron,
Hughes,
Kidd,
Lalor,
Lancaster,
Lennox,
Lortie,
Russell,
Schaffner,
Sexsmith,
Sharpe (Lisgar),
Sharpe (Ontario),
Sproule,
Stanfield,
Staples,
Stewart,
Taylor (Leeds),
Taylor (New Westminster),
Thoburn,
Wallace,
White (Renfrew),
Wilcox,
Wilson (Lennox & Addington),
Worthington,
Wright.—63.

NAYS.

Messieurs.

Allard,
Allen,
Aylesworth,
Beauparlant,
Béland,
Bickerdike,
Black,
Borden (Sir Frederick),
Boyer,
Brown,
Bureau,
Carrier,
Carvell,
Cash,
Champagne,
Chisholm (Antigonish),
Chisholm (Inverness),
Clarke (Essex),
Congdon,
Conmee,
Delisle,
Demers,
Douglas,
Dubeau,
Ecrement,
Ethier,
Fielding,
Fisher,
Fortier,
Fowke,
Gauvreau,
Geoffrion,
Gervais,
Girard,
Graham,
Harty,
Hodgins,
Hunt,
King,
Knowles,
Kyte,
Lafortune,
Lanctot (Laprairie Napierville),
Lanctot (Richelieu),
Lapointe,
Lavergne,
Law,
McCraney,
McGiverin,
McIntyre,
McKenzie,
McLean (Huron),
McLean (Sunbury),
Major,
Marcile (Bagot),
Martin (Ste. Mary's),
Martin (Regina),
Martin (Wellington),
Mayrand,
Meigs,
Michaud,
Miller,
Molloy,
Murphy,
Nesbitt,
Neely,
Oliver,
Papineau,
Pardee,
Parent,
Paterson,
Pickup,
Proulx,
Pugsley,
Rankin,
Reid (Restigouche),
Richards,
Rivet,
Robb,
Ross (Middlesex),
Ross (Rimouski),
Roy (Dorchester),
Rutan,
Savoie,
Schell,
Sealey,
Seguin,
Smith (Middlesex),
Smith (Nanaimo),
Smith (Stormont),
Sperry,
Talbot,
Templeman,
Tobin,
Todd,
Tolmie,
Turcotte (Nicolet),
Leblanc,
Lemieux,
Loggie,
Lovell,
Macdonald,
MacNutt,
McCoig,
McColl,
Turcotte (Quebec County),
Turgeon,
Turriff,
Warburton,
White (Victoria),
Wilson (Laval).—111.

PAIRS.

Messieurs.

Ministerial.	Opposition.
Laurier (Sir Wilfrid),	Doherty,
Brodeur,	Foster,
German,	Haggart (Lanark),
Stratton,	Gordon (Nipissing),
Low,	Smyth,
Sinclair,	Monk,
Gordon (Kent),	Osler,
Clark (Red Deer),	Northrup,
Currie (Prince Edward),	Maddin,
Harris,	Rhodes,
Guthrie,	Bristol,
Devlin,	Forget,
Emmerson,	McCarthy,
McAllister,	Barker,
Chew,	Lake,
Prowse,	Best,
Verville,	Price,
Lachance,	Marshall,
Gladu,	Thornton,
Roy (Montmagny),	Jameson,

Amendment negatived.

Motion agreed to, and House went into Committee of Supply.

For the development of the live stock industry, $52,000.

Mr. J. D. REID. Give us some explanation about that.

Hon. SYDNEY FISHER (Minister of Agriculture). By way of explanation, I have to say that we have been continuing the same work as was done in years past in regard to this branch. It has been under the guidance of Dr. Rutherford, who is not only director veterinary general, but also live stock commissioner. He has as assistant, Mr. Spencer, who is in more immediate charge of this work. The work consists in aiding the development of the live stock interests of the country by the encouragement of local live stock associations, and the distribution of information among those and among men interested in the live stock work. In this connection we have been supplying judges to fairs or exhibitions, and assisting those exhibitions by supplying speakers to address them, and give illustrations and information. We have also a staff of men who have been attending institutes where live stock interests are being discussed. We have also sent out a great number of bulletins. It was under this branch that what is known as the sheep bulletin was sent

out last year, and just recently a bulletin, or report of the Swine Commission was sent out. We have also undertaken work in connection with the breeders of pure bred cattle. The breeders of pure bred cattle, dairy cattle especially, have asked that steps should be taken to make what is called an advance registry of dairy cows, and for this purpose they wish to have authoritative tests. We have appointed inspectors to go about and supervise these tests, and we give the necessary service.

Mr. BLAIN. Who are the commissioners?

Mr. FISHER. The first inspectors are Mr. Drummond, Mr. Clements, Mr. Mason, and Mr. McNish. There are four of them now. When the work first commenced a few years ago, it was thought that one man would be able to attend to it, but there has been such a demand that as time went on we have had to add to the number, until now there are four engaged, and occasionally we have to employ temporary men for outlying parts which these four inspectors could not conveniently, or economically reach. This work has been demanded by the breeders of pure bred cattle, especially, and it is one which I think of importance for the improvement of these breeds. It has met with great favour among the people interested, and also among those who wish to buy sires for breeding stock and improving their own herds. We have also made some money grants to certain fairs in the west and in the east. The grant to the Maritime Stock Breeders' exhibition at Amherst, and to some fairs in the western provinces, has come out of this grant. We have been doing a little work in the direction of the developing of the sheep industry. We have tried to give instruction and information in regard to that. In that connection, we have been arranging and managing the sales of sheep by auction in different parts of the country. This is a general resumé of the position, but I shall be glad to answer any question.

Mr. W. H. SHARPE. To what fairs in the west is assistance given through this vote?

Mr. FISHER. The Brandon winter fair, the Regina fair and the Calgary fair.

Mr. SEXSMITH. Will the minister explain further with regard to the dairy herds?

Mr. FISHER. We have inspectors who supervise owners' tests of individual cows which are entitled, if successful to entry in what is called the advanced register. A thoroughbred cow, for instance, a Holstein, is registered with other pedigreed stock entered in the registry which the Holstein breeders manage. But, besides this, an animal may be tested for a year. This test is supervised by the officials of the department so as to give authority and credence to the work, which, if done by the owner without supervision or correction, might be looked upon as suspicious. The milk is weighed and tested by the Babcock test, and if the record shows that the animal produces up to a certain quantity, she is entered in the advanced registry with the amount of this her production in a year opposite her name.

Mr. SEXSMITH. It is not necessary that she should be a thoroughbred?

Mr. FISHER. Yes, we make these tests only of thoroughbred animals.

Mr. SEXSMITH. When does the minister expect to put in a Holstein herd in the experimental farm?

Mr. FISHER. I hope, this coming year.

Mr. SEXSMITH. I am glad to know that the minister is taking that up. Last year, I asked why he did not have Holsteins there, and I think his answer was that they had all they had room to house or something of that kind. It seems to me a very mild excuse, if I may say so. I have no particular fancy for one breed, but I think that, in the interests of the dairy industry, all leading dairy types should be found at the experimental farm. I agree with the hon. minister in what he said the other day that it would not be wise for the department to make a distinction between one breed and another. There are different types of dairy cattle, and every man thinks that the one he fancies is the best. The Holstein is considered one of the best dairy types in America today, and when those who favour that type find they cannot get any information from the experimental farm based on actual experiment wtih that type, they are apt to think it a great mistake. I am glad to hear that the minister is going to put in a Holstein herd.

Mr. G. V. WHITE. At what points are these inspectors to which the minister has referred stationed, and what are their salaries? I suppose this item covers their salaries?

Mr. FISHER. Two of these gentlemen are stationed at Ottawa, and their salaries are paid out of civil government, I think they receive one $1,350 and the other $1,300. The other two have their headquarters outside of Ottawa, and one receives $1,050, and the other $1,000.

Mr. W. H. SHARPE. The minister spoke of sheep in connection with this item. Will he be good enough to explain further.

Mr. FISHER. We instituted some sales of sheep, bringing the sheep, most of them,

from the province of Ontario, which is the great sheep breeding province of the Dominion. The result is to distribute sheep in different parts of the country, including portions of Ontario where comparatively few sheep were raised. I think none have been sent to the west, except that there was one sale in British Columbia. Some were sent to the maritime provinces, and some to Quebec. I may say to the hon. member (Mr. W. H. Sharpe) who comes from Manitoba, that we have just arranged to put a small flock of sheep on the Brandon farm. A portion of that farm, we think, is suitable for sheep husbandry, and we hope this summer to get in a flock of sheep and show what can be done on the portion of a farm set apart for that purpose. Of course, that will not come under this item, but under experimental farms. The sheep bulletin issued a year ago, and which has found such wide favour in the country, was issued by this department.

Mr. W. H. SHARPE. Do I understand that the department collects sheep, takes them to different parts of the Dominion and makes sales?

Mr. FISHER. We make arrangements, advertise and manage the sales, and pay expenses. We do not provide the animals, we ask the breeders of sheep to do that.

Mr. W. H. SHARPE. Do you conduct these sales in western Canada?

Mr. FISHER. Where there is a demand. We go in and try to create a demand, for, of course, the breeders will not send the sheep unless there is a chance to sell them. We prepare the ground in the neighbourhood beforehand, and arrange for the sale, and then invite the breeders to send their sheep.

Mr. HENDERSON. I was not aware that there was a bulletin with special reference to sheep.

Mr. FISHER. It was sent to every member of the House last year.

Mr. HENDERSON. I was absent from home, or there was some other reason which prevented me from seeing it. Is it published annually?

Mr. FISHER. No, it was of the same general character as the one the hon. member saw this session the report of the swine commission. It was a very fine book and much the same in style as a book as the one on swine husbandry.

Mr. HENDERSON. Is it distributed only to members?

Mr. FISHER. No, it is sent all over the country.

Mr. HENDERSON. How does the minister ascertain who the sheep breeders are in any county?

Mr. FISHER. Our officers know them pretty well, they know the men who are exhibiting sheep. We have constant questions from sheep breeders all over the country, and there are sheep breeders' associations in most of the provinces, with which we are in constant touch, and we have lists of practically all the sheep breeders. The members of the House were asked, many of them, to give us the names of the sheep breeders in their respective counties. We still have many of those bulletins on hand, and can supply those who have not been supplied. But we do not send them to all the farmers, because a good many farmers do not breed sheep.

Mr. HENDERSON. In a county such as mine, I daresay there are 40 or 50 men who are actively engaged in sheep breeding. I suppose the minister prefers to send them out from the department than through the members.

Mr. FISHER. We would be willing to send them to the members. But if there are 40 or 50 men in the hon. gentleman's county who are interested in sheep, I am satisfied they have all got the bulletin already. If there are any sheep breeders in his county who have not received it, and if he will send us their names, we will supply them at once.

Mr. W. H. SHARPE. How many hundreds of them does each member get?

Mr. FISHER. I think about 30,000 were printed, and we have sent out something over 20,000; so if anybody will send us a list of men to whom these bulletins would be useful, we can meet the demands. I do not want hon. members to send us any names except those who are breeding sheep, and these will be sure to get them.

Mr. W. H. SHARPE. We all like to get a little credit for what we do for our constituents, but when these books are sent out through the department under the frank of the Minister of Agriculture, he gets all the credit and we get none.

Mr. FISHER. We are just doing our duty.

Mr. W. H. SHARPE. But we don't get anything out of it at all. In connection with this matter, I might mention those who are engaged in the hog industry to whom the department also sends books. Both these are splendid books. There are many men in my constituency who would like to get them, and I would like to be able to send them the books, and send them through my own name.

Mr. FISHER. Certainly. The difficulty is that we are already sending them out by hundreds to all the men whose names we know throughout the country, and if hon. members were also to under-

take to send out large numbers, without doubt a great many men would get two copies, and thus the books would be wasted. They are rather expensive books, they cost about 30 cents a piece, and we cannot afford to waste them. It has been the custom in the Agriculture Committee to supply every member in the House with a certain number of the evidence taken before that committee, and I have been told over and over again that there were stacks of these books in this building which have never been distributed. I am afraid that if I were to send to every member a quantity of these publications, the result would be the same.

Mr. HENDERSON. I share a good deal the feeling of my hon. friend from Lisgar (Mr. Sharpe). For a number of years I have taken a good deal of interest in sheep raising. I am not boasting about it, but I make it a practice to give a prize for a certain kind of sheep at each township fair in my county. I visit these fairs as I give the prize, and I go amongst the sheep men and find out who have the best sheep. In that way I come in contact with the sheep breeders and know pretty well who they are in that county, not only men who raise Leicesters, but those who raise Shropshires and Dorsets. But whilst I am doing that, I am not doing it to give the Hon. Mr. Fisher all the credit for furnishing this information. I think the minister should help the men who do that sort of thing, and allow us to share a little in the glory. I do not know what names the minister has on his list. I might go to the trouble of writing out a list of 40 or 50 names, and, perhaps, he has those names already. But if the minister will send me a list of the names of the sheep men he has on his list, I will go over it, and I think I can tell him pretty accurately whether he is supplying all those who take an interest in sheep breeding in the county of Halton.

Mr. FISHER. I shall be glad to do that.

Mr. HENDERSON. Then will he follow that up by supplying those who are short? Now, I know these men would read the books with a great deal more interest if they saw my name on it.

Mr. MILLER. Then they would feel sheepish if they didn't vote for you.

Mr. HENDERSON. I do not say that all the sheep men vote for me, I know they do not. But that makes no difference so far as the distribution of that book is concerned. Some of the men who got my $5, or whatever it may be, are my friends, and some are not my political friends; it is the man who has the best sheep that gets the prize. I remember one instance where serious fault was found because I gave a prize in the county year after year for the best Cotswold yearling ram, and it was said that I ought to vary the prize and give it to something else. I do not know whether the minister would agree with me, but I think that is the proper way of giving a prize to help an industry. Men know at the beginning of the year that there is going to be a certain prize for a certain class of sheep, and it is for them to go to work and bring their sheep up to the point that they can secure the prize. I think it creates a far healthier competition by continuing the same thing year after year. When I go on the show grounds, say at Oakville, in the township of Trafalgar, I am told that this is Billy Paterson's prize—not the Hon. William, but another of the same name. He has taken the prize year after year. I say: If you bring a better sheep than Billy Paterson you will get the prize, and last year somebody else did. The man who won it did not live in the county of Halton. Some person from the constituency of my hon. friend from Peel (Mr. Blain) carried away the prize. They, unfortunately, did not limit it to the county of Halton, and it went into the county of Peel, contrary to my wish, because when I gave the prize I desired to limit it to my own county, because I thought it would create a good healthy competition in the county. If the minister would supply me with the names he has of the sheep breeders, I would be glad to revise it and tell him whether he has these men on his list or not.

Mr. FISHER. I would be very glad to do that.

Mr. W. H. SHARPE. I think there is a great deal in what the minister says about the supplies given to each member. I know that in our own room there are a great many supplies that are not sent out. But, when we supply the minister with lists of names of people in our own counties we should at least get the credit for sending these out, and I think the minister should make some arrangements along that line.

Mr. FISHER. I will be very glad to try and make some such arrangement. If anybody is particularly interested in the sheep bulletin and wishes to send it to a certain number of people I think we should let them have it, but I do not want to have them wasted.

Mr. W. H. SHARPE. Suppose I send you in twenty-five or thirty names from my constituency; you have your list and you might mark off the names of those to whom it has been sent, and then send the bulletin to the balance with my compliments.

Mr. FISHER. I will be glad to do that. If my hon. friend sends in a list I will

compare it with ours and send the bulletin to those who have not received it.

Mr. MILLER. I have followed this plan. I have sent in a list, retaining a copy of it, and then written a short letter to each of the parties whose names are on the list stating that I have asked the department to send to their address a copy of the bulletin and that I hope they will receive it. In that way they think a great deal more of it than if you simply send the book without a letter.

Mr. SEXSMITH. You are conducting some experiments on the farm with sheep at the present time, are you not?

Mr. FISHER. We have a small flock of sheep on the farm.

Mr. SEXSMITH. Do you issue pamphlets showing the expense?

Mr. FISHER. Yes, it is all in the farm report.

Health of animals—$250,000.

Mr. G. TAYLOR. This is a large amount.

Mr. FISHER. Yes; the size of it is due to dealing with glanders and hog cholera.

Mr. G. TAYLOR. How much was spent last year?

Mr. FISHER. $85,000 was paid in compensation last year for horses affected with glanders and for hogs slaughtered because of hog cholera.

Mr. G. TAYLOR. How much of the total vote of $250,000 was spent in connection with the health of animals?

Mr. FISHER. It was all spent. That covers the veterinary staff and quarantine work on the sea coasts and the American frontier as well as internal work.

Mr. RUSSELL. Did that cover the whole of Canada, or does the Ontario government pay any compensation for animals slaughtered?

Mr. FISHER. I think I am safe in saying that no provincial government pays any compensation.

Mr. SEXSMITH. How many veterinary surgeons have you?

Mr. FISHER. 108.

Mr. S. SHARPE. Are they under salary or are they just paid for their services?

Mr. FISHER. Practically all under salary. We found years ago that it did not work at all to have men in private practice and at the same time working for the government. They were so mixed up with their clients in their private practice that they could not do justice to government work, and we had to put them on permanent salaries. There are some men allowed to take fees to give certain certificates that are required for export to the United States, but the amount which they get in that way is very small.

Mr. SEXSMITH. What is the amount of salary?

Mr. FISHER. $1,000 to $1,200. I think the highest salary in the office here is $2,000.

Mr. S. SHARPE. What territory do they cover?

Mr. FISHER. They go wherever we order them. We keep certain men in one district because otherwise their travelling expense would be too great. We sometimes change them about.

Mr. S. SHARPE. How many have you in Ontario?

Mr. FISHER. About ten. Some of these are engaged on the frontier and some in the interior. A great deal of the work in Ontario is done by the headquarters staff.

Mr. SCHAFFNER. How many in Manitoba?

Mr. FISHER. Six.

Mr. W. H. SHARPE. Are they all employed in the city of Winnipeg?

Mr. FISHER. Three in the city and three on the boundary. Some of the boundary work is done in the city.

Mr. RUSSELL. How many of these officers are employed on the headquarters staff here in Ottawa.

Mr. FISHER. Not counting office staff, about six.

Mr. RUSSELL. I mean in the laboratory?

Mr. FISHER. Dr. Rutherford and three others in the office who do consulting work here and go out as they are required through the country. Then there are two in the bacteriological laboratory at the farm, making six altogether. Doctor Rutherford and three others are doing consulting work and going out as they are required, and there are two in the laboratory, making six.

Mr. RUSSELL. Have they much work to do?

Mr. FISHER. Yes.

Mr. RUSSELL. You could not take up that other branch I spoke of the other night?

Mr. FISHER. That is worth considering.

Mr. RUSSELL. A duly qualified veterinary surgeon would be the best for that work?

Mr. FISHER. I think so; I am informed there are specimens of diseased chickens constantly sent into the laboratory, and they are always examined and information given.

Mr. SCHAFFNER. What are the names of the three men employed on the boundary in Manitoba?

Mr. FISHER. Messrs. McKenzie, Stephenson and Thompson, and there is also a Mr. Bonnet, who is also employed by us, but paid by fees.

Mr. W. H. SHARPE. $250,000 to be spent on the health of animals is a large amount. Dr. Rutherford is here to-night, and he will be able to give us better information on this subject than we had last year. In 1905, the last year the Roblin government had charge of the health of animals in Manitoba, it only cost $3,600 for that service, but last year the same service cost the Dominion government $16,000 in Manitoba. Why this heavy expenditure?

Mr. FISHER. In the first place the Roblin government had no duty to perform on the frontier. That is our work in Manitoba as elsewhere. I do not know what work the Manitoba government was doing, and I cannot compare the details of the cost, but I do know that to-day we are working our own men in Manitoba very severely indeed. There was about $3,500 expended in Manitoba on the boundary, and $7,000 in addition to that.

Mr. W. H. SHARPE. $16,000 was expended the year before last; you will remember it was the year of the election.

Mr. FISHER. Does my hon. friend include claims for compensation?

Mr. W. H. SHARPE. No, that cost $15,000 in addition.

Mr. EDWARDS. If a diseased animal is slaughtered by order of the department on a report from one of the departmental veterinary inspectors the owner is reimbursed for the loss of the animal. But, the government department will not take the diagnosis of a duly qualified veterinary surgeon who is not in the service of the department. If such a practitioner is engaged by the farmer, the government will not take his certificate that a horse is suffering from glanders, for instance, but the farmer runs the risk of having his whole stock infected while he waits for the departmental inspector, or else if he slaughters his horse he will not get any compensation. It does seem to me that that is unjust and unreasonable. I do not see why the certificate of a duly qualified veterinary surgeon should not be taken as well as that of a government official, who has just the same qualifications. Several farmers have complained to me in regard to this matter, and I think the law ought to be changed.

Mr. FISHER. On account of the spread of glanders in the country, some years ago, I asked parliament for a handsome appropriation to try and eradicate the disease, and in order to meet with any success I found it necessary to pay compensation. The hon. gentleman from North Toronto and others pointed out the danger of raids on the public treasury in such cases, and I assured the House that we would pay compensation only upon the certificate and responsibility of officers of the department. The ordinary veterinary surgeons are the employees of the owners who are asking for compensation, and other countries as well as our own have suffered in the payment of compensation for slaughtered animals by reason of that fact. It is a very simple thing for the owner of a horse to isolate the animal if he is affected with glanders, and if he telegraphs he will get a veterinary surgeon within a day or two at the outside, generally the next day. If other horses have been in close contact with the diseased animal, then, probably the whole stable of horses will have to be slaughtered, and it would be very dangerous to undertake that responsibilty on the certificate of any but an officer of the department. We do that for the safety of the community at large, and it is on that plea and that plea only, that we are entitled to pay compensation. I do not know any country in the world that pays compensation upon the certificate of a private practitioner. I think it would be unwise and unsafe and contrary to the pledge I gave to parliament when this money was placed at my disposal. I am glad to say that while in the first year we spent over $150,000, the year before last we spent only about $40,000, and in the year just past about $70,000, and I hope that in a short time we shall get the disease so thoroughly under control that it will not be a menace to the horses of the country.

Mr. EDWARDS. I presume that the reason that the hon. minister, and the hon. member for North Toronto objected to paying compensation on the certificate of regular practitioners was the danger of collusion between the veterinary surgeon and the farmer. I cannot see what is to prevent collusion between a farmer, and a veterinary surgeon who is made by the government one of their inspectors. If a farmer has a horse he wants to get rid of and the veterinary surgeon is disposed to be dishonest, I suppose he could make as good an arrangement with a man appointed by the government, as with any other veterinary surgeon. It seems to me that

difficulty could be got over. If veterinary surgeons were in danger of losing their diplomas, as medical doctors are when they engage in reprehensible practices, the likelihood of any collusion between the veterinary surgeon and the farmer would be done away. I know that farmers are put to considerable inconvenience, and sometimes loss in this connection—perhaps not so much now as some years ago, because now according to the hon. minister's statement the disease is not now so prevalent as it was. While I daresay the minister is thoroughly convinced that his course is the right one, I do not think that it is.

Mr. SCHAFFNER. Is Dr. Little, of Boissevain, one of your officers?

Mr. FISHER. Dr. Little is not doing any work for us now, although he is entitled one of our inspectors, and I think can issue certain certificates.

Mr. SCHAFFNER. How long is it since he has been working for the government?

Mr. FISHER. About two years.

Mr. SCHAFFNER. I presume Dr. Thompson was appointed in place of Dr. Little?

Mr. FISHER. Dr. Thompson was appointed at Brandon to attend the Great Northern railway at the time it entered Manitoba. Boissevain ceased to be an inspection port in consequence of the change of railway, and therefore Dr. Little ceased to work for us.

Mr. BRADBURY. Is Dr. Biscoby, of Stonewall, on the staff?

Mr. FISHER. He is on another staff, the Meat Inspection Staff, but has been on leave for some time, and is not working for us just now.

Mr. STAPLES. Who has taken the place of Dr. Molloy since he became a member of this House?

Mr. FISHER. Dr. Still, of Winnipeg, I think, is doing that work at present.

Mr. W. H. SHARPE. I would like to ask the minister if he has ever heard of any cases of collusion between a farmer and a veterinary surgeon on his staff?

Mr. FISHER. I have never had any case against any of the staff in that respect. In the first place, the members of the staff are not in private practice, and they are, therefore, not engaged by the owner of the animal, and have no relations with him except that of a government official. In the second place, they most generally do not belong to the immediate neighbourhood, and consequently are removed from that influence which a man living in the immediate neighbourhood, and employed by the owner would necessarily have. If it were not dishonest collusion, it would be sympathy and a desire to please the neighbour and employer. Moreover, the private practitioner would have no official responsibility, whereas the responsible official knows that he is open to attack, and that he is doing a greater wrong to be careless, or easy, than the private practitioner who is employed by the person concerned.

Mr. EDWARDS. Who is the government inspector at Kingston?

Mr. FISHER. We employ Dr. Bell on fees. He is not one of our permanent staff on salary.

Mr. EDWARDS. Have you also an inspector at Napanee?

Mr. FISHER. No.

Mr. RUSSELL. Where do the specimens that are examined by the staff come from?

Mr. FISHER. They come from all over the country.

Mr. RUSSELL. Have you had any from the other provinces?

Mr. FISHER. Yes, from all over the country.

Mr. RUSSELL. Does some one man undertake this investigation?

Mr. FISHER. We have two bacteriological workers, Dr. Higgins and Dr. Wickware.

Mr. RUSSELL. I think that if one man were assigned to that work, he would come to know a great deal more about it than different men. How far do they go—do they just analyse the parts and make a report?

Mr. FISHER. There is a microscopic examination of the specimen, and a report is made out and sent to the Surgeon General, and it is sent from his office to the person who sends the specimen.

Mr. RUSSELL. I do not know, Mr. Chairman, whether that goes far enough. When they make out these reports, they do not investigate to see what caused the disease. That is what we are trying to get at. the different diseases of the chickens.

Mr. FISHER. I will send my hon. friend a statement, which he might look over, of the kind of examination that is made. It is rather technical and I would not like to undertake to describe it. The microscopical examination shows the practitioner the nature of the disease. I suppose in most cases, the practitioner would be able to tell what the disease resulted from. I am not sure that the practitioner could always tell the cause. The causes might be different, though the results were the same, but I am not technical enough to say much on that point. If my hon. friend will send

me some statements with regard to the diseases, we will do our best to tell him what the causes are.

Mr. RUSSELL. I understand there is no work on the diseases of poultry. There is very little information. It is rather a new departure, and from what I have been able to learn from men who are extensively engaged in the poultry industry, they need some one to go into this subject and work out the causes of the diseases. I would take it that the experts in the department might be able to examine affected parts of the poultry, but they would not be able to say what caused the disease. It would need some further experimental work or investigation to determine all these different diseases. I believe that if a man were appointed for this work, the different provincial institutions and the different breeders could furnish enough specimens to keep him employed.

Mr. FISHER. I guess so. However, it is an interesting question that has been raised and it might be worth while to set a man to this particular kind of work. I confess I was not aware of what my hon. friend says that the diseases of poultry were so obscure and that so little was known about them. I believe some other governments have been doing some work along that line and I should have supposed that the diseases of poultry were fairly well known. But I will make inquiry into that, and if we can see our way clear to make an investigation with respect to the poultry, we might do so. It is a matter of great importance to the country and might be worth while.

Mr. RUSSELL. The reason I have mentioned the matter was that the discussion seemed to be going in that direction. In the United States they have a man, Dr. Morse, who has done some good work. I believe that the Veterinary General sitting beside you will bear me out when I say that little is known of the diseases of poultry. My authority for that is Professor Graham, who has made quite a study of the matter.

Mr. SEXSMITH. I think the question raised by the hon. member for East Toronto (Mr. Russell) is an important question, and the Minister of Agriculture would be doing a good thing if he would appoint an expert to work constantly along these lines. There is no doubt in the world that thousands of dollars worth of poultry is lost through disease, the causes of which are not known. Take for instance the raising of turkeys. I know that in many parts of the country, farmers will not try to raise them because of the diseases that occur. Perhaps when they are a couple of months old, they show signs of disease, and in many cases die. And the farmers have no means of knowing what causes their death. I think if would be a very wise thing to have a competent man to work for a year or two or for a greater length of time if necessary.

Mr. EDWARDS. I would like to call the minister's attention to a suggestion I will be bold enough to make. We have in Kingston as in Montreal, and in other centres, universities. Those universities have on their staffs some very able men. Take McGill University, for instance, and Queen's University, than which there is no greater or better on the continent of America. We have in those universities, pathological experts. Now, would it not be well to make use of the laboratories of those universities and the expert knowledge we have there. These men, so far as I have been able to observe, throw their whole heart into their work and would devote 25 hours of the day, if there were 25 hours in a day, to their work. I think it would be a good idea not only to make use of the universities in this regard, in the way of making tests and researches, but also for the veterinary inspectors and veterinary surgeons in the immediate vicinity of those universities to come in contact with those men, and have conversations with them on this matter. In that way you will be more likely to get results than by all the efforts of the department, no matter how sincere and how well directed they may be. It seems to me that that could be done with great advantage to the country in general.

Mr. FISHER. I may say we have done that to a certain extent. We have asked professors of universities to undertake microscopical investigations. Very often we have found that they were so busy with their own work that they could not undertake it in a reasonable time and we have had to do it ourselves. But sometimes they have assisted us. I remember Dr. Gordon Bell of Winnipeg, doing some work and we have had Dr. Adami of McGill, while Professor Todd is now doing work for us. I also remember some years ago a professor of Queens university doing work for us, I forget his name at the moment.

Mr. EDWARDS. Dr. Connell, I presume.

Mr. FISHER. Yes.

Mr. EDWARDS. You could not have had a better man.

Mr. FISHER. Of course all these gentlemen have their own work in connection with investigations and teaching in the university, and not infrequently they would be very glad to take up work of the kind mentioned if they had the time. We have two other pathologists besides the two in Ottawa, one in British Columbia, and

the other in Lethbridge, Alta., investigating special diseases. So we are fairly well equipped. Still there is more to be done.

Mr. BLAIN. The minister has referred to the new regulations under which veterinary surgeons must give their whole time to the service. Can he give the date of that regulation?

Mr. FISHER. It has always been in existence applying to cases where we pay an annual salary, as is done in the case of the majority of these veterinaries. It has come more into practice since the change of the head of the branch. Dr. McEachern when head of the branch only gave a portion of his time and a good many of the men under him did the same. When Dr. Rutherford was appointed he gave his whole time to the work, and we are working that idea in.

Mr. BLAIN. Is the regulation in force now?

Mr. FISHER. Not absolutely. Some of the old appointees are still on. In Montreal we have the same officers who were managing the inspection of cattle and horses for export. They practise in Montreal privately, and receive so much a year from us. There are Dr. Baker, the second Dr. McEachern and Dr. Sugden.

Mr. STAPLES. If they engaged in practice, would they be disqualified? Would the minister dismiss them?

Mr. FISHER. I should consider it very objectionable. I would prefer to deal with each case according to circumstances. If I found a salaried man not giving his whole time to the department, I should be disposed to warn him. Where we give a salary we expect the man's whole time.

Mr. BRADBURY. And do I understand that the salaries are $1,000 and $1,200 for veterinaries in the west?

Mr. FISHER. Some do work as low as that. The highest, I think, receive $2,000.

Mr. BRADBURY. If a veterinary in the west were given only $100 a month he would have to be allowed to practice and earn extra money. Because $1,000 or $2,000 is no salary for a veterinary surgeon in the west.

Mr. FISHER. We give them enough to keep them busy.

Arts, agriculture and statistics—census and statistics, $50,000.

Mr. FISHER. Some hon. members asked me to hold this over for some information. A question was asked as to the regulations in regard to census taking I have that information.

Some hon. MEMBERS. Carried.

Mr. FISHER.

Experimental farms, $110,000

Mr. GEO. TAYLOR. I see that the Minister of Agriculture has an item of the same nature in the supplementary estimates. The one discussion would do on both. We do not want to sit too late to-night.

Mr. FISHER. Yes, we might as well pass this.

Mr. GEO. TAYLOR. That is what I was going to suggest. Then we could have the discussion on the supplementaries.

Mr. FISHER. I have three items in the supplementaries. Perhaps we could take them up.

Department of Agriculture—	
To provide for two clerkships in second division, subdivision A..	$ 3,200
To provide for seven clerkships in second division, subdivision B, 4 at $1,200; 1 at $1,125; 2 at $800..	7,525
Contingencies—Further amount required..	2,500
	$13,225

Mr. FISHER. There are two things in which extra assistance is required. One is the archives and the other the experimental farms. In the archives we have a mass of documents which are not catalogued and, therefore, not properly available to the public. Many are interested in these documents. For instance, lawyers are constantly coming to get information concerning cases which turn upon old documents. I have asked for further assistance in order to proceed more vigorously and rapidly with the cataloguing, so as to make these documents more available to the public.

Mr. BLAIN. Will these officers pass the examination and come under the Civil Service rules?

Mr. FISHER. Yes. In the experimental farms, I have to make some slight reorganization. Dr. Saunders has asked to be relieved of certain detail and routine work with which he has concerned himself personally, but which ought not to be imposed upon the head of such an important system. I have to throw that work on other officers, and so I ask for two assistants on that part of the work at the farms

Arts, agriculture and statistics—experimental farms—further amount required, $20,000.

Mr. FISHER. I have already explained the increase in the number of experimental farms and the need of a larger sum for their administration. I now hope to be able to establish more of them than I thought would be possible when the main estimates were prepared, and, therefore, I am asking for this supplementary vote.

Mr. STAPLES. Will the minister explain what methods he intends to pursue in the selection of these experimental stations?

Mr. FISHER. I wish to place them where they will serve a large area—to place each in a piece of country that seems to be as near a large area of adjoining country as possible. Then I wish to place each of them in a conspicuous place. And I wish to place each of them at a point easily accessible. These are the main objects.

Mr. STAPLES. How is the minister going to acquire that information? By his own observation?

Mr. FISHER. Of course, so far as the area of the country is concerned, we have a fair record of that in the various departments, and the people themselves know pretty well the places that are characteristic of a large area. This last summer I had an experienced officer going about and examining the best sites. I am constantly deluged with offers of farms, and when I receive such an offer, if it seems to me to be in a suitable locality, I send a person to examine it.

Mr. STAPLES. Has the minister had any inquiry from the Carman district in Manitoba? It is one of the best railway centres in that western country, and very suitable for an experimental farm station. There are three lines of railway, the Great Northern, the Canadian Pacific railway, the Canadian Northern, and another line is projected.

Mr. FISHER. I do not remember that we have had an application from Carman. I would like the farms to be spread over the province, not to have them in too close proximity.

Mr. SCHAFFNER. I presume the new farms will be under the direction of the managers of the experimental farm we have now; if so, it would be convenient to have them situated not too far apart. Now, if you place a farm down near Boissevain, your manager could come down there and inspect it and go back the same night.

Mr. BURRELL. Has the minister arrived at a decision with regard to a farm in the interior of British Columbia?

Mr. FISHER. We still have that matter under consideration.

Mr. BRADBURY. I would suggest to the minister that east of the city of Winnipeg we have a large area of very fine land, but there has been so far no effort made by the government to direct settlers into that part of the country. It strikes me it would be a splendid thing to put one of these stations in some place east of Winnipeg, and I would urge the minister to do that.

Mr. FISHER. I have had some representations to that effect, and they will receive consideration.

Mr. W. H. SHARPE. How many stations does he propose starting this year?

Mr. FISHER. I have in mind at least half a dozen new ones. I have instructed an officer to examine suitable sites in Manitoba.

Mr. SEXSMITH. Are you going to establish any more in Ontario this year?

Mr. FISHER. I hardly think so, this year. I have had representations from New Ontario, and possibly there will be one there.

Mr. G. TAYLOR. My hon. friend from East Grey (Mr. Sproule) is not present to-night, and I would suggest that we allow item 421 to stand, so that when it is taken up again any hon. member may discuss anything in relation to experimental farms.

Mr. FISHER. I will consent to that on condition that we take it up again not later than to-morrow, as I have to be away early next week.

Grant to Charlottetown exhibition for 1910, $10,000.

Mr. FISHER. This is a new vote. We have been giving $50,000 for exhibitions in each of the provinces, but we have never done that in Prince Edward Island. Some years ago when the Dominion exhibition was at Halifax they asked us to give them $10,000. This year the Dominion exhibition is in St. John, and Prince Edward Island has asked for the same consideration, and we do not think it unfair that they should have $10,000 in one year and $10,000 another year.

Quarantine—steamers to replace 'Argus' and 'Challenger'—revote, $39,000.

Mr. CROSBY. I suppose this is in regard to the boat being built for Halifax harbour? Would the minister say what position that boat is in?

Mr. FISHER. She will be completed and delivered in the course of the coming summer.

Mr. CROSBY. It seems to me strange that this boat should have to be built in Dartmouth, England, in view of the fact that we are about to build a navy in Canada. It does seem strange that we cannot construct a boat 80 feet long by 19 feet wide and 8 feet hold. Has no effort been made by the government to construct this boat in Canada? We hear a great deal about the construction of Dreadnoughts and torpedo boats and all other kinds of boats, but we have not been able to construct a small steamer for the quarantine service.

Mr. FISHER. The explanation is simple. We asked for public tenders and we received tenders from a large number of firms in Great Britain and Canada. The tender for the boat which we accepted was $22,000 odd, and the next lowest in Canada was $32,000, or over $10,000 difference, and we did not see our way to paying that extra amount of money.

Mr. W. H. SHARPE. This is $39,000.

Mr. FISHER. There are two boats.

Mr. CROSBY. Where is the other vessel being built?

Mr. FISHER. We are just advertising for tenders.

Mr. FIELDING. There are a number of small votes in civil government in the Supplementary Estimates for the year 1911 which are of a purely routine character, and I would suggest that we call them and if there is any objection they may be allowed to stand.

Civil government — Department of Militia and Defence—to provide for one clerkship in second division, subdivision B, $1,200.

Mr. HENDERSON. This is all Greek to me.

Mr. FIELDING. These all come under the operation of the Civil Service Act, except the case of one lady whose name is mentioned.

Mr. CROSBY. Are they additions?

Mr. FIELDING. In some cases they are.

Department of Secretary of State—to provide for one statutory increase omitted from the main estimates, $50.

Mr. HENDERSON. How did the omission take place?

Mr. FIELDING. The various departments, in making up their statements, sometimes omit something. They are very correct in the main, but being only human, they are not absolutely perfect.

Mr. HENDERSON. This seems to be increasing the number of clerks.

Mr. FIELDING. In several instances there are increases.

Mr. HENDERSON. No decreases?

Mr. FIELDING. I do not think there are any; it is a growing time.

Department of the Interior—salaries and contingencies, $12,000.

Mr. ROCHE. I would like to ask the Finance Minister if it is not the custom of the government to provide for gratuities for the benefit of the families of Civil Servants who die in the service.

Mr. FIELDING. There is an established practice, that at one time was confined within a small circle, but it is now broader, providing that an allowance equivalent to two months' salary of the deceased official is paid to the widow or family.

Mr. ROCHE. The reason I ask it is that the death occurred recently of Mr. John Flesher, who was formerly land agent in my town, but, who, during the last five or six years, had been residing in Winnipeg. He died a month ago and I do not see any provision in the estimates for a gratuity to his family.

Mr. FIELDING. It would not be necessary. There are some gratuities in connection with the Northwest Mounted Police, and the Department of Militia and Defence which are voted in accordance with the Act, but the provision for a gratuity of a two months' salary is a general provision and is to be found in the Civil Service Act. If my hon. friend will drop me a note giving the name of the official and his position, I will see that whatever is customary is extended to his family.

Office of the Auditor General—to provide for four clerkships in the third division, subdivision B, $2,000.

Mr. HENDERSON. Only $2,000 for four new clerkships?

Mr. FIELDING. The new appointees will come in at small salaries. The object of this is that I have been asking the Auditor General to undertake a service which he has not hitherto performed.

Mr. HENDERSON. That is all right; I was surprised at the low amount.

Mr. FIELDING. They begin at small salaries. The object is to take some of the higher men and assign them to the duty of inspecting the Minister of Finance —to see that the gold is all to be found in the place where it is supposed to be.

Mr. CROSBY. I do not believe very strongly in commencing men in any kind of responsible clerkships at a very low salary. If we require a clerk at all we should give him a salary that would be in keeping with the position he undertakes.

Mr. FIELDING. These are young men who begin at the foot of the ladder. Their duties are not very responsible.

Mr. HENDERSON. What is the statutory increase?

Mr. FIELDING. $50 in each case.

Mr. CROSBY. What will their salaries be?

Mr. FIELDING. $500 and $50 per year increase.

Mr. CROSBY. What will their responsibility be?

Mr. FIELDING. They will be junior clerks.

Mr. G. TAYLOR. The Civil Service Act provides for this?

Mr. FIELDING. Certainly.

Mr. CROSBY. They will not have the responsibility of handling money?

Mr. FIELDING. No; the Auditor General handles no money whatever. He simply keeps watch upon the other fellows.

Mr. G. TAYLOR. I understood the minister to say that all these clerks come under the Civil Service Act.

Mr. FIELDING. Yes, unless a name is specially mentioned here.

Mr. G. TAYLOR. And they are appointed by the commission?

Mr. FIELDING. Yes.

Mr. CROSBY. A commissioner has nothing to do with whether a clerk is required or not.

Mr. FIELDING. The department would call upon the commission to furnish the number required, and then an examination is held, and the high men get the place.

Assay Office, Vancouver, $18,000.

Mr. ARTHURS. Has the government any assay office?

Mr. FIELDING. There is one at Vancouver.

Mr. ARTHURS. Oh, yes, I know, but you should establish one in eastern Canada.

Mr. TEMPLEMAN. We have, as a matter of fact, two assay officers in the city of Ottawa.

Mr. ARTHURS. Yes, but they are not established to do business for the public, and they charge high fees.

Mr. TEMPLEMAN. One part of this vote is to employ an extra assayer.

Mr. ARTHURS. I am not objecting to the vote, but I draw the attention of the minister to the fact that the government has no assay office in eastern Canada, and it seems to me that in the interest of mining development, and discovery, they should establish one here. The thousands of prospectors who are out every year require to have their samples assayed so that they may get a return in a few days because the only way of telling what is in the sample is to have it assayed. But the ordinary prospector cannot pay $2 for each assay, as is charged in the government office at Ottawa. One party sent me three or four samples and asked me to have them assayed here, but I was told I could not get returns for two weeks perhaps, and that the charge was $2 for each test for a mineral in the one sample. I wrote back to the gentleman who sent me the samples telling him the facts that there was no use going to such expense as that. We hear a great deal about minerals in northern Ontario and Quebec, and I do not believe there is any part of Canada in which there are so many minerals. It would be but a trifling expense to the country to establish an assay office in eastern Canada, where the assay could be done at actual cost, and be reliable. In the case of some of these private assayers the test is not reliable, and I would urge strongly upon the government to take action in the direction in which I have indicated.

Mr. TEMPLEMAN. The assay office in connection with the Mines Branch here does assaying for the general public, and a month or two ago I authorized the director to employ another assayer. I do not think the fees charged are very high. It must be remembered that there are a great many private assayers established throughout the country, and if the government is going to do free assaying it would simply drive these men out of business. I doubt very much if that would be fair play. We are carrying on the work of assaying primarily in the interest of the department, and every specimen collected in that connection has to undergo a very exact test. That is the work of the Department, to carry on that technical work so that our mining engineers and geologists can get up the reports properly. But aside from that we do assaying for the general public, and for that we charge fees. I do not think it would be right for us to charge less than a private assayer. If we did, we would put many of them out of business at once.

Mr. SEXSMITH. That seems to be a strange position for the minister to take, that he should charge the same fees as private assayers, no matter whether they are extravagant or not. That means that he is in a combine. The provincial assay office at Belleville takes no account of the charges of private assayers, but has a regular scale of charges, which are supposed merely to cover the cost. I think the charge for a gold assay is 50 cents. The government assay office here gives no encouragement to the prospector who goes out to discover minerals. If he sends a lot of samples to Ottawa to be assayed, he is told that he will have to wait until the office gets through with the samples of the Geological Survey; then they will attend to his; and perhaps it is a month before he can get any report as to whether his samples are good or not. If the government have an assay office, they should not

pay any attention to what assayers charge elsewhere. They should charge the public or the prospector simply the actual cost.

Senate—to provide for making good the full sessional indemnity of members of the Senate—days lost through absence caused by illness during the present session—and $2,500 to pay the sessional indemnity of the Honourable James Domville for the session of 1906, absent through illness—notwithstanding anything in chapter 10 of the Revised Statutes, an Act respecting the Senate and House of Commons, $11,180.

Mr. HENDERSON. Is this the first time this question has been raised?

Mr. FIELDING. I think it is the first time. The hon. gentleman referred to was on his way to Ottawa when he met with an accident. He was not able to reach Ottawa, and technically was not entitled to the indemnity.

House of Commons—to provide for making good the full sessional indemnity of members of the House of Commons—days lost through absence caused by illness or public business during the present session—notwithstanding anything in chapter 10 of the Revised Statutes, an Act respecting the Senate and House of Commons, $11,820.

Mr. LANCASTER. I would like to know what that means? There are a great many of us who stay here and diligently do our work; but I understand that that means that if we do not stay here we are to be paid as if we do. I must protest against that. Many of us make great sacrifices of money to stay here and attend to our public duties. As I understand this item, it is to provide that gentlemen who are not here, but who leave the burden of the affairs of the country to those of us who do stay, are to be paid the same as if they were here. If it means that, I protest against it, though I am not going to divide the House upon it. I am not speaking of one side of the House more than the other; I am speaking generally of the principle involved. Those gentlemen who do not stay here, go away because it pays them to go, because they make money by going away. They ought not to be paid by the people when they are being remunerated in some other respect by staying away. That is the protest I make. It is not that I want to deprive any hon. member of his full indemnity if he earns it, but I do say that if it pays him better to leave his place in this House of Commons and go away to attend to other affairs, and I think we must take it for granted that it does pay him better or he would not go, he ought not to ask this country to pay him for being in this House when he is not here. I think that the Act passed in 1903 or 1905 ought to apply.

Mr. FIELDING. I do not disagree to any extent with my hon. friend (Mr. Lancaster), but I think he has misconceived the intention of this vote. He is certainly not correct when he says that the man who goes away and devotes himself to his private affairs is to receive more consideration than the man who attends to his duties in this House. This clause would only affect members who conscientiously sign a declaration that they have been absent through illness. The law provides that if a man is ill in Ottawa, it shall not count against him, but if he happens to be sick a few miles away, it would count against him. One must draw the line somewhere. The Act says that those who are ill in Ottawa are entitled to receive the full indemnity. The change which this vote makes for the present session is that a member who is ill at some other place in Canada shall be entitled to receive the indemnity.

Mr. LANCASTER. A man might be ill and yet be able to earn money. I think the test should be whether he is attending to the affairs of the country or whether he is attending to his own private affairs. A man might be ill, and yet be able to attend to his business. If he swears that he was too ill to work at all it would be alright and he would have our full sympathy, but if he is not too ill to attend to his own private affairs, I think the Act should apply. The work we do in the House of Commons is not by any means the most healthy work. I myself am pretty hard, and pretty tough, but I have made myself ill by working here late at nights, and am suffering from the strain, and from not having enough sleep. If the declaration is to be that he is so ill that he cannot attend to any business, I would be inclined to agree, but the argument of the Minister of Finance that a man has only to be away from home because he does not feel first-rate holds good, he might be attending to his medical practice or to his store or to his farm, he might not be so ill that he could not attend to his own private affairs. I do not think that by merely saying that he is in bad health he should draw his indemnity.

Mr. FIELDING. I should think that an hon. member who is able to attend to his private affairs would not make a declaration that he is absent through illness. When it comes to a matter affecting the personal honour and affairs of a member, I think each one of us must be content to leave the other to make the declaration and to make it in all good faith. Let me give an illustration. An hon. gentleman who usually sits on the opposition side has been ill, and has been obliged to leave his parliamentary duties, and go south. I refer to the hon. member for Jacques Cartier (Mr. Monk). He is ill and

away from Ottawa, but it cannot be said that he is attending to his business. He has left his business in Montreal, and has been obliged to go south. I do not mention him particularly, because there are others. This would entitle that hon. gentleman to the full indemnity, as full as he would have received if he had been ill in the city of Ottawa. If one is ill in the city of Ottawa, and is able to remain here, he suffers no reduction, but if his physician says he had better go south, it does seem a hardship that he should lose his indemnity while another member in Ottawa gets it. It is difficult to draw any absolute line in these things. In preparing the estimates we try to take a generous view of all cases.

Mr. HUGHES. A member might be ill and might not be able to get properly treated in Ottawa, and he might have to go to some other locality where he could get the proper treatment.

Mr. LANCASTER. I do not like this manner of doing it. We are repealing by an estimate, or practically repealing, an Act of parliament. I think it would have been better to have brought in an Act amending the Act of parliament. An Act of parliament is a different thing from an estimate. Supposing the public did not agree with this change, supposing the people of the country did not think it was the right way to do it, then I suppose there would be no suggestion of bringing it up next year. Then some member might be ill next year, and suffer very unjustly. I think the proper way to do would be to take the responsibility of bringing in an Act to amend the Act. I do not think this is the proper way to do it at all.

Mr. J. D. TAYLOR. I see this item is for an odd amount. I would like to know how the minister arrived at the amount stated here, because it was not generally known on this side of the House that anything of this kind was in contemplation.

Mr. FIELDING. I think it was known on that side of the House. When this matter was proposed, I do not mind telling my hon. friend, that I had conferences with members on that side of the House, not unusual conferences, and I gave instructions to the accountant to ascertain what amount would be drawn by the various members in question, if they did not suffer this disability.

Mr. HUGHES. Suppose some members fall ill between now and prorogation.

Mr. FIELDING. I am afraid they will have to wait until next year then. That was the way it was done. The accountant ascertained what amount hon. gentlemen in each case had drawn, and what was the balance they would be entitled to, and the sum placed here is sufficient to cover all cases of that kind.

Mr. GEO. TAYLOR. I may say that I had a conference with the Minister of Finance with respect to certain members who have been sick during the session. And the minister has made up the estimates on this basis.

Mr. J. D. TAYLOR. We members on this side of the House have no knowledge whatever of anything of this kind. And I, as a member of this House, object to any private or semi-private arrangement of this kind being made for individual members of the House from which the members generally are excluded.

Mr. FISHER. Included?

Mr. J. D. TAYLOR. Excluded.

Mr. FISHER. Nobody is excluded.

Mr. J. D. TAYLOR. There are many members of this House who suffer disabilities from their attendance here much more serious than the penalties of some of those who have been away during this session. I can see no reason why there should be a special vote of this kind passed at the end of each session for persons who have the ear of the government or who have been alert enough to lay a special case before the government whereby they shall obtain from the treasury of the country payment for no service rendered. If it is desirable to follow this plan, then the Act should be changed so as to make it applicable to all members equally. I for one, if I had been prevented by illness from putting in attendance here, would feel it derogatory to my independence as a member of this House to make a claim on the government for the time I had lost. I do not think that I should be penalized for time I might lose by illness while at home, yet another hon. member who has not attended at all during the session should be paid his full indemnity. Such a member has not incurred any expense or sacrificed any time in coming here. I was greatly surprised at the end of last session at the indemnities voted by this House. While I am on my feet, I would call the attention of the government to a feature of the indemnity which bears with especial hardship on those who come, as I do, from the remote parts of the west. The point I refer to is the calling of this House together in November. This means an adjournment in December, for about four weeks, which compels us to travel 3,000 miles each way across the continent to go home and back travelling entirely at our own expense and with the loss of a week on the road each way. There is also the adjournment at Easter for a week

when we must either go back and return to Ottawa again at our own expense or stay here in idleness and lose the time. For all this we get no compensation. Yet we are asked, after being at all that expense and all that sacrifice of time, to vote indemnity for members who have not served the public at all. I do not think that is right. I quite understand why it passes year after year without protest, for it is a very delicate thing, when the names of persons who are to have the benefit of this suggested vote are mentioned in the House, for any of their colleagues to rise in their places and object. But I think it is time that some person did object, and I object strongly to the singling out of certain persons for special favours making them the beneficiaries of an Act which does not apply automatically to all members of this House.

Mr. FIELDING. This appropriation does apply automatically to every member of the House under the conditions.

Mr. J. D. TAYLOR. Then, why did we not know about it?

Mr. FIELDING. It can only be because the hon. member (Mr. J. D. Taylor) has not read it; it tells its own story. When he speaks of this item extending to one member and not to another he is mistaken. The words of this Act would apply to any hon. member who has been ill away from the city of Ottawa during the session. If any hon. member has been absent from Ottawa and that absence has been due to illness, he has a right to claim the benefit of this item. If there is not enough money in it, more must be provided by a later vote. There is no distinction between one member and another. It is hardly correct to speak of any member in this case 'filing a claim.' No one has filed a claim. The whip of the other side had a consultation with me and named the persons whom he thought should be dealt with in this way.

Mr. LANCASTER. And that is not filing a claim.

Mr FIELDING I should hardly call it so. Some of the names mentioned were mentioned without the knowledge of the parties concerned. But we tried to remember the names on both sides of gentlemen who might be affected. I would like to have it clearly understood that there is no possible discrimination in the matter. Whether we are wise in making this appropriation as, for the time being, an amendment of the Act is a fair question of debate. I think there is much to be said in favour of adhering rigidly to the Act. But that is a beautiful theory, and so often we are not able to live up to these theories. Every session some peculiar case arises, circumstances in reference to a member or a member's family need to be taken into account. We cannot deal with these things on lines of cold-blooded logic, but must take into the account some of the claims of human sympathy. We are weak in these respects and we fall. It has been so in the past, and I expect that it will be so again.

Mr. LANCASTER. If the hon. minister is going to fall again—I do not disparage his statement, I think I have as much charity as he has—I want him to fall generally.

Mr. FIELDING. He does.

Mr. LANCASTER. And I want him to pass an Act of parliament to justify his fall.

Mr. FIELDING. This is an Act of parliament.

Mr. LANCASTER. Yes, but it is an Act of parliament brought in at the end of the session. And it is needless to disguise the fact that, as the hon. member for New Westminster (Mr. J. D. Taylor) says, there is a discrimination. We do not know, at the beginning of a session, that this Act is going to be put through. The matter is at the mercy of the government. An order in council has to be passed to put in that estimate; it must go through the cabinet like a public work or a post office. The thing is in the gift of the government, and is not the right of a member of parliament when parliament opens. The member concerned is at the mercy of the government as to whether they will do him this favour or not. That is what I protest against. If the hon. minister believes what he says—and no doubt he does—and if he believes in the wisdom of what he says, then why can he not amend the law and leave the matter to the operation of the law? That would be the manly, the proper, the businesslike way to do. Make it so that everybody will know at the beginning of the session what is to be done, and so that the matter will not depend upon communication between the whips on either side and the government as to the members who should be served in these matters. It ought to be the right of a member of this House and the right of all equally.

Mr. FIELDING. That is exactly the case. It is his right.

Mr. LANCASTER. No, because the matter does not come before parliament at all until the government first takes action. I do not believe in this being done by order in council. I think I make that plain. I agree with my hon. friend from New Westminster that this more or less strikes at the independence of parliament. Some of us do not like to go and ask the government to make a special estimate and over-ride the Act of parliament for our benefit. We

must not be so touchy about criticising these things. The general law should be amended so that it will apply automatically to all within the description of the law. The thing should be made a matter of right for the member or for his heirs if he should happen to die. I protest against this thing being done by order in council, as it is when it comes in the supplementary estimates. I think the Minister of Finance should carry out what he defends, and do it as a business man by amending an Act of parliament.

Mr. FIELDING. The only reason why this has come from the government is that it is a money matter. I do not think that any hon. member on either side of the House availing himself of this amendment to the law, comes under an obligation to the government. If he draws a sessional indemnity under the general Act he has to get that by the government of Canada coming here and proposing that that Act be adopted. This is an amendment to the statute. When this estimate is passed into law it becomes for the time being, as respects these people, an amendment to the statute; and if any hon. member who avails himself of the benefit of that comes under an obligation to the government, then he is equally under an obligation to the government when he draws his salary, or allowance under a general Act. In both cases he gets it upon the initiation of the government, but that does not involve any obligation to the government.

Mr. LANCASTER. Surely the hon. gentleman sees the difference. In the one case, every session, at the dying hours of the session, we should have to have an estimate brought in by the government saying that for this session we shall be paid so much indemnity. On the other hand the statute is there and fixes the indemnity. The hon. gentleman surely does not mean that that statute can be repealed and that we should come in at the end of every session and have supplementary estimates brought down saying that we shall have so much indemnity.

Mr. HENDERSON. I do not think after all there is much difference between this proposition, and what we have been in the habit of doing for many years. I have often thought that the statute itself was wrong in insisting that a man, in order to be relieved, had to live in Ottawa, or within ten miles of Ottawa. If he lived beyond that then he had to lose a part of his indemnity. During the present session I have been ill in Ottawa, and been prevented from attending the House. I do not lose the eight or ten days I have been ill, but had I been ill at home I certainly would have. I do not understand why there should be a distinction between a man living in Ottawa, and a man living a hundred miles from Ottawa as regards illness. I think this proposition is more in accordance with justice than the Act we have upon the statute-book. I know one hon. member, whose name I will not mention, who was absent nearly two months on public business, and I do not think it is fair that he should be called upon to lose his indemnity when he is obliged to be absent. I have no hesitation in supporting the proposition. It has been an old custom ever since I have been in parliament, over twenty years, that if a member dies during the session the full amount of the indemnity which has not been paid to him shall be paid to his legal representatives. If the head of the family is taken away by death, I think it is a proper thing to see that the widow gets the indemnity. We have done that all the time, both in regard to senators, and to members of the House of Commons.

Mr. HUGHES. I agree with the remarks of my hon. friend from Halton (Mr. Henderson). I wish to bring up one case that occurred a number of years ago where I always felt that the member was treated unfairly, I refer to Mr. Livingstone, who was then member for North Waterloo. He broke his leg when not in Ottawa, and the House refused to give him his indemnity. I brought the matter up at the time, although he was a member on the opposition side of the House.

Mr. CROSBY. I have no objection to the passing of this item. But I agree with my hon. friend from Lincoln (Mr. Lancaster) that as this is a question that comes up every year, why not have a statute that will cover it, and have the thing settled? Suppose a man who lives in the far east, or in the far west, on account of illness in his family, has to remain at home two or three weeks, is that not just as serious as if he was sick at home? I believe that the fifteen days grace that is allowed by statute to members who have to come here for four or five months in the year, is not enough, I believe we should have a longer grace. I think it would be fair to say that we should have at least four or five days in the month, because it is impossible for one living as far east as I do to leave here on Friday night and get back before the following Tuesday night. I believe that a committee of this House should take the matter up and see if it cannot be regulated and a statute formulated that would cover it so that every man would know what he has to expect.

Mr. J. D. TAYLOR. I would like to know whether this item provides for the full sessional indemnity to new members who have not been here and who have been elected since the session opened?

Mr. FIELDING. A member elected during the session and obliged to be away by illness would be entitled to draw as much indemnity as he could have drawn if he had remained in Ottawa.

Mr J D. TAYLOR. Before he was sworn in a member of the House?

Mr FIELDING. Yes, from the date of his return, I think, would be the proper way to treat it, and if he were prevented by illness from being sworn in he would be still entitled to his indemnity. That is the way I would interpret this item, but he would not be entitled to a full indemnity, because he was not a member for the full session.

Mr. J. D. TAYLOR. I say this is a most improper proceeding and a most invidious case. I do not think that there is any gentleman who was so ill that he could not come up and take the oath or take his seat in the House. It only adds force to what I said before as to the impropriety of these proceedings. If an hon. member gets elected as a member of this House, pays no attention to his election, goes away for months, comes back here and draws his full indemnity it is a most improper proceeding and one we should not countenance. Votes of this kind should be closely scrutinized every time and not allowed to go through without discussion. What proportion of this vote is to go for days lost by absence on public business during the present session? There is no public business appertaining to the duties of a member as such which calls for his absence from the House, and I do not think that any member should be paid his indemnity as a member of this House for public business otherwise performed. We have suffered in the House of Commons this year, we have been delayed far beyond the time when we might have been expected to return to our homes because of the absence of members of the government. It seems to be rubbing it into us to ask us, after keeping us here, to vote the full sessional indemnity to ministers who have been away on business which did not necessarily call for their absence from the House, and on business which might have been performed by other persons quite as well as by these ministers. I do not think it is a proper principle. This indemnity is paid to members of parliament for their services in parliament. If they do not perform these services, but accept other employment, whether under the Crown or otherwise, I think it is an improper principle to pay them their full indemnity. How much of this sum is to pay for days of absence caused by public business?

Mr. MILLER. If any member of the government has been away attending to other public business, it is the hon. member's contention that he might have remained in the House attending to his duties here and that some person else might have performed the duties that the member of the government performed during his absence. In that case, is it not true that whoever else might have been employed in place of the member of the government would have been paid for his services. In that case what difference would it make?

Mr. LANCASTER. It might have been performed by a civil servant drawing his salary.

Mr. MILLER. The hon. gentleman did not say that a civil servant could have performed the duties and probably he could not have. The hon. gentleman spoke of the case of a man who had not taken the oath or taken his seat. I cannot see that that makes any difference to a man's equitable right at all. There is only one case this session that I remember of to which the remarks of the hon. gentleman would apply. I understand that when that hon. gentleman went away from the city he had to be carried to the train upon a stretcher. Surely the hon. gentleman would not desire that a man should be carried on a stretcher to the House of Commons to take the oath in order to be entitled to his indemnity?

Mr. HENDERSON. Did he take the oath?

Mr. MILLER. I understand he did not.

Mr. HENDERSON. My opinion is that a man is not a member of this House until he signs the roll and takes the oath.

Mr. LANCASTER. The hon. member for South Grey (Mr. Miller) has argued that a man outside of this House should be paid as if he were in the House. I quite agree with my hon. friend from New Westminster (Mr. Taylor). A man is employed here just as he is employed by anybody else. The people employ that man to come here, and do the public business. If he is not here doing that business he should not be paid as if he were. The hon. member for South Grey would not employ some one in his absence if he were ill, and pay both of them. He would not employ two men to do the work of one, and pay both. There may be reasons, as was stated by the hon. Minister of Finance, which would cause us to take a charitable view of some of these cases, but I would say to the hon. member for South Grey that surely he is not going to argue that there should be a statute saying one thing, and the sweet will of a cabinet saying another at the end of every session in regard to whether a man is to be paid who is not here. As a matter of principle the statute should speak

for itself. If it is not fair, amend it, but let the people of the country know what the rights of a member are, and do not let us have this at the end of every session.

Mr. GEO. TAYLOR. It is now a quarter past twelve, and perhaps it would be better to let this item stand.

Some hon. MEMBERS. Carried.

Mr. FIELDING. I want to say to the hon. member that I cannot tell him how much money would be paid under these words. The words were taken from a previous vote. I am inclined to think that perhaps no money would be paid under the terms of these words, but I will not say that definitely. I only know of one case to which they might refer. I may say to my hon. friend that the hon. gentleman referred to has made no application whatever. I am surprised at the opposition that is manifested to this vote, and I desire that it shall stand.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House.

Mr. GEO. TAYLOR. What business is to be taken to-morrow?

Mr. FIELDING. The House will be moved into Committee of Supply, and I believe there will be discussion on that motion. In Supply the estimates of the Minister of Interior will be taken.

Motion agreed to, and House adjourned at 12.18 a.m., Friday.

HOUSE OF COMMONS.

FRIDAY, April 22, 1910.

The SPEAKER took the Chair at Eleven o'clock.

SUPPLY—LETHBRIDGE POST OFFICE.

Mr. FIELDING moved that the House go into Committee of Supply.

Mr. C. A. MAGRATH (Medicine Hat). Before you leave the Chair, Mr. Speaker, I have a matter to which I wish to draw the attention of the Postmaster General. I went to his office this morning and could not find him. It is connection with the Lethbridge post office situation. I am in receipt of a telegram to the following effect:

Lethbridge, Alta.,
21st April, 1910.

To C. A. Magrath, M.P.,
Ottawa.

Material for street delivery been here for some time. No move to put it in operation. Post office more conjested than ever and citizens getting desperate over situation. Use every effort to have put in operation at once, as business is suffering every day. Am sending duplicate to DeVeber.

(Signed) The Lethbridge Board of Trade.

Now, Mr. Speaker, I am only going to address the House for two or three moments in connection with this matter. For over one year I have been triyng to impress upon the Post Office Department of this country the necessity of attending to the requirements of the people of Lethbridge. I have appealed to the Postmaster General's Department and to the Minister of Public Works. I have put on record in this House the situation there. I have stated openly that I am not looking for a public building in order to get the taxes in that section of the country distributed. I do not endorse the log rolling system of getting rid of our taxes at all, but the people have certain requirements and certain rights in this country, and I have laid before the Postmaster General a statement as to the situation in Lethbridge. I repeat I do not ask for a public building in Lethbridge in order to have a share of the taxes distributed there. I have asked the Postmaster General for some returns that were ordered by this House, and I want to draw the attention of the right hon. gentleman to the fact that the House gave authority to bring down certain papers. The Postmaster General has practically refused to bring down the papers from his department. I have had papers brought down from the Public Works Department, but there was absolutely nothing from the Post Office Department, and it is an astonishing state of affairs if the Postmaster General has to admit to this House that there is no correspondence in his department in connection with this matter. I know there has been correspondence and I have told him of it. I have asked him to bring down these papers, and they have not been brought down so far as I am aware. If they have been brought down, then I am sorry for making this statement. I want to see what correspondence has been placed before the department of Public Works by his department. I want to know what steps he has taken to impress upon the Public Works Department the necessity of providing proper facilities for the people of Lethbridge. If he has not taken any steps, then it will be a subject for discussion at a later date.

Hon. RODOLPHE LEMIEUX (Postmaster General). Mr. Speaker, I know that steps have been taken to establish a free letter carrier delivery at Lethbridge. I know that the Post Office Department has done its utmost to impress upon the Public Works Department the necessity of providing a temporary office next to the post office, now established at Lethbridge. I know that representations have been made verb-

ally to me and to the officers of the department, both by the hon. gentleman (Mr. Magrath) and Senator DeVeber as to the necessity of having a building. The reason there is no public building yet at Lethbridge is that we do not know what population Lethbridge may have twelve months hence.

Mr. MAGRATH. May I ask a question? Will the hon. gentleman tell me what the population of this country is going to be two years hence. Are our public buildings to be stopped on account of not knowing what our population is going to be.

Mr. LEMIEUX. It is quite obvious there is a difference between the growth of a country and the growth of a city like Lethbridge. We all know that cities and towns are growing very fast in the west, and you may provide for a public building in a town which next year will have doubled its population. At all events, there is no ill will whatsoever towards Lethbridge or towards the establishing of postal facilities in the constituency of my hon. friend. On the contrary, I can show my hon. friend here three foolscap pages filled with the names of post offices opened in his own constituency between January 1, 1908, and March 1, 1910. My hon. friend, I am sorry to-day, seems to advertise for a grievance. But there is no room for a grievance. We have opened nearly sixty offices since he was elected representative of the constituency.

Mr. MAGRATH. What has that to do with Lethbridge ?

Mr. LEMIEUX. The hon. gentleman sems to think that there is some ill-will to Lethbridge or to the constituency.

Mr. MAGRATH. I said nothing of the kind.

Mr. LEMIEUX. He said that we refused to lay on the table certain correspondence which might have been exchanged between the post office authorities and some anonymous correspondent. The papers laid on the table contain all the correspondence in this matter. If there is no correspondence on the file laid on the table dealing with the subject he refers to, it is because there is no such correspondence. There is nothing to conceal in this matter; it is a business proposition. And I do not know what my hon. friend can have in mind in thinking that we would not produce the papers. I simply gave the officers of the department the order of the House—to which order I had raised no objection—to bring down the correspondence. It happens every day, that correspondence on these matters is carried on with the Public Works Department, and, in that case, the Post Office Department would not have the correspondence on file. In the present instance I can only take the word of the hon. member in the meantime that there must be some correspondence and I will see if I can discover anything to bring before the House. But let not my hon. friend be under any impression that there is any ill-will whatever concerning his constituency. The best proof of that is the list of new post offices to which I have referred.

Mr. SPROULE. It did not seem to me that the hon. member (Mr. Magrath) was complaining so much of the absence of correspondence in the file brought down or of ill-will against Lethbridge, but rather of the indifference of the Postmaster General to the needs of the people in an urgent situation. Carelessness or indifference concerning the wants of the people is just as bad as though insufficient postal facilities were due to ill-feeling against the place or to an effort to punish it directed by whatever motive.

Sir WILFRID LAURIER. I am not sure that I understood the complaint of my hon. friend from Medicine Hat (Mr. Magrath). Did I understand him to say that the postal facilities at Lethbridge were insufficient and that he wanted a new building?

Mr. MAGRATH. That is the beginning of the difficulty—they have no public building. And, apparently they have no building available in which they can render proper service to the people.

Sir WILFRID LAURIER. If my hon. friend (Mr. Magrath) will look at the supplementary estimates he will find that we knew all that and have provided for it. There is an appropriation for a public building at Lethbridge.

Mr. MAGRATH. If the House will permit me: the right hon. gentleman (Sir Wilfrid Laurier) does not know the situation. The Minister of Public Works (Mr. Pugsley) told me himself that it would take $25,000 to buy a site for a post office in Lethbridge. The appropriation is $20,000. What is the use of $20,000 ?

Sir WILFRID LAURIER. It is not enough ?

An hon. MEMBER. No.

Sir WILFRID LAURIER. That is the usual complaint—we do not spend enough money. We shall provide for that.

THE FRANKING PRIVILEGE.

Mr. J. D. TAYLOR (New Westminster). Mr. Speaker, before you leave the Chair I wish to call attention anew to a subject which has already been before this House and has been discussed at considerable length, though not this session. I refer to

what is euphoniously called 'abuse of the franking privilege.' When this subject was before the House last session I instanced the case of the weekly political letter of the Liberal party which then for some time had been, and I think still is, sent out under the frank of the Justice Department. On that occasion the Solicitor General (Mr. Bureau) whose individual frank was used, adopted a defiant attitude. He refused to acknowledge that he was violating the law, or in any event if he was violating the law, alleged that he was pursuing the practice which had been followed by his predecessors, a practice which he considered had been hallowed through its sanction by the Post Office Department. On that occasion the Postmaster General (Mr. Lemieux) rose superior to his colleague. He did not defend, except at the very outset, the violation of the law. On the contrary he made the statement to the House that the revelations made in the discussion were such as to show to him the necessity for regulations which would prevent for the future the recurrence of such abuses. It is because there has been no performance in fulfilment of that promise, so definitely made by the Postmaster General, that I venture to take up some of the time of the House this morning. I could, if it were necessary, produce to the House the proofs of this violation of the law such as were produced last year. But as the discussion of last year made this plain, and as the action complained of was admitted, it is unnecessary to go into that matter at any length. The House knows, and the Postmaster General particularly knows, that this circular is being sent out in considerable quantities every week under the frank of the Justice Department. In answer to a question which I placed on the order paper last year information was given as to the extent to which this practice was carried on, the number of weeks of its continuance and the number of documents sent out each week. Now we have a law governing the actions of the Post Office Department, a law which, so far as the public are concerned, is carried out with a severity unexampled as to any other law of the Dominion. In setcion 75 of the Post Office Act we find it provided:

FRANKING AND FREE MAIL MATTER.

All letters and other mailable matter addressed to or sent by the Governor General or sent to or by any department of the government at the seat of government, shall be free of Canada postage, under such regulations as are from time to time made in that respect by the Governor in Council.

Now when we refer to the Postal Guide we find what these regulations are. We find that the Governor in Council in making the regulations framed under the Act has not attempted in any way to widen the scope of the Act or to give to the officials in the department greater authority than the Act contemplates. On the contrary we find that the order in council on the subject—for I presume the regulations follow the order in council—expressly limits the right of the departments to send out matter under frank. The regulation referred to is section 114 and it limits this franking privilege in this way .

All letters and other mail matter sent to the public departments at Ottawa and franked as being of a departmental character.

Now, Mr. Speaker, I wish to follow that up, and to remind the Postmaster General, because he knows it much better than I do, what his duty is under the Act in case of continued violation even by one of his colleagues. I read in section 119 of the Act, subsection (e) these words:

Every one who forges, counterfeits or unlawfully imitates, uses or affixes, to or upon any letter or packet, any stamp, signature, initials, or other mark or sign purporting that such letter or packet ought to pass free of postage, or at a lower rate of postage, or that the postage thereon or any part thereof has been pre-paid or ought to be paid or charged to any person or department is guilty of an indictable offence, and liable to imprisonment for life, or for a term not less than five years.

Now, Sir, I do not think that this is a frivolous situation, although I see that the Solicitor General, whose frank is used for this purpose, and also his colleague the Minister of Justice, are much amused at the reading of this section. I can imagine a cause for the gaiety which they exhibit, a cause which has been brought to the notice of the Canadian public on more than one occasion and is now occupying the public mind, that is, that while the Justice Department is the prosecuting department, and the guardian of the administration of the laws of this country, it is also the department which has the power of releasing offenders. Of course, while this Postal Act does say that if any official of that department should be found to have committed this indictable offence and to have rendered himself liable to the punishment prescribed by the Act, yet as an official of the Justice Department he will be very near to the centre of influence over the pardoning power, and therefore it is a matter of pardonable gaiety on the part of the Solicitor General that any member of this House should seriously suggest that he need be in any terror of the law in this regard. But, Mr. Speaker, although I am not an optimist in the matter of impressing this parliament with the seriousness of any offence against law or propriety, and I say that with a fresh recollection of recent events in this House, although I am not a hopeless optimist in

that respect, I do not think that the hide of parliament is altogether impervious. I do think that parliament has a right to be shocked when we find the Justice Department being used as an agency to beat another department out of the revenue to which it is entitled. That, Mr. Speaker, is my view of the case, and I think it is not a laughing matter on the part of the Minister of Justice or of the Solicitor General.

Now, I would like to emphasize the fact that this matter does not arise casually; it is not the case of some literary genius connected with the Justice Department writing a pamphlet, writing a circular letter, and for convenience, and in the ordinary course of business, as one might send out his own private correspondence from a department without any violation of the spirit of the law; I wish to point out that this is not a case of that kind at all, that the circular to which I have reference has no proper connection with the Justice Department, that it does not originate in and is not written by any attaché of the department, by any employee of the department, it is not printed in the government printing office, it has no place in the machinery of this goverment, in the routine of this government at all, except when it has come in from the outside to the Justice Department with the idea of having the stamp affixed which will enable it to beat its way through the Canadian mail. Now, I think it is a particularly aggravated case that a public department such as the Justice Department, which of all others should not lend itself to any infraction of the revenue laws of this country, which should be the most zealous to protect the revenue, should be engaged in a scheme to defraud the revenue. It seems a monstrous thing that this department should lend itself to an object of this kind; and the conviction is forced upon us that it is not an accident that the Justice Department is so used, but that the persons who choose this agency do it because of their belief that they are better protected from prosecution than they would be if they were dealing by any other department. When this matter was before the House last year what seemed to be a bold challenge was thrown out by the Solicitor General. 'I have done no wrong,' he said; 'but if I have done wrong, why does the hon. gentleman not prosecute me?' An easy challenge made with the acclaim of his colleagues in this House that I very well remember.

Mr. BUREAU. The challenge was not issued to my colleagues, but to the members who were making the charge on the other side of the House.

Mr. J D. TAYLOR. Precisely, I think that is what I said. But I am glad that the Solicitor General has repeated now what I think I may desecribe as a raw bluff. The reason I use that term is this, that the Solicitor General is an officer high in the legal service of this country, and he at least is presumed to know the law. The Postal Act prescribes certain procedure in connection with the prosecution of offences under the Act. Section 137 has this provision:

> Every pecuniary penalty imposed by this Act, or by any regulation of the Postmaster General made under it, shall be recoverable with costs by the Postmaster General, by civil action in any court of competent jurisdiction, and shall belong to His Majesty for the public uses of Canada, saving always the power of the Governor in Council to allow any part or the whole of such penalty to the officer or person by whose information or intervention the same was recovered.

I have read this Act carefully and I cannot see that any person other than the Postmaster General has any authority to institute prosecutions under it. Therefore, I say it is nothing but a raw bluff when the Solicitor General, who must be presumed to know the law, stands up here and distinctly exempts the Postmaster General from the terms of his challenge, when he says, I challenge any person else in this House, except the one authorized to prosecute me, to institute a prosecution. Now it is because the Postmaster General is the one person authorized to act under this section that I propose to call upon him to take such action. I would like, before I offer the resolution so calling upon the Postmaster General, to illumine the House as to the nature of this literature which is being distributed by the Justice Department, to call the attention of the House to one circular sent out which I have here, and which I will offer as a sample of the mendacious character of this literature. This circular announces in flaring head and bold type that:

LIBERALS ATTEMPT TO STOP RACE-TRACK GAMBLING.

Some hon. MEMBERS. Oh, oh.

Mr. J. D. TAYLOR. Fancy that from the Justice Department.

LIBERALS ATTEMPT TO STOP RACE-TRACK GAMBLING.

Obstructed by Tory Race-Track Owners.

Then follows in black type an introductory paragraph intended to give a clue to the reptile press of the country to the contents of the circular. I hope no one will take offence at the term 'reptile press' because the term was invented by the Toronto 'Globe.'

An hon. MEMBER. By Sir Richard Cartwright.

Mr. J. D. TAYLOR. Sir Richard Cartwright or the Toronto 'Globe'; they are so close together that one may be pardoned for quoting one for the other. In this introductory paragraph, intended to guide the editors of the reptile press who may not have time to read through to the contents and to let them know just what it means, we read this :

PONDER THESE THINGS.

The Tory press, headed by Toronto 'Mail and Empire,' has been crying loudly for an amendment to the Criminal Code to stop race-track gambling. The government introduces an amendment——

The government, mark you.

——introduces an amendment and it is strenuously opposed by leading Tories.

This is the literature being distributed by the Solicitor General of this country under the frank of the Justice Department as of an official character, or, in the alternative, if the Justice Department asserts that it is not franked as of an official character, that it is not literature of the Justice Department and not endorsed by the Justice Department, then there is no remedy for my hon. friend the Solicitor General (Mr. Bureau) but that he must place himself at the tender mercies of the Postmaster General and suffer the penalties prescribed by law for affixing the stamp to denote an official character when there is no official character attached to this literature. I will read another paragraph of this precious document which was sent out by the Justice Department and designed to excite the admiration of the people of Canada for the high moral tone pervading this government and the Justice Department particularly. To show how resolute is this determination to put a stop to race-track gambling let me read this paragraph:

The object of the Bill may be defined as to 'utterly, entirely and completely suppress and prevent the business of betting or gambling in connection with or upon race-tracks in any place in Canada.'

Then we read further :

What would be the attitude of the 'Mail' should Liberal members arise in their places and uphold the integrity of race-track gambling? What would the people of Canada, the clean-minded, non-gambling portion of the community think of Liberal members who stated from their seats that gambling on race-tracks was an evil.

A question asked by the Department of Justice. I would like to call the attention of the clean-minded non-gambling portion of the community to the contrasting fact that the record of this House will show that the Minister of Justice himself stated from his seat that gambling on race-tracks is not an evil. It seems to me that the advice of the Minister of Justice was more potent than any other agency in this House in securing the defeat of the Bill which that circular from the Department of Justice represents to the people of Canada as being opposed particularly by the Tory race-track owners, when it was opposed particularly with more authority, with more influence, because of their position in this House by the Minister of Justice, whose department sends out this mendacious statement, and by his colleague, the hon. the Minister of Railways and Canals (Mr. Graham). I ask what the head of the government thinks of this performance. I ask the Postmaster General what he thinks of this performance, and whether, having regard to the character of the matter which is being distributed under his sanction, because it must be under his sanction as he has known about it for a long time, or having regard to the mendacious character of it he is still prepared to say that he recognizes it as of an official character. I read again :

The people of Canada will understand that the Liberals are in favour of abolishing race-track gambling.

If the people of Canada understand that they must wake up to a realization of the fact that the Liberals have lost control of the House of Commons, because if such were the attitude of the Liberal party it is within our recollection that they very signally failed in carrying it out. However, we have the authority of the Minister of Justice, in a circular franked as 'official' by the Justice Department, and therefore a circular for which the minister has responsibility, the statement that :

The people of Canada will understand that the Liberals are in favour of abolishing race-track gambling and that two leading Conservatives in the House, Messrs. Osler and Barker, both interested in race-tracks, are opposed to the reforms suggested, notwithstanding the attitude of public opinion on the subject.

When I observed that that circular and others like it were being sent out from that department it occurred to me that surely no person in high responsibility there could be cognizant of it. I pictured the righteous indignation of the Minister of Justice when his attention should be called to the subject. I had in my mind the top lofty way in which we would get the reply from him that here was an hon. member of this House tilting perhaps against a messenger or a chief messenger in the department who had affixed this offending stamp. Realizing the way in which the franking privilege was conducted in the department, I took the precaution of putting a question on the order paper to ask what official of the department was responsible for the admin-

istration of the franking privilege, and who is charged with the duty of seeing that no abuse is permitted under it. The answer I got precludes the responsibility being shifted by the Minister of Justice upon any messenger or menial of the department. The answer was that the franks of the Justice Department are those of the Minister of Justice, the Solicitor General and the deputy minister, and that the deputy minister is the person responsible for the administration, to see that no abuses take place under it. I have too much respect for the Deputy Minister of Justice to entertain the idea for a moment that this thing is done under his responsibility. While the responsibility is technically his, yet in the Department of Justice the Minister and the Solicitor General outrank the deputy minister, and I think the responsibility must be placed higher up. It is not for me to say whether or not it should be placed with the gentleman whose name appears as the frank upon these documents. It is for the Postmaster General, as I take it, upon the information given to him and which has been for long in his possession; it is for him to find out who it is who illegally puts that stamp on matter purporting to indicate it is entitled to pass free of postage, when it is not so entitled. The questions asked and answered last year show that this practice had been going on from the 20th April, 1907, to the 27th November of the same year, a period of 30 weeks, and from July 21, 1908, to January 19, 1909, a period of 26 weeks, making 56 weeks thus far, and then there has been a recess during which this practice has continued for 24 weeks, making a total of 80 weeks in all. Another answer said that the circulars sent out averaged from 75 to 100 weekly. We must take it that the department put the best face upon it, and we are entitled to assume that 100 per week is the average number sent out, so that during that period of 80 weeks there have been 8,000 offences committed against the Postal Act by somebody in the Justice Department. I want to call attention to a clause in the Postal Act which shows that the burden of proof in such a case is not upon any private member of the House or upon any citizen of the country to show beyond a shadow of a doubt that some one in the Justice Department has incurred a very serious penalty. The burden on the contrary is placed, by section 138 of the Postal Act, upon the person accused:

> In any action or proceeding for the recovery of postage or of any penalty under this Act, the burden of proof that the thing alleged to have been done by the defendant was done in conformity to or without violation of this Act, shall lie upon the defendant.

Therefore, under this Act which is made to grind the public, which is made to make it beyond peradventure that if any citizen of this country is accused of writing a line inside a newspaper and sending that out at newspaper postage and that line is found, he shall be held prima facie guilty of having written that line and to have committed an offence against the Postal Act. And, under that section of the Act, the citizens of Canada are constantly being haled before Post Office inspectors all over this Dominion and are being fined because there is a prima facie case against them. The department is not bound to establish that they are guilty, but it is up to the accused to establish they are not guilty. Therefore, I say it is up to whoever in the Justice Department affixes this stamp to matter of the nature I have indicated, to prove beyond peradventure that he has the right under the law to do it, or else to be placed in the same position as other private citizens and to suffer the penalty described in this Act. Mr. Speaker, when this matter was before the House last time we permitted it to be disposed of on the promise by the Postmaster General that regulations would be adopted to make it impossible for the offences to be continued. It is because we have had that promise and have had no performance that I think it is my duty to ask the House to make a direction on this occasion. Therefore I move:

> That all the words after that be left out and the following inserted instead:—
>
> In the opinion of this House the Postmaster General should take action to prevent the continuing violation of the postal law by the forwarding through the mails of a political printed circular letter free of postage under the frank of the Justice Department; that steps should be taken to recover the loss to the revenue so far as same is ascertainable from the record, and to impose the penalty prescribed by the Postal Act for this series of violations.

Hon. A. B. AYLESWORTH (Minister of Justice). I would like to say at the outset that while I have the pleasure of some acquaintance with the piece of political news print which the hon. gentleman (Mr. Taylor) has exhibited in the House and has read to the great delight of his friends who sit about him, I have not seen any copies of that news print for a great many months and I have not at any time sent to anybody any such document or any copy of it. I do not know anything about its history, its origin, or the source from which it may have been supplied to the hon. gentleman who has utilized it this morning. But I want in that connection to say further: It seems to please hon. gentlemen on the other side of the House at times when it suits their purpose, to erect the Minister of Justice or the Department of Justice upon some sort of pedestal or throne, setting up that department as though it were a sort of guardian or

keeper over the consciences of the other departments, and of the other members of this government. I wish to say, so far as I am concerned, that I think there is no warrant whatever for attempting any such position on the part of hon. gentlemen either in this House or out of this House. I think myself it was a misfortune that in the framing of our constitution 40 years ago the good old title 'Attorney General' was dropped and the continental appellation 'Minister of Justice' substituted for it. The Department of Justice, if I understand its end, is simply the legal department of His Majesty's government in Canada. It is literally the department of the Attornev General; the Minister of Justice to my understanding of that term is simply the general attorney of the people of Canada. And so far as the present incumbent of that office is concerned I want to say further, that he makes no pretense of being put upon any higher plane than his colleagues in this government or his colleagues who are members of this House. For myself, I think myself a politician. I am not seeking to put myself upon any higher footing; I am a political partisan.

Some hon. MEMBERS. Hear, hear.

Mr. AYLESWORTH. If any gentlemen on the other side of the House wish to call each other by some more high sounding appellation; if they wish to consider each other statesmen and not politicians they are welcome to do so. I have to say that so far as I am concerned I think it no discredit to be called a politician, to be called a political partisan, and to be prepared to take any share I am able to take in the political warfare of my colleagues and of my party.

Now, with regard to the subject which the hon. gentleman has brought to the attention of the House, so far as I am personally concerned I should be very glad to see the franking privilege in this country abolished. I do not know what merit there is in it. I think it is a system which has been in the past abused, and which it would be better in the public interest should be abolished. But, I found it in force when I took charge of the Post Office Department five years ago. I did not remain in charge of that department long enough to work any startling revolutions in its administration, and I do not know if I had proposed that the franking privilege should be abolished that I would have received much support from any hon. gentleman in this House. But taking the provisions of the law on the subject as they stand, I want to point out what I understand them to be, and to ask each member of the House who is accustomed to exercise his privileges in that respect, conscientiously to inquire of himself whether or not he is in a position to throw any stones in this matter. I had not been long in this House or in the position of Postmaster General of Canada when a member of this House came to me one day—a member whom I had never seen before and who is not a political friend—and asked me to give him my frank as Postmaster General. I told him I had not any except my hand-writing. He answered that would do, and he asked me to come with him to the parliamentary post office and put my initials as Postmaster General on some mailable matter that the post office authorities would not carry for him upon his own initials. I went with him, hardly understanding what the difficulty could be, but I understood when I found what I was wanted to do. I was wanted to frank through His Majesty mails a bag full of grain.

Some hon. MEMBERS. Hear, hear.

Mr. AYLESWORTH. I did it, and I suppose the hon. gentleman (Mr. J. D. Taylor) would like to have me and his friends who sit in this House on the same side of it as himself, prosecuted as criminals for that act.

Mr. J. D. TAYLOR. Mr. Speaker, if I may presume to instruct the Minister of Justice on the law, I would say to him that there is no limitation on the right of a member of parliament to frank any matter that is at all mailable; he is different from an employee or an official of the department.

Mr. AYLESWORTH. I am afraid the hon. gentleman's idea would not avail if he went into a court prosecuting in the case I have described. If the hon. gentleman thinks that the law is such that any member of the House is entitled to frank through the mails of this country, free of charge, bags of grain, or his wardrobe, I think he will find himself mistaken.

Mr. J. D. TAYLOR. Mr. Speaker——

Some hon. MEMBERS. Order; sit down.

Mr. J. D. TAYLOR. If gentlemen opposite will keep order; I rise, as I have the privilege to rise, and say that the hon. gentleman who has the floor is misstating, perhaps not intentionally, what I have said. I did not say anything of the kind which he attributes to me. I said that any member of this House has the right to frank any matter which is mailable.

Mr. AYLESWORTH. I purpose, Mr. Speaker, calling attention to the provisions of the law on the subject in a minute or two, but in reference to the incident to which I have been adverting, I want simply to remind the hon. gentleman who has been interrupting me, that if there

had been no infraction of the law in what I was being asked as Postmaster General to do, there was no occasion to come to me in the matter, because the hon. gentleman who wanted to use the mails for the carriage of his bag of grain could have franked it himself. And it was simply because he was transgressing the regulations, and knew he was transgressing the regulations, that he came to me, asking me as Postmaster General to direct my officials to do for me that which they would not do for him. Now, one hears a good deal in the way of rumour around the halls and the lobbies as to what is going on from day to day during the session on the part of hon. members of this House in the way of sending things through the mails. I do not intend to talk about that; I think in these matters there is not very much involved, and it is just as well that there should be some idea on both sides of the House of applying the ancient principle of noblesse oblige. And there are things in regard to which if there be transgressions of the strict letter of the law, it is very doubtful if it is in the public interest that there should be attention called to them and discussion had of them. I do not understand that the franking privilege of a member of this House during the session is any wider or any different from the like privileges to the departments of the government during the recess. The statute is that which governs. I am not particularly concerned with the Post Office regulations. So far as they are based upon the statute, so far as they are not contradictory to the statute, so far as they are authorized by the statute they are of course the rules upon which the Post Office Department, and the officials of that department, must carry on their business. But, no department of this government, by any regulations it may promulgate, not the whole government or His Excellency in Council, have any right to take from a member of this House that which is given him by the statute which preserves the right of a member and the right of a minister in the matter of exercising the franking privilege.

Section 75 of the Post Office Act, limiting it to this particular matter, directs that all mailable matter sent by any department of the government, at the seat of government, shall be free of postage. The corresponding section with regard to members limits their franking privilege to the duration of the session, otherwise it is practically in the same words. As to members, 'all mailable matter addressed by,' is the expression, 'addressed by any member of either House at the seat of government during the session of parliament is entitled to be carried free.' I think there is a good deal of misconception on this subject. I have heard or seen that hon. members have spoken with the idea that ten days after or before the session they are in the same position as during the session. I see no warrant for that idea whatever. Mailable matter may be sent to any member free of charge during ten days before a session, but so far as anything sent out by a member is concerned, his right of franking is limited to the duration of the session and his right of franking is conferred by the law, in almost identical words with the departmental rights of franking mentioned in the other section. It is all mailable matter, in one case sent by any department, in the other, addressed by any member. And you have simply the situation that whatever a member during a session may address, a department at all time of the year may send. Now, with regard to the Department of Justice and its administration, I am, by law, made the official who presides over that department. The Solicitor General is by statute assigned the duty of assisting in the litigation of that department. He is my colleague. I do not consider that he is my subordinate. I certainly would think I was guilty of a piece of impudence if I asked him to submit to me his correspondence or undertook to revise his use of his frank. I have no more right to do it in his case than in the case of any other one of my colleagues, and no more right to do it in the case of the Solicitor General, than he has to do it with regard to my correspondence. So far as the department is concerned, using that word as distinguished from the minister and the Solicitor General at the head of the department, so far as clerks in the department are concerned, and the ordinary departmental work, the frank which is used and used so far as I am aware exclusively, is that of the deputy minister. I think he has a stamp. I have never seen it, but I have no doubt he has; I have seen impressions of one, and I understand that the clerks of the department or the messengers of the department in taking to the post office the mailable matter of the day, affix the stamp of the deputy minister. So far as I am concerned, I have no stamp. I frank by writing with my pen, or my secretary writes with his pen my initials in the corner of the envelope. That system is pursued in regard to whatever letters I dictate during the day, whether it is session or not session. Some of these letters, I am afraid, are upon political subjects. Some of these letters, it may be, do not concern the business of the Department of Justice. Once in a while I write a letter to my son; possibly I may write to my good old father. It is not upon departmental business, and I do not put postage stamps on such letters. If I am wrong, I am in the judgment of this House, and I hope my friend to whom I

sent a bagful of oats a few years ago won't be the first man to condemn me.

Mr. J. D. TAYLOR. Mr. Speaker——

Some hon. MEMBERS. Order.

Mr. J. D. TAYLOR. I think from the pointed manner in which the hon. gentleman threw that bagful of oats I should state that I did not ask him to frank them.

Mr. AYLESWORTH. I am sorry the hon. gentleman thought it necessary to make that observation. I took good care to tell the House that it was during the few months I was Postmaster General that it occurred, and unless my recollection is very erroneous my hon. friend did not represent New Westminster at that time. It was not the hon. gentleman (Mr. J. D. Taylor). Now, Mr. Speaker, with regard to the political literature that has been discussed here, I do not suppose it goes out under my initials. It certainly does not go out under my initials to my knowledge. If my secretary, or his assistant has any part in mailing the kind of document that has been referred to I do not know anything about it. I do not think that is the fact, nor do I think that it is the fact that any official of the department using the departmental stamp of the deputy minister is engaged in sending out literature of the character described, or anything of a political nature. As to what the Solicitor General may do under his own signature, or under his own frank, I do not conceive that I am entitled to inquire, any more than I am entitled to inquire into the mailable correspondence of any member of this House during the session. On the principle on which it is argued that the correspondence of the Solicitor General, or of the Minister of Justice ought to be inspected, it is, I suppose, contended that envelopes are to be opened, and that one ought to see whether or not in the envelope which is sealed up, and is franked with the minister's name, or the name of the Solicitor General, there is something contraband. If that is the principle the hon. gentleman is contending for, if that is what he wants the House to accept by the motion he has made, I hope he will have the frankness to let us know, so that we will not be asked to express ourselves upon this question without understanding whether or not every member of this House is to submit his personal correspondence to some official, or to some minister, or to some authority to see whether or not it contains something which he ought not to send out. Well, Sir, in regard to this whole matter I do not care to express any opinion as to the magnitude which it may assume in the minds of hon. gentlemen. Each member of the House will form his own opinion about that. I simply want to put it as I have tried to do upon the language of the law. My position is that during the recess every minister in connection with his department, every department, has identically the same franking right that every member has during the session. There is nothing in the statute about departmental business. It is mailable matter, and any mailable matter any minister has the right under the law to frank on any day of the year. Change the law as soon as you please. I am perfectly prepared to support any proposal to strike out every one of those clauses from the statute. They do not have the franking privilege in England. Members of parliament there pay their own postage, and I think members here could do it also. But, as long as the law remains as it is, and as long as members of this House are entitled to put their frank during the session upon any letter they like, whether it concerns private, political, or other business—whether it is their letter, or the letter of some member of their family; whether it is the letter of their own family, or the letter of some friend; whether it is even the member's initials upon the corner of an envelope in blank and handed to a man who asks for it of him on the street exactly as he would ask for a postage stamp—as long as the law remains in that position it is not—I had almost said not consistent with the dignity of this House—to occupy hours of the time of the House in discussing such a matter as this.

Mr. W. S. MIDDLEBRO (North Grey). I think that the Minister of Justice should be the guardian of the dignity of this House. He is the minister to whom we have a right to look for the embodiment of the highest moral tone in our public life. But when a man in such a position will rise in his place in this House and acknowledge himself to be a political partisan, as he has just done, the dignity of the House needs some other protection. I can only say that we on this side of the House have for many years been of exactly the opinion now expressed by the Minister of Justice. But though we have always regarded that hon. gentleman as a political partisan, I never thought that the time would come when one occupying that position would openly acknowledge in his place in this House that this was his character. But the indictment presented by the hon. member for New Westminster (Mr. J. D. Taylor) was so strong, so conclusive, that there was absolutely no use in longer attempting concealment of the fact that the present Minister of Justice is a political partisan.

Now, it seems to me that the question before the House is a very important matter. It came up in the House last session,

and I took some small part in the discussion. The Postmaster General (Mr. Lemieux) at that time gave us a very fair promise—and I was delighted on that occasion with the speech he made. For, had he carried out the promises he gave, we should find him to-day voting for the resolution presented by my hon. friend from New Westminster. Let me read briefly from the debate on that occasion. In the course of my address I used these words:

If the Post Office Act does not provide some penalty for a man who unjustly uses the franking privilege, it is high time that an amendment was brought in to make it a criminal offence for any person to use the franking privilege who has not authority to do so.

The Postmaster General said:

I may say at once that the supposed franks which have been exhibited this afternoon reveal a state of things which I will not tolerate.

And he went on:

At all events I say that this state of things cannot be tolerated because the Post Office Department must have the respect of all parties in this country, and I intend for the future to see that the spirit and the letter of the law shall be carried out. . . . We will frame such regulations as in the future only purely official business bearing the frank of ministers and members of parliament will go through the mails. I may say that since the beginning of the session I have received complaints from certain firms in reference to the abuse of the franking privilege. I attribute the reason for these complaints to the fact that it was done by new members of the House.

Now, I hold in my hand an envelope addressed to the 'Advocate,' a paper published at Balgonie, Sask., in which was contained a copy of the literature part of which was read by my hon. friend from New Westminster. This bears the postmark of Ottawa and upon the envelope the signature 'Jacques Bureau.' It is postmarked March 14, 1910. So when the Minister of Justice (Mr. Aylesworth) contends that he does not know that this is done by any official of his department, we must assume that that is true; but now that we have brought the matter to his attention his plea of ignorance cannot hold. It is shown that this kind of literature—I cannot call it anything but Ananias literature—is being circulated at the public expense. I say that it is a disgrace to this country, and it is a disgrace to the Department of Justice to play the part of a political partisan in sending this literature throughout the country. The statements contained in that literature are so contrary to the facts that I cannot characterize it in words strong enough. We all know that the speech of the Minister of Justice (Mr. Aylesworth) was the very cause of the defeat of the Anti-Race Track Gambling Bill. The idea that notwithstanding this fact, which is known to us all, this literature should contain statements that the government were doing their best to pass the Bill and to further the measures against race-track gambling. Why, before such literature the reputation of Ananias melts like snow before the spring-tide sun. I ask the Postmaster General to tell us whether he has taken any steps to implement the promise he made a year ago to the members of this House upon the faith of which the discussion was ended. We took the hon. gentleman at his word; we supposed that he would make regulations which would prevent—even if the present regulations cannot prevent, which we say they can—the continuation of this abuse. Has he taken steps to prevent a repetition of that which was shown to exist last year, and will he take steps to prevent what has been shown to exist here to-day?

Hon. RODOLPHE LEMIEUX (Postmaster General). Last year, when this question was brought up, I made the remark that was quoted by the hon. member for North Grey (Mr. Middlebro). He will remember that I was shown some letters which were supposed to have been franked by some members of the government. Experts on both sides of the House looked at the initials, and not one could say whose initials they were. I then stated that this was certainly an abuse—that, evidently, some signatures had been used illegally, forged in effect, and that I would see to it that such a thing could not occur again. My hon. friend will remember that I handed to the Minister of Agriculture (Mr. Fisher) an envelope which was supposed to contain a political pamphlet distributed during the period of the general election in one of the constituencies—Dufferin, I think—and the minister (Mr. Fisher) peremptorily observed that the signature was not his. It was upon that occasion that I declared that if such a thing occurred again I would take prompt measures to stop it. Now, let us be frank.

Some hon. MEMBERS. Oh, oh.

Mr. LEMIEUX. Yes, and let us not frank as some hon. members on the other side frank at the general election. Now, will it be seriously contended for one moment that a member of this House has not the right, during the session of parliament, to send letters to his constituents and others, using for that purpose the franking privilege which he gets under the law—for, under the statute all mailable matter can be franked during the session by a member of the House.

Mr. G. TAYLOR. That would include a bag of oats?

Mr. LEMIEUX. I am sure the hon. gentleman understands the definition of 'mailable matter.' If an hon. gentleman gave his frank on that occasion, I suppose he thought that the bag of oats could pass in His Majesty's mails. Can it be contended for a moment that whilst the members of the House during session are given by law the privilege of sending abroad tons of literature, a member of the government shall not have the privilege of sending letters under his own frank during recess? Now, as was well said by the Minister of Justice, and as every lawyer knows, no regulation can destroy the effect of a statute passed by this House. Section 75 enacts that:

All letters and other mailable matter addressed to or sent by the Governor General, or sent to or by any department of the government at the seat of government, shall be free of Canadian postage under such regulations as are from time to time made in that respect by the Governor in Council.

I am prompted by my hon. friend from New Westminster to quote again section 114 of the regulations, which reads as follows:

All letters and other mailable matter sent by the public departments at Ottawa and franked as being of a departmental character, all correspondence addressed to the ministers in charge of the said departments or to their private secretaries, or to the deputy heads or secretaries of the same, or to any recognized branch or division of a department.

All these enjoy the franking privilege. Now, I will ask, is there a distinction between letters sent personally by a minister and a letter of a departmental character? Before I do it, I must explain the raison d'etre of these regulations, and I believe every business man in the House will understand it. In order to prevent civil servants from abusing the franking privilege given by law to the departments, we had to frame a regulation that the letters sent from those departments through the mail must be of a departmental character. But as the Minister of Justice well says, we cannot, in the Post Office Department, set aside what has been enacted by this parliament in the Revised Statutes, section 75, which I have read.

Mr. COWAN. Shall be free under the regulations.

Mr. LEMIEUX. Yes, under the regulations. Will my hon. friend, who I know is a lawyer of distinction in his province, contend that under the statute and the regulations I have read, a minister of the Crown is debarred from the privilege of franking his letters during recess? Why, my hon. friend could not plead such a contention in any court of the land. My hon. friend thinks perhaps that the Solicitor General does not enjoy the franking privilege. Now, although his name is not mentioned in the statute, he is however, as the Minister of Justice stated, considered a member of the government, although he is not a member of the cabinet. But let me tell my hon. friend this, that three years ago, by an order in council passed by this government, the Solicitor General was given the franking privilege. Now, I appeal to my hon. friend, the leader of the opposition, I appeal to his sense of justice and to his sense of fair play: will he tell me—I have just seen the envelope which was handed to me by my hon. friend the member for Frontenac, bearing the signature of the Solicitor General—will the leader of the opposition, who is a lawyer of great distinction, and for whom I have the greatest respect, tell me, as was said a moment ago by the member for New Westminster, that the Solicitor General has been violating the law in the spirit and in the letter, and that he is amenable to the courts under section 119 of the Post Office Act? Can it be for a moment contended that he has, in the words of that section:

Forged, counterfeited, or unlawfully imitated, used or affixed, to or upon any letter or packet, any stamp, signature, initials, or other mark or sign purporting that such letter or package ought to pass free of postage, or at a lower rate of postage, or that the postage thereon or any part thereof has been prepaid or ought to be paid by or charged to any person or department.

It seems to me it is not even necessary to discuss that question. The statute is very clear. During the session of parliament, every member is given by law the franking privilege, he can send letters and parcels of the prescribed size mentioned in the regulations, he can send all mailable matter. Now, during recess, during the whole year round, the members of the government are given the same privilege.

Mr. J. D. TAYLOR. No. Will the Postmaster General quote the section of the Act giving that privilege?

Mr. LEMIEUX. It is given in section 75:

All letters and other mailable matter addressed to or sent by the Governor General, or sent to or by any department of the government at the seat of government, shall be free of Canadian postage.

Is not the minister the head of the department, are not his letters letters of the department?

Mr. J. D. TAYLOR. Will the minister read the remainder of the section?

Mr. LEMIEUX (reading):

—shall be free of Canadian postage under such regulations as are from time to time made in that respect by the Governor in Council.

Regulations made in order to stop any abuse which might be committed in the size of the mailable matter, or sending such articles as a bag of oats, for instance, or a wardrobe, and many other things that civil servants had been sending for years, in abuse of their privilege, perverting the sense of the Act, and we had to put a stop to it. Now, nobody will contend that any bar has been put to the free exercise of that privilege by members of the House. I remember that, during the session preceding the last general election and during every session preceding a general election since I have had a seat in this House, my hon. friend the member for Leeds (Mr. Taylor), who had charge of the literature of his political party, jammed for weeks and months, the corridors and lobbies of this House with literature destined to be sent to the independent electors of this country. We did not object and we do not object to-day. We are given the same privilege on this side of the House. Will any one say, with the law as it stands, with the regulations as they exist, the object of which I gave a moment ago, because the Solicitor General sends, under his franking privilege at certain intervals during the year and during the recess, the envelopes which were shown a moment ago, the Postmaster General should interpose and order those letters to be opened?

Some hon. MEMBERS. Yes.

Mr. LEMIEUX. That I should do that.

Some hon. MEMBERS. Yes.

Mr. LEMIEUX. I would not stay in the government ten minutes if I were to do that.

Mr. J. D. TAYLOR. The hon. member would stay in any other government if he did that.

Mr. LEMIEUX. There is no chance of my hon. friend ever coming at the head of any government with the ideas that he has propounded to-day.

Mr. MIDDLEBRO. I would like to ask the Postmaster General, if, in view of the law and knowing that literature of the character which has been referred to in this House has been franked with the frank of the Solicitor General, he approves of the transaction?

Mr. LEMIEUX. My hon. friend has put a question to me. I am not here to speak for the Solicitor General. He is here and I suppose he will be heard from during this debate.

Mr. J. D. TAYLOR.

Mr. MIDDLEBRO. Will the minister take any steps to prevent that?

Mr. LEMIEUX. I certainly say that to my mind there has been no trespass of the law under the circumstances.

Mr. HUGHES. May I ask the Postmaster General if, having heard the literature read, he thinks it is proper literature to send out?

Some hon. MEMBERS. Oh, oh.

Mr. STAPLES. I do not rise to make any argument upon this resolution; I simply rise to make an explanation. I do not wish to have it generally understood that all members of this House are guilty of sending a bag of oats to their constituents, but I simply want to explain the whole circumstances and I will leave to the judgment of the House whether or not I transgressed the law. The Minister of Justice and the Postmaster General can verify the facts which I am about to state if they wish to go to the trouble. A good Liberal in my constituency, by the name of John Perry, and residing at Treherne, wrote to me and asked if I thought it would be possible to get a couple of bushels of oats in order that he might sow a plot of land and thereby be of some benefit to his fellow farmers by distributing the seed. I took his letter, read it over the 'phone to Dr. Saunders of the Experimental Farm and asked him if he would supply that quantity of oats. He replied that he would be pleased to comply with the request as contained in the letter. I heard nothing more of it until I came up to the building one morning and found a bag of oats in room 6. The other members began laughing, and I said: What shall I do with it? They did not know. I went to the postmaster, Mr. Mills, and I told him that I had this bag of oats. I said that I could comply with the law by breaking it up into small parcels and sending them out, as the Experimental Farm sends out small samples of grain of a certain weight. He said there was another way in which I might succeed in getting it through, that if I got the Postmaster General's frank it would go. I met the Postmaster General in the lobby and he was kind enough, in the interest of agriculture in this country, to walk into the post office with me and attach his frank to the bag, and that is the last I heard of it until it landed in Treherne. I would just like to say that that innocent bag of oats sent out to produce good innocent material for this country is quite different from the letters which have been read. I have no doubt the government expect these letters that they sent out to bear fruit, as I expected this bag of oats that I sent out to bear fruit, but I do not believe that all the hon. members

of both sides of this House desire to obtain votes with any such literature as that which has been read here this morning. Misrepresentation of facts, fabrication—nothing could be further from the facts as regards the Gambling Bill than the statements contained in that circular. The Minister of Justice and every other member of this House knows the way that Bill was dealt with. The Minister of Justice and the right hon. First Minister know how that Bill was killed, and they know it was killed by the Minister of Justice, who has been so driven for an argument to defend that literature as to refer to this bag of oats that went through the mails. If he can find any justification for the sending out of that literature under the frank of his department by referring to this bag of oats then I hope he will enjoy whatever advantage he may get out of it.

Mr. MILLER. We have had rather a good natured discussion. Some men appear to have felt their oats, some have made wry faces, others have talked about small potatoes and others have been accused of being dead beats.

Some hon. MEMBERS. Good, good.

Mr. MILLER. Very good. A particular letter has been referred to and the statements contained in it, it has been said, would have done credit to Annanias. I suppose that that could have been said of a great deal of the literature sent out by our friends on the other side of the House during the last campaign. I remember some of that literature. I did not intend to commit it to memory, but I remember that it bore a very good picture of the very good looking leader of the opposition and one statement contained in it was that the Conservatives had endeavoured to abolish or reduce to 10 per cent the duty on agricultural implements, but that they had been prevented by members sitting on the Liberal side of the House from doing so. If anything more Ananias-like than that has ever been sent out by any party in the Dominion of Canada within the last century I would like to know about it.

Mr. STAPLES. Was there not a vote on the motion to reduce the duty on agricultural implements?

Mr. MILLER. Yes, I remember the vote very well. I remember that the leader of the opposition (Mr. Borden) his then first lieutenant, the hon. member for North Toronto (Mr. Foster) and a number of other leading Conservatives voting against him, and I remember that my hon. friend who has just sat down and a few others, representing rural constituencies on the other side of the House, voted for it.

Mr. STAPLES. How did you vote?

Mr. MILLER. I voted against it because I thought it was a hypocritical resolution——

Some hon. MEMBERS. Order, order.

Mr. MILLER. —that would not do any credit to any man or to any party, and it did less credit to the party who used it in their campaign literature.

Mr. J. W. EDWARDS (Frontenac). I have in my possession one of these effusions sent out as Liberal campaign literature, and among other things there is a reference in it to myself. It says that the member for Frontenac stated that the French Canadians were disloyal, and I want to say that to attribute to me such a statement is an absolute falsehood. It ill becomes the position held by the Solicitor General to allow his frank to be used in sending throughout the country an absolute lie such as that is. We have been treated to some surprises this morning, but before referring to them, allow me to make a brief reference to this lying statement in that pamphlet. I can only conceive two reasons why a statement like that should be sent broadcast through the country. One of these reasons is that it is easier for the Liberal party or those who got up the pamphlet—I am not now accusing the Solicitor General of having prepared it—but it was easier for the Liberal party to attempt to draw a herring across the scent and try to make the people of Quebec believe that I was attacking the masses of the people of that province than it was to defend the Prime Minister and the leaders of the party whom I indicted. Another reason which occurs to me is that possibly by the circulation of such lies as this they think to provoke me into saying something against the people of the province of Quebec, but in that attempt they will be just as unsuccessful as in their other attempt.

Mr. TALBOT. You have said enough already.

Mr. EDWARDS. Not the least surprise we have had this morning was that afforded by the hon. member for Grey (Mr. Miller). I would expect if there was one member on the other side who would have kept his silence on this question it would have been the hon. gentleman. I would like to ask him, he who talks about hypocrisy and hypocritical literature, what trait of his character he is exhibiting in regard to the attitude of the Minister of Justice on his anti-gambling Bill. I would like to ask him if he approves of that statement in that pamphlet in reference to the gambling Bill? Did he prepare these statements himself and send them out? The fact is that it is very apparent to every member of this House that the Minister of Justice

got up in his place and was the means of defeating the Miller anti-gambling Bill, and, notwithstanding that, the member for Grey rises now to add his little quotation in the way of excuse for the Minister of Justice. The Minister of Justice waxed highly indignant at the very thought that his department should be regarded for one moment as the guardian of the other departments of the government. Well, Sir, we who have had the privilege of one or two short sessions in this House, and have had an opportunity of looking into the doings of this government, would sympathize with the Minister of Justice if such a burden were cast upon him, but I venture to think that after the display of the Minister of Justice this morning there are yet some departments of this government which would pray to be relieved of his guardianship. We have had ample evidence of the partisan disposition of the Minister of Justice, but it remained for himself to rise in his place in the House and to tell us that he, the head of that department which is supposed to be as far removed from political bias as it is possible to get a department, that he is a political partisan, and that he glories in the fact. The Minister of Justice made considerable out of the statement that one of the members of this House asked him to frank a bag of oats through the mail. I would have supposed that the Minister of Justice had refused to break the regulations and the law, but he went on to tell us that he did break the regulations and that he did the very thing, which as head of the Department of Justice, he should not have done. Imagine the head of the Department of Justice taking pride in the fact that he himself broke the law. What a nice Minister of Justice. Now, Sir, it is true, as the Postmaster General has said, that members of parliament and members of the government have the right to use the franking privilege, but the Postmaster General has not dealt fairly with the question, because after saying that members of the government send their mail matter out under regulations, he did not tell us that the regulations say: 'and frank as being of an official character.' The Postmaster General slid over that point. What the regulations do say is that this mail matter must be of an official character, and if it is not of an official character and the members of the government send it out under a frank then they stand convicted of violation of the laws they are supposed to maintain.

Mr. ARTHUR MEIGHEN (Portage la Prairie). I do not rise to complain of the statement of the Minister of Justice that the Department of Justice of this country at the present time is on no higher plane than any department of the government, nor do I complain of the accuracy of his statement that it is administered under its present head by as violent a political partisan as there is in the government. But, Sir, I had understood until now that one of the functions of the Justice Department was to make clear to this House the real meaning of the law. To-day it has discharged that function by obscuring wherever it could the plainest possible law, and with the assistance of the Postmaster General endeavouring to befuddle the members of this House as to what the departmental regulations mean. Nothing could be clearer than what the law means; it does not need a lawyer to interpret it. Section 75 says that mail matter of any kind may be sent to or from members of parliament at any time during the session, and it does not matter what that mail matter is. The Minister of Justice tried to obscure the issue by implying that it was a violation of the law for a member of the House to frank a letter to one's father, but, of course, that is not so. There is no violation either of the spirit or the letter of the law in franking such a letter as that. It is also contained in section 75 that during recess matter may be sent at any time to or from departments of this government under such regulations as the Postmaster General provides. These words mean something or they mean nothing. They are a notification that the Post Office Department has authortiy to make regulations covering the sending of literature to and from the departments of this government, and the Post Office Department has made such regulations. Those regulations either mean something or they mean nothing. The Postmaster General, who I regret to say, departed from his usual custom and did not have the courage in this House to express his own convictions; the Postmaster General endeavoured meekly to reconcile himself with the attitude of the Minister of Justice in arguing that this regulation was beyond the power of the department. What a position for the Postmaster General to take.

Mr. LEMIEUX. I did not say it was beyond the power of the Post Office Department to enact regulations. I read the regulation, and I said there was no contradiction between the regulations and the statute. I might explain that the employees are warned not to mix their personal letters with departmental letters. I may add that in every department the letters are collected every afternoon and they are deposited in the ante-room of the deputy minister and only the frank of the deputy minister and the frank of the minister are used on the letters. No other franks are used in the department.

Mr. MEIGHEN. I perhaps did the Postmaster General too much justice in stating

that he argued practically that this regulation was beyond the powers of his department to enact. But he did not conflict with the statement of the Minister of Justice that no regulation could obviate or get around the provisions of an Act of parliament, and he, therefore, conveyed the impression to this House that in his mind this regulation was ultra vires of his department. I say that the regulation is not ultra vires of his department, and that it is absolutely within the power of his department to make. The regulation says that during recess, mail matter may be sent out by the department if it is of an official character. Now, then, does it make or does it not make it clear that the matter sent out must be of an official character? If it does not mean that the matter sent out must be of an official character, the regulation means nothing whatever, and the Postmaster General knows it. If anything at all can be sent out by that department and franked by the department as 'official,' then the regulation might be just as well omitted altogether.

At one o'clock, House took recess.

House resumed at three o'clock.

Mr. MEIGHEN. Mr. Speaker, by reading section 114 of the regulations in conjunction with clause 75 of the Act, it is made abundantly clear to every one, the regulation being within the power of the department, that to frank mail matter that is not departmental from the department at any time, whether during the recess, or during the session, is a violation of the law. It is abundantly clear, also, that to frank mail matter of any kind, departmental or otherwise, to a member during the session is not a violation of the law. That is just the difference. Now it is either right or it is wrong to send the literature quoted in this House as official matter. If it is departmental matter, it has a right to be franked as such, and it is not a violation of the law. If it is not departmental matter, it is a violation of the law to frank it as such, and send it out. Now from that position the Postmaster General cannot dissent, nor can any other person dissent. It is as clear as any section of law ever written that to frank out matter of that sort as departmental matter either during the session, or during the recess by a department is a violation of the law. It can be franked out during the session by a member of parliament, but it cannot be franked out even during a session by a department without violating the law, and it is violating the law with double clearness when it is so franked out during recess at which time it cannot be legally franked either by a member of parliament, or by a department. Consequently the Postmaster General is face to face with this position, that not a private man, not a mere private citizen, but the Liberal party of this House, and of this country is openly, under his eyes, violating the section that he is sworn to enforce. Well, Mr. Speaker, that is the position the Postmaster General is in. But the situation is worse. What is the class of literature that is being so franked, and from whom does it emanate? In the first place the literature sent out in that way is an official leaflet of the Liberal party of Canada. It is the official organ of the Liberal members of parliament of this House. It is literature of which the government itself takes advantage, and seeks to take advantage. It is literature which it is hoped will help to re-elect hon. members opposite at the next election. That is its purpose; it has no other. Now, Mr. Speaker, to call that literature lies, is to award it undue euphony. The Minister of Justice is in his seat. The Postmaster General is in his seat. There are scores of Liberal members of this House in their seats, and there is not one of them who will stand in his place now and say that the references in that leaflet are not lies, deliberate lies. It is not only a lie, but a pernicious despicable lie of the worst character. It is not only deceit, Mr. Speaker, but cowardly deceit, and still the Minister of Justice rises in his place in the House, he knows it has been sent out, and sent out illegally, he knows he is as much the author of it as any other member of the Liberal party in this House, and still in the face of that he declines to repudiate it or to say one word against it in his speech on this matter. Now, Mr. Speaker, the Minister of Justice, I stated in the first place, endeavoured only to befuddle the House as to the law. The law could not be clearer. What did he say in endeavouring to obscure it? He said it was only a lax enforcement of the law that enabled him to write to his father, or to his son. The minister franking a letter to his father or to his son knows he is acting as much within the law as if he franked out an official letter from his department. The Minister of Justice knows it, and yet he added to the demerits of his defence by calling on the member from Macdonald (Mr. Staples) to explain the franking out of some oats some years ago. I can only gather two facts from that incident. The first one is that the hon. member for Macdonald not being a lawyer committed an illegal Act, and did not know he was doing it.

Some hon. MEMBERS. Oh, oh.

Mr. MEIGHEN. And the second is that the Minister of Justice committed the same illegal act, and knew it was not only wrong, but illegal.

An hon. MEMBER. Hear, hear.

Mr. MEIGHEN. I have it on the information of that hon. member himself (Mr. Staples) that before that bag was so franked, he told the hon. Minister of Justice that he did not want him to frank it if it was in violation of the regulations, and that he did not know until to-day that the franking of that bag of oats was a violation of the regulations. Now, Mr. Speaker, it cannot be truly said that the government of this country are changing their methods in any way. Like others whose principles are against society instead of with society, like the pirate and buccaneer who after long practice of their arts with impunity become reckless in the intoxication of their own success, this government is becoming bolder every hour. Only a short time ago we had the hon. Minister of Finance telling the House that the practice of the patronage system which has done more than anything else to demoralize the political life of this country, was one of the closest things to his own heart, and that the exercise of it was a lasting maxim of his political faith; and to-day when the Minister of Justice is brought face to face with a violation of the law, when he is face to face with a charge that in his own department, under his very eyes, and with his sanction, the law he is sworn to enforce is being violated, when he is further faced with the fact that his department is being prostituted for the basest of party ends, what is the answer he gives to the House? He tells us: I want you to understand that I am at the head of the Justice Department, and I am no statesman, I am a political partisan. Mr. Speaker, if there is one hon. member of this House whose position is less enviable in this matter than any other, it is the hon. member from Grey (Mr. Miller) who introduced the anti-gambling Bill. I supported the anti-gambling Bill. I believed at that time in the hon. gentleman's sincerity. His Bill received, I think, a majority of support from hon. members on this side of the House. The hon. member for Grey knows and has stated that his Bill was defeated by the speech of the hon. Minister of Justice, and yet that hon. member sits here and listens to a lying pamphlet, of which he is as much the author as any other member of this House, and which is intended for his advantage, and he declines to repudiate that pamphlet. Not only that, Mr. Speaker, but he actually stands in his place in the House and notwithstanding the fact that the majority on this side of the House supported him he condemns them for their attitude in respect of this pamphlet. It will be of interest and importance to friends of what is called moral reform to watch the course of the hon. member from Grey this afternoon, and see if he does not affirmatively defend this pamphlet by his vote.

Mr. MEIGHEN.

Hon. JACQUES BUREAU (Solicitor General). Mr. Speaker, allow me to state at the outset that all reproaches or accusations made against the Postmaster General or the Minister of Justice are in my mind not well founded. This letter has been franked, as has been stated, with the frank 'Jacques Bureau.' I have never submitted my correspondence to the Minister of Justice any more than I have submitted it to the Postmaster General. I, and I alone, am responsible for this franking, and, in justice to both these hon. gentlemen, I assume the responsibility of the whole thing. Now, the charge is that a certain letter written to the newspapers has been franked from the Department of Justice. This letter has been franked, if I am to believe the envelope that stands as convicting evidence against me and which was produced by the hon. member for Frontenac (Mr. Edwards) and read as evidence by the hon. member for North Grey (Mr. Middlebro), with the name 'Jacques Bureau' in the lower left hand corner. The hon. member for North Grey says that this letter bears the postmark Ottawa, 10th March, 1910. I think that on that date, Jacques Bureau, as a member of this House, had as much right to frank a letter as his Conservative friends have to frank the weekly letter that they send out. The letter inclosed in the envelope—I did not have time to read it carefully—appears to answer some charges made by the 'Mail and Empire.' This letter was mailed December 1, 1909, and on December 1, 1909, this House was in session, and I believe that, as a member of this House, I have as much right to frank the letter—as I have already said—as my hon. friends opposite have to frank their political letters.

Now, I admit that I did use my frank outside of the session. My hon. friend from New Westminster (Mr. J. D. Taylor) may call it a 'raw bluff' or whatever he pleases. I used my frank outside the session, and, I claim, used it legally. Hon. members are trying to draw some very fine distinctions about the interpretation of section 75 of the Post Office Act. Now, this section is very plain. My hon. friend from Portage la Prairie (Mr. Meighen) who is a lawyer, will admit that parliament is supreme and that no Postmaster General can curtail by order in council, any privileges that parliament has given. Now, under what statute do they complain? Under section 75 of the Post Office Act. This is a very old section. Turning to the origin of it, I find that, in 1867, at the time of Confederation, the Post Office Act covered a section having exactly this language the same language as section 75 of the present Act. In 1875, there was a consolidation of the Post Office Act. The same language is again used as is used to-day

in the consolidated statutes. But, in 1875, the franking privilege of members was enlarged. Up to that time, books sent from the library to members of parliament during the recess, and by members back to the library, had to pay postage, but, in 1875, it was enacted that books transmitted under these conditions should be exempt from postage. I take it that this privilege has been granted to members of parliament because their position necessarily takes them from home and imposes upon them a multiplicity of duties which would not arise in their ordinary calling, thus creating a great deal of correspondence, and, as it is in the interests of the country that this correspondence should be carried on, it was thought wise to exempt members of parliament from the duty of paying postage. I take it also that if a minister of the Crown continues to use his privilege as a member of parliament during the recess under the same conditions as those during session, he ought not to be debarred from that privilege. It has been argued by my hon. friend from Portage la Prairie (Mr. Meighen) that the regulations restrict the franking power of members of the departments. I say that, as I read the statute—I may be mistaken; it is a question of interpretation of law, and as I have said, I am not here to advise the House of Commons as to the meaning of the words of the statutes; I may have my own ideas about it, but there are only the courts to decide the case, and no man is bound to agree with me in my opinion; it would be useless to argue a question of law before a tribunal that could not decide upon it—I say that the words granting the privileges to the departments are the same as in the case of members of this House, except that in the latter case it is 'addressed to or by' and, in the former 'sent to or by.' Surely, hon. members opposite will not argue that the effect of the statute is to declare that the words mean that a member may send a thousand or a million letters free if he addresses them during the session or parliament with his own hand. The words must be interpreted fairly. And I claim that the Postmaster General, by regulation, cannot curtail any of those powers that are given by the statute, and he cannot curtail them any more in the case of members than he can in the case of the department.

Now, let me read the section again, that I may deal with one or two words in it specially.

All letters and other mailable matter addressed to or sent by the Governor General, or sent to or by any department of the government at the seat of government, shall be free of Canadian postage under such regulations as are from time to time made in that respect by the Governor in Council.

Now, we may have to come down, and discuss here what constitutes a department. As the Minister of Justice has said, in my position as Solicitor General, I do not consider that I am a deputy minister or a civil servant. I consider myself, as I might say, the joint head of the Department of Justice, so far as counsel work is concerned, with the Minister of Justice. It is frankly a partnership in which I join in the counsel work with the attorney general who has more extensive powers granted him by the statute. The Postmaster General (Mr. Lemieux) says that I have certain specified franking privileges by the order in council. Sir, I do not attach so much importance to that after all. I claim that I have the right to frank my letters, and that the order in council is only notice to the postmaster at Ottawa that he is to accept that frank. Would any hon. member on the other side say that he must have in his possession and ready to show to the conductor of a train the certificate of the clerk of the House of Commons in order that he may exercise his right to travel free on a railway train in Canada?

An hon. MEMBER. No.

Mr. BUREAU. Of course not. The certificate is to facilitate matters; it is evidence to the conductor that the person presenting it is a member of parliament. So, this order in council can only be notice to the postmaster that the name 'Jacques Bureau,' is to be accepted as being the frank of the Solicitor General. This franking privilege, I claim, I get from the words of the statute itself. It is unfair to charge the Minister of Justice with breach of duty or anything wrong in this matter. The Minister of Justice stated plainly this morning that he did not know anything about this literature. If there is anything in the letter which I am accused of sending that is not matter proper for the mail, that is another accusation, and should be the subject of another debate, instead of a debate on the question whether, in my official capacity, I have gone beyond the privileges granted by law. I claim that those privileges cannot be curtailed. When you appeal to the regulations which may be made from time to time by the Postmaster General or the Governor in Council, I understand those regulations to mean that the Postmaster General or Governor in Council may limit the use of the privileges, may make a regulation for instance, that you cannot post a parcel that is beyond a certain size or beyond a certain weight. But I claim that the regulations of the Postmaster General do not limit the franking privilege of a member as long as he keeps within the words 'letters and mailable matter.' Supposing I had written a letter like that every week, and put my frank

on it as Solicitor General, would hon. gentlemen say that I would be acting illegally? If they grant me the privilege of writing to my son or my mother, where are they going to draw the line?

Mr. MEIGHEN. Does the hon. gentleman argue that regulation 114 in all its parts is not within the powers of the Postmaster General?

Mr. BUREAU. I argue that the regulations made by the Governor in Council cannot curtail the privileges that are granted to me by section 75, chap. 66, of the statutes.

Mr. MEIGHEN. We all know that, but let the hon. gentleman answer my question. Does he argue that section 114 is beyond the power of the Postmaster General?

Mr. BUREAU. I am not discussing the power of the Postmaster General to make regulations, I am arguing from my point of view, and giving my interpretation of section 75, and why I have the right to frank that letter.

Mr. MEIGHEN. Does the hon. gentleman refuse to answer whether, in his opinion, section 114 is ultra vires?

Mr. BUREAU. I said before, and I repeat, that I am not here to offer a legal opinion on any regulation or any provision of the statutes. First of all, it would be useless to argue the question with the hon. gentleman.

Some hon. MEMBERS. Hear, hear.

Mr. BUREAU. I see the hon. member for Haldimand (Mr. Lalor) applauding; I think it would be useless to give him especially my legal opinion. But let me go on. Whether I said it was beyond the power or the capacity of the Postmaster General, or within his power, would make no difference. The Postmaster General may make whatever regulation he chooses to make, and if he makes any regulation which I believe does not apply to me, I am not obliged to follow it. The Postmaster General may change a section of the statute, then it is all right. If he says all letters of an official character pertaining to the department, well and good, I have nothing more to say, I cannot object under the statute. But as long as the statute says, 'all letters and mailable matter', I contend that I am within that section of the statute. Consider the question on any ordinary reasonable ground. I have explained the reasons which I thought brought about the granting of this franking privilege to members. If, during the session, I can go to the post office here and, by writing 'Jacques Bureau' on the corner of a letter, I can send it through the mail, why can I not equally send it through the mail if I stop a hundred feet beyond the eastern block and put my name on the letter and deposit it in the post office? This letter that is complained of was franked during the session. Now some hon. gentlemen admit that there is no limitation to the franking privilege of a member of parliament.

Mr. J. D. TAYLOR. The motion I offered is not based on matter franked during this session, it is based on a continued series of violations of the law.

Mr. BUREAU. I noticed that what was read this morning was franked on the 1st December, 1909; the envelope that was brought forward by the hon. member for North Grey (Mr. Middlebro) was dated the 10th March, 1910. Now, this is only quibbling on words. There is no regulation that says you must frank your letters as member of parliament, or by a special frank. It is not enough to put M. P. without your name. Nothing in the statutes or in the regulations allow that. I ask where is the crime in writing my name in full on these two letters I have franked, and on that envelope the hon. member for North Grey has in his possession? Whether it was mailed from the eastern block or mailed from the House of Commons, makes absolutely no difference.

Mr. MIDDLEBRO. I did not produce that envelope as mailed during the session, but as proof that it bore the frank of the Solicitor General; that is why I produced it. And the same thing has been going on during the recess.

Mr. BUREAU. I never denied it. There was a question put on the Order Paper, and I stated the facts as they were, because I claim I am doing no wrong, I am doing what I have a right to do under the statute. Now, if this statute must be interpreted as the hon. member for Portage la Prairie (Mr. Meighen) interprets it, then the Minister of Justice has no right to frank a letter to his father or to his son, because it is not of a departmental character.

Mr. MEIGHEN. The regulation does not say that it must be of a departmental character, but it says that if it is franked from a department during recess it must be of a departmental character. But here are letters franked during the recess with the initials of Jacques Bureau on them, and I say they are illegally franked if franked by Jacques Bureau as a member of parliament. They are illegally franked if franked by Jacques Bureau from his department unless they are of an official character.

Mr. BUREAU. That is where I take issue with the hon. gentleman. Where is he going to draw the line?

Mr. MEIGHEN. Where the regulations draw it?

Mr. BUREAU. Under the regulations, the Minister of Justice has no right to frank a letter to his father or to his son. The hon. member talks about the recess, but I make no distinction. As the Minister of Justice said this morning, according to the hon. gentleman's interpretation of the regulations, he would have no right to frank a letter to his father or to his son.

Mr. MEIGHEN. During recess.

Mr. BUREAU. Nobody disputes that. He has no right under the regulation to frank it during recess as a minister. Now, my hon. friend knows as a lawyer, and especially as a lawyer from the English provinces, where this is practised more than it is in the province of Quebec, that precedents go a long way in fixing the interpretation of a law. This law was passed, not by a Grit government with all its sins, but by a Tory government, in 1867. It has been in force ever since, and has never been changed. What was the interpretation given to the law at that time and ever since? Why, Sir, they did not only use their frank to send seventy-five or eighty letters a week, but there were regular clerks installed in the Eastern Block where, from the 1st of January to the 31st of December, political literature was franked and went out by the ton. If we cannot send a letter through the mail because it deals with political questions, what about the political literature sent from the other side? I say that a member of parliament has no greater privilege during the session in respect to franking, and it has never been intended by parliament to give him a greater privilege during the session at Ottawa, than it gives to the head of a department when he is at the seat of government, occupied the year round in the administration of public business. This question of franking is not new. If quantity and political character of the material sent out constitute an abuse of the franking privilege, I would refer hon. members to a question put to Mr. Mulock in 1896 in this House with regard to the franking privilege. It will be found at page 572 of 'Hansard' of 1896, second session. The question was as follows:

Mr. Pouliot asked:—Are the government aware that the election literature of the Conservative party, during the late election, was distributed throughout the country gratuitously?

Are the government aware that a certain leaflet intituled 'A Political Review' (of which 350,000 copies were struck off), singing the praises of the Conservative party, and the virtues of the Kootenay Cure, was distributed all over Canada through the channel of the post office of the House of Commons, franked with the initials: S.R., M.P.?

I do not know who 'S. R.' is.

Mr. HUGHES. Sam Ryckman.

Mr. BUREAU. He was not a Grit anyway.

Is it the intention of the government to inquire into the said charges and punish the guilty parties if they be true?

The Postmaster General (Mr. Mulock). The government has been informed that election literature of the Conservative party was distributed free of postage through the mails during the recent election. Also that a certain leaflet intituled: 'A Political Review,' advocating the Conservative cause and the merits of the Kootenay Cure was distributed through the mails through the channel of the post office of the House of Commons, franked with the initials, 'S.R., M.P.,' and with initials of other members of the late House of Commons. Nothing has been determined as to what action, if any, may be taken.

That is an indication of the interpretation that has been given to that section of the statute ever since it was enacted in 1867. There was no action taken because it was assumed as a matter of course that it was within the privilege of a member of parliament to do it. My hon. friend the Postmaster General this morning made reference to the fact that at one time complaints were made by the hon. member for Leeds (Mr. Geo. Taylor) that the mails were not going out fast enough. There were bags and bags and bags of literature piled up in the halls. We could hardly get through. The corridors were full. It was not Liberal literature; it was Conservative literature. It was admitted then as it is admitted to-day that it is the privilege of a member of parliament to do that. The hon. member for New Westminster (Mr. J. D. Taylor) laid special stress on the character of this literature. I hope he was acting from motives of public morality, and public interest, that he had no personal animosity against me, and that he would not like to see the Postmaster General haul up the Solicitor General under section 138, and have him pay a couple of millions fine, which everybody knows he could not do, and have, as the crowning of his political career as Solicitor General, to send him to the penitentiary for life.

Mr. GEO. TAYLOR. Five years only.

Mr. BUREAU. No, that is the minimum. I suppose I would have to take my chances of the political proclivities of the jury which would try me, and as my opponents are very numerous in my riding I would be afraid of getting the maximum.

Mr. SPROULE. The Minister of Justice would commute the sentence in a short time.

Mr. BUREAU. I hope he would because he is a man of sense. Well, Mr. Speaker,

coming back to the question, I, as I said before, assume the whole responsibility for the franking of the letter, and it is a matter of evidence that a member of parliament has franked that letter. Nevertheless, I will not deny that I have done it, and it has not all been done during the recess. This is not the first that we have heard of this matter. The hon. member for New Westminster put some questions on the order paper, and they were answered, and answered honestly; only, I am sorry that this debate has given the chance to some members on the other side of the House to jump on the Minister of Justice, and accuse him of being guilty of all the crimes that the Criminal Code contains in its present provisions, and may contain in the future. I desire to declare here again that the Minister of Justice never was consulted by me, and I do not think I have to consult him or any other member of the government whenever I want to send a letter. Until the courts have shown that I am wrong in my interpretation of the statute I shall continue to maintain that view of it which I at present hold, and which I think is the fair and honest interpretation of the law. I did frank that letter, and as I said last year in the House I have absolutely no apology to make for it.

Mr. HUGHES. Does the Solicitor General assume the responsibility for the substance or composition of the letter that he franked? In other words, was the article prepared in the Justice Department or was it prepared by the hon. member for South Grey (Mr. Miller)?

Mr. BUREAU. The hon. gentleman is too cute altogether. I assume the responsibility of affixing the frank 'Jacques Bureau,' in the corner of the envelope that carried that literature. I am going to be candid. I will confess that I did not see all of that literature.

Mr. HUGHES. I knew the Solicitor General would be candid.

Mr. BUREAU. Some of that literature that I did read I consider highly in the public interest and of a high moral character. There is another word I want to add with reference to something that was said this morning. The Minister of Justice said that he was a politician and a political partisan. Some hon. members on the other side seemed to be highly scandalized at that. They were horrified; they thought that was the most vicious statement they had ever heard. I ask, Mr. Speaker, in all candour, if there is an hon. member in this House, except, perhaps, my hon. friend from York (Mr. W. F. Maclean), who can stand up and say that he is not a political partisan. What are we here for? Why are there two sides to this House? Why do my hon. friends sit on the left of the Speaker and we on the right if there are no political partisans in this House?

Mr. CAMPBELL. I will tell my hon. friend somebody who is not a political partisan. If he will look at the parliamentary guide he will find that the hon. member for Chicoutimi (Mr. Girard) is stamped there as Independent Conservative and surely no one could classify him as a political partisan.

Mr. BUREAU. I accept the brilliant interruption of my hon. friend. It just confirms what I say. Somebody got up and said that the member for Chicoutimi was not a partisan. I do not see where the harm is. What have we to be ashamed of? This country is run on political lines and there is no man who will step from his place and say: I am no longer a political partisan. I think that trying to impute a crime to the Minister of Justice for stating frankly, candidly and boldly the moral and political state of every man in this House is absolutely ridiculous. Not one of us can stand up here, except perhaps my hon. friend from Chicoutimi (Mr. Girard) and my hon. friend from York (Mr. W. F. Maclean) and truthfully say that we are not either Grit or Tory political partisans. What blame is there to the Minister of Justice for stating what he is, and which every other hon. member in this House would state if he wished to be candid? Now, if there is any blame to anybody in this transaction, I am in honour bound not to see it laid any longer on the shoulders of the Postmaster General or the Minister of Justice. If there is any crime to be hanged for I am the man who has got to hang. It would not be manly of me to shield myself behind my colleagues the Minister of Justice or the Postmaster General. I am not hypocritical about it. I say candidly that I franked these letters and I have given the House my reasons for it. No doubt, there may be exaggerations in these letters, but I would like to know the political writer who never sinned in that way. These exaggerations, however, are not such as to render this literature immoral; why, the Tory papers are full of lies from the 1st of January to the 31st of December. We know that the people of Canada are a reasonable people; we know that the masses of the people have good sense; we know that they can apply their judgment to literature of this kind and select that which is good from that which is bad, according to their own taste. Both parties have to rely upon the judgment of the people, and we of the Liberal party feel that we are pretty safe in relying upon that judgment.

I submit Sir, that this amendment ought not to carry because it starts with the idea

that there is 'continuing violation of the postal laws by forwarding through the mails a political printed circular letter free of postage under the frank of the Justice Department,' and that statement is not founded on fact. It is not the frank of the Department of Justice that is used. I was very particular about that. The frank of the Department of Justice is the frank of Mr. Newcombe, the deputy minister, and I do not think any one can produce a political letter of any kind that was sent through the mails with Mr. Newcombe's frank which is used exclusively for departmental matters. I say, Sir, that this frank is my personal frank as a member of parliament during the session, which privilege I claim continues under this Act to a man who presides over a department, who resides at Ottawa, and who has to transact extra correspondence on account of his official duties. For my part I will not submit to the Postmaster General or to the Minister of Justice what letters I may send through the mail. I have too much respect for myself to send through the mails anything of an immoral character or anything that would be prohibited, and, when I have any mail matter to frank, my conscience is the only judge as to whether I am within or without the limits of the law. I acted in good faith in the interpretation which I gave to clause 75 of the statute. I am free to admit that I do not always read the letters that I frank, but I would remind hon. gentlemen opposite that these letters are not printed at the cost of the department, and the paper is not bought at the cost of the department, and they don't cost the deputy a penny; all of which is contrary to the practice which prevailed in the good old days of the Conservative government. My hon. friend from New Westminster was very careful when he put his question to ascertain if the old system was still in force, and whether the letter was paid for by the department, and the answer was: No, and never was. The only loss to the country in this case has been the use of the frank 'Jacques Bureau' on 75 or 80 letters weekly.

Mr. GLEN CAMPBELL (Dauphin). I would not have addressed the House on this occasion were it not that I am afraid that the bag of oats of which the Minister of Justice has spoken would grow into a carload, if we are to judge by the tissue of lies which is contained in this pamphlet circulated under the frank of the Department of Justice. Then again, the hon. member for Grey (Mr. Miller) saw fit to accuse gentlemen on this side of the House of hypocrisy in connection with their vote on the resolution of the hon. member for Souris. Well, if there is any man in this House who should not mention the word hypocrisy it is the hon. member for Grey (Mr. Miller) after the manner in which he bamboozled this House with respect to what he is pleased to call the Miller Bill. That is the gentleman who rises to defend the Justice Department for franking this lying sheet through the country. I think I can truthfully say that there are more lies in this sheet to the square inch than ever could have emanated from Ananias, who in his day was the champion liar of the world. Hypocrisy forsooth. Look at his Bill and look at his management of it in this House.

Mr. SPEAKER. The hon. member cannot depart from the discussion of a question before the House.

Mr. CAMPBELL. I bow to your judgment, of course, Mr. Speaker, and I take it as a compliment that when the hon. friend from South Grey (Mr. Miller) referred to any old subject he liked, he was permitted to do so.

Mr. SPEAKER. It is a custom of the House that passing allusion may be made to another subject, but no question can be discussed except that which is before the Chair.

Mr. CAMPBELL. Well, I suppose this campaign letter is pertinent, and I want to bring some of its contents to the notice of some of my hon. friends on the other side who stood with me in fighting for decent government on race-tracks.

Liberals' attempt to stop race-track gambling obstructed by Tory race-track owners.

That is the heading, absolutely misleading, absolutely a lie, as hon. gentlemen opposite know. I think it would be only fair of the hon. gentlemen who stood with me and voted against the Miller monstrosity, voted for good legislation, legislation that was for the benefit of honest racing, of horse breeding, of the general morality of the public——

Some hon. MEMBERS. Order.

Mr. CAMPBELL. The hon. gentlemen seem to object to my speaking of the general morality of the public. I think it is only fair that hon. gentlemen opposite should voice their opinion with regard to such stuff as this which has been sent out, franked by the department of the Minister of Justice. Stones have been thrown at the Minister of Justice with regard to the manly stand he took upon what I have referred to as a monstrosity. For once in my life I approve of what he voiced on that occasion. He was then taking a stand which he does not often take, an absolutely non-partisan stand and a manly stand, because he was not afraid to voice his opinion. When he did that I

have no hesitation in saying that he had my admiration, as he does not have it when he takes the party stand he has taken to-day. Unfortunately in this sheet I see in smaller type another lie, an absolute lie:

The government introduced an amendment and it is strenuously opposed by leading Tories.

That is with regard to this Miller Bill so-called. I think, Sir, it is only right for hon. gentlemen on that side of the House, who think as I do, to condemn the Department of Justice for franking such absolutely lying literature as this. All we on this side ask, all that I ever ask is what I am always ready to give, fair play and a square deal. We are ready to support what we think is good legislation, and when a matter of this kind comes up it is only fair that we should ask hon. gentlemen to support us and give us a square deal, as we are willing to give them at all times. I had intended to go into this matter of hypocrisy at some length, but as it is not pertinent to the question, I shall have to postpone it to some other occasion.

Mr. R. L. BORDEN. As I have been especially appealed to by the Postmaster General with regard to the interpretation of the section in question, I deem it my duty to say a few words. My hon. friend the Minister of Justice seemed inclined to pass some reflection on the hon. member for New Westminster (Mr. J. D. Taylor) suggesting at least if he did not distinctly assert, that it was a very small matter to bring a subject of this kind before the House. I do not think that in respect of a question such as this, involving a principle, the hon. member for New Westminster (Mr. J. D. Taylor) is liable to such an imputation, and I would be inclined to suggest that even if that imputation could be cast on the hon. member for New Westminster, perhaps his action may be favourably compared with that of the Minister of Justice in bringing forward that wonderful story of his about the bag of grain. If the imputation of small talk is to be cast on any hon. member, the Minister of Justice might seriously consider which of these hon. gentlemen is the more subject to that imputation.

The Postmaster General and all members of the government who have spoken on this question have taken a somewhat different ground from what I heard them take before. On previous occasions they were rather apologetic in regard to this matter. The Solicitor General, I remember, once was rather inclined to defend this on the ground that it was an old practice. I am not prepared to dispute that; it may have been an old practice, but the fact that it is an old practice does not necessarily make it a good practice, at least in the judgment of the Solicitor General. I do not suppose that the conduct and the methods of the Conservative administration before 1896 are the highest ideals to which the Solicitor General aspires, at least I have never so understood up to the present time. However, he has on previous occasions sought to take refuge behind this. The Postmaster General has attempted to do the same thing, but after all it does not seem to me that that suggestion assists us very much in coming to a conclusion upon the resolution proposed by the hon. member for New Westminister (Mr. J. D. Taylor).

All the ministers who have spoken upon this question have referred to section 75, which reads:

All letters and other mailable matter addressed to or sent by the Governor General, or sent to or by any department of the government at the seat of government, shall be free of Canadian postage under such regulations as are, from time to time made in that respect by the Governor in Council.

Taking that in connection with section 114 of the regulations, I have no hesitation in expressing my opinion that it was perfectly competent to make regulation 114, and that that regulation is wholly intra vires of the authority that made it. The Solicitor General introduced a very unhappy illustration from his standpoint. I am perfectly well aware, and every hon. gentleman who is a member of the bar is well aware, that the power to regulate does not involve the power to destroy. That has been settled by courts of last resort, both in this country and in Great Britain. The power to regulate does not involve the power to destroy, but it means something. Take the very illustration suggested by the Solicitor General. He says that a member of parliament has the right, by statute, to be carried without charge on the railways of this country, and even if he had not in his possession the identification card which is presented to him every year by the clerk of the House he would still have the right so to be carried. I agree with that. But suppose that the statute had provided that every railway in this country is bound to convey members of parliament subject to such regulations as the Governor in Council shall prescribe, and suppose the Governor in Council had prescribed as one of the conditions that every member should have in his possession an identification card signed by the clerk of the House, that would be regulating and would not be destroying. I take the illustration suggested by the Solicitor General, and I say it is the strongest argument that can be urged against the contention he has made. So far as that matter is concerned, section 114 is absolutely intra vires of the authority which made

it, and until to-day I have never heard any contention to the contrary.

Now let us look for a moment at the language of section 75, leaving out the immaterial words. 'All mailable matter,' I take that because it includes everything else, 'all mailable matter sent by any department of the government at the seat of government shall be free of Canada postage under such regulations as are from time to time made in that respect by the Governor in Council.' Well, in the first place what is the regulation? The regulation as I have it in this book issued by the authority of the Post Office Department is this:

All letters and other mailable matter sent by the public departments at Ottawa and franked as being of a departmental character, all correspondence addressed to the ministers in charge of the said departments or to their private secretaries, or to the deputy heads or secretaries of the same, or to any recognized branch or division of a department are to be carried free of Canadian postage.

I invite the attention of the House in the first place to the fact that the hon. gentlemen upon the treasury benches with the exception of my hon. friend the Solicitor General who alluded to this point, entirely overlooked the exact terms of section 75. Section 75 provides that mailable matter may be sent by the department, and the regulation says it must be franked as departmental matter. Is there any doubt about that? Well, then the question for the consideration of the House is simply this. Were these letters sent by the department and were they franked as departmental matter? That is all. Is there any question——

Mr. LEMIEUX. Is not the minister part of the department?

Mr. R. L. BORDEN. The minister is part of the department. He is the head of the department, but he is not the department. But in this case the minister did not do it, the Solicitor General did not do it. They absolved the department absolutely from any responsibilities whatever in connection with it.

Mr. LEMIEUX. Will the hon. gentleman pardon me. I do not want to interrupt him unduly.

Mr. R. L. BORDEN. He can interrupt me as much as he likes.

Mr. LEMIEUX. The frank of the Minister of Justice in the case of the Solicitor General, I mean the personal frank of the Minister of Justice, is not needed by the order in council passed two or three years ago. The Solicitor General was given a personal frank as part of the Department of Justice.

Mr. R. L. BORDEN. I do not care what frank was given to the Solicitor General or to any other person associated with the Department of Justice. The statute provides simply two things, one that the matter to be franked must be departmental matter, and in the next place it must be sent out by the department. It is impossible to gainsay that position. There are the clear words of the statute and of the regulation for the consideration of my hon. friend the Postmaster General. Is this departmental matter? The Postmaster General, the Minister of Justice, and the Solicitor General have declared upon their responsibility as ministers of the Crown that the department has absolutely nothing to do with this letter, that they do not know what it is, that they have no conception of its contents. They desire to disassociate themselves from it absolutely, and I congratulate them upon their good taste. They say this has nothing to do with the department. I would like to ask the Postmaster General this. Suppose the Solicitor General or any other official connected with the department sent out a pill advertisement, a patent medicine advertisement, by hundreds of thousands under the frank of the Solicitor General or the Postmaster General, does he say that they would be justified under the terms of this statute and regulation?

Mr. LEMIEUX. No.

Mr. R. L. BORDEN. He would not. I would like to know on what higher plane he would put this political letter.

Mr. LEMIEUX. My hon. friend can surely draw a distinction between political matter and pill advertisements.

Mr. R. L. BORDEN. Will my hon. friend the Postmaster General point out to me the words of the statute which distinguish between a party political letter and a patent medicine advertisement? I would like to see the language of the statute which makes any such distinction.

Mr. LEMIEUX. If my hon. friend will allow me, I stated this morning, and I call to my assistance, if I need any in the present debate, the hon. member for South Lanark (Mr. J. Haggart). I stated this morning that the statute was very clear, giving members of the House of Commons, during the session, and ministers of His Majesty at all times, during recess, as well, the privilege of franking their letters. My hon. friend relies upon the regulations of the department. Regulation 114 states that letters and other mailable matter sent out by public departments at Ottawa and franked as being departmental matter, enjoy the franking privilege. I explained, I think, and I call to my assistance the hon. gentleman who was long in the government

before my time, the hon. member for South Lanark (Mr. Haggart), what was the object of that regulation? It was enacted by the Post Office authorities at the time to prevent the civil servants, the officials of various departments, from abusing the franking privilege, which appertains to the heads of the department and to the department itself. I do not want to take up time, but I stated this morning that it was found that officials were abusing the franking privilege, that they were franking letters for outside parties, and that is why the old government, with which my hon. friend (Mr. Haggart) was formerly connected, enacted that regulation 114. I may say I had that confirmed by the deputy minister a moment ago.

Mr. R. L. BORDEN. Mr. Speaker, I am not aware that the plain words of this statute and of this regulation are to be interpreted upon any conjectural remarks of my hon. friend the Postmaster General.

Mr. LEMIEUX. I beg pardon.

Mr. R. L. BORDEN. I say I am not aware that the words of the statute are to be interpreted upon any such conjecture as that offered by my hon. friend the Postmaster General. I take the words of the statute, and I shall repeat them again. The statute says that mailable matter may be sent out by the departments, and that matter so sent out by a department if it is to be carried free of postage must be departmental matter. I say so far as this letter is concerned, the department has absolutely denied that it did send it out as a department, and I say that every minister who has spoken on this matter has absolutely denied that this letter is of a departmental character. Then, I say the question falls. There is no more argument about it. There has been a persistent and plain violation of the statute and of the regulation.

Mr. LEMIEUX. Let me put a question to my hon. friend. I ask him as a very eminent lawyer, would he say, putting his reputation at stake, that I as Postmaster General writing a letter to my son during recess could not frank that letter?

Mr. R. L. BORDEN. I will come to that. I was about to come to that when the Postmaster General asked the question. I say that under the strict terms of the statute and regulation, he has not that power. but in respect to trivial and casual matters of that kind no one in this House would think of raising any question. But it is not of that we are complaining. We are complaining of a system carried on deliberately from day to day and from week to week throughout the year by which the campaign literature of hon. gentlemen on the other side of the House has been carried free of postage through the mails in

absolute violation of the law of this country. My hon. friend the Postmaster General, and my hon. friend the Solicitor General, ask if letters are to be opened. What a paltry argument that is. Of course, letters are not to be opened, not letters of a department or of members of parliament. But, when we have the clear and explicit declaration of my hon. friend the Solicitor General that this practice is carried on systematically, day after day, week after week, and year after year, it does not come to a question of whether we shall open letters, but to a question whether this House shall or shall not pronounce its condemnation of a systematic violation of the law of this country, concurred in, I am sorry to say, by the Postmaster General.

There is really nothing further to say on the question, it seems to me. Where is my hon. friend to draw the line? He says that patent medicine advertisements cannot be sent out. If the Solicitor General were to persist in using his frank for such a purpose, and made a declaration on the floor of this House that he had done so in the past and intended to do so in the future, I presume my hon. friend the Postmaster General would feel compelled to take some steps in the matter. Again, I say, as between that and the literature that has been sent out, I can see absolutely no difference, so far as the interpretation of this statute and of this regulation is concerned. It is impossible to conceive that one can be within the statute and the other without the statute; they are exactly on the same plane. The statute, I again repeat demands that this franking privilege shall only be exercised by the department as such, and in respect of mailable matter of a departmental character, and as to both these characteristics my hon. friend the Postmaster General has admitted that the statute and regulation have not been complied with. I suggest, therefore, to the Postmaster General, with a view to correcting this evil and discharging that duty to the public which he undertook when he assumed the seals of office, that he should accept the resolution of my hon. friend from New Westminster, and put a stop to this practice which has been carried on during the past eight or ten years.

Mr. PATERSON. I desire to ask the hon. member (Mr. R. L. Borden) a question, not with a view to controversy, but for explanation.

Mr. R. L. BORDEN. Certainly.

Mr. PATERSON. The discussion is as to what is proper during the recess. The departments receive many letters—and this exemption includes letters sent to, as well as sent by, the department. Letters come addressed to the minister or to the department which may not be on departmen-

tal business at all—they may be political letters. How are you going to deal with that? Is that ruled out under the section?

Mr. R. L. BORDEN. If they are not really on public business of a departmental character, they cannot properly come under the provisions of the statute. I know that awkward cases may be cited, possibly cases that are inconsistent with the usage established in the past. I am not concerned with that; I am taking the plain words of the statute, and the regulation. The minister (Mr. Paterson) has asked me a fair question and I desire to answer it fairly. Under the words of the statute, it seems to me, unless matter can be described as of a departmental character, and unless it is sent out by the department as such, it cannot go free in the mails. You cannot go further than that. But, as respects trifling and trivial instances, no one would think for a moment of raising any question. It is only when there is a regular, organized system of what I hold to be a violation of the Post Office law carried on by a department of the government, that the question is raised in this House. I think that the Minister of Customs (Mr. Paterson) if he were satisfied that there was a violation of the law, would be as anxious as I am to see it brought to an end.

Mr. PATERSON. I am not asking questions in a controversial spirit. But letters of all kinds come to the departments. They might be letters on things which could not be called departmental. Would that be considered a violation of the law?

Mr. R. L. BORDEN. As I have said, I think that the terms of the statute do not cover mail matter of that kind. But I say that such trifling instances are not worth talking about in this House. I am talking of the terms of the statute, and the regulations as I find them, and am giving what I sincerely believe to be the true interpretation.

Mr. CONGDON. Clearly, under the terms of the resolution itself, there is nothing before the House to justify the acceptance of the resolution, for it speaks merely of passing through the mail political matter under the frank of the Department of Justice, and there is no evidence of any such political matter having gone through the mail under the frank of the minister or of the department—there is only the frank of the Solicitor General, as admitted by himself. I think it is admitted on all sides that there is no limit to the right of a member to transmit and receive, free of postage, mailable matter during the session of the House, and any regulation made either by the Governor in Council or by the Postmaster General under authority of the Postal Act limiting in any way the right of members to send mailable matter—regardless of whether that matter relates to politics or to anything else—is beyond the power of the Governor or the Post Office Department.

The leader of the opposition (Mr. R. L. Borden) thinks that any member of the government who cites the practice of a government preceding the accession to office of the present government is endeavouring to take refuge behind something of which, apparently, he does not very much approve. But I think it is very material to this inquiry, and to all other inquiries of this kind to ascertain what has been the practice. I venture to say that it is unquestionably the fact that every minister of the government, from confederation down, has acted as though he, as a member of the government and head of a department, had in this matter, exactly the same right outside the session as a member of parliament has during the session. I say that the words of section 114 of the regulations do not limit that at all, but merely express what shall be accepted by the postal authorities as that which is to be accepted free of postage from the departments. From time immemorial what has come from a department under the frank of the head of the department is a matter in respect of which the Postal Department makes no inquiry, and I say that under this section there is no endeavour to limit that right—and if there were it would be ultra vires of the power of the government. There is nothing clearer than that the power to make regulations must be construed strictly, and that such powers cannot authorize prohibition. There is no power, under any regulation made under the Postal Act either by the Governor in Council or by the Postmaster General, to limit in any way the matter which may be transmitted and received either by a member of this House or by a department of the government. The practice has been —and it seems to me a sound and sensible practice—to recognize in the heads of departments the exact rights during recess which are claimed during session by the members of this House. The regulation, I think, can be very well read in that way. One can easily interpret section 114 not as limiting the class of mail matter which can be sent by any of the departments. It comes from the department, and goes through the post office, as a matter of course. I say there is nothing unreasonable in the practice, from confederation down to the present time, of a minister having the right to frank any matter which he chooses the same as a member of this House during the session. It seems to me there is great danger, in the case of certain members of this House, of their goodnes

growing to plurisy. I do not think any thing can be more inconsistent than an endeavour to draw fine lines in regard to these matters. The Solicitor General referred to an instance of 1896. It may not be amiss to refer also to something that occurred previous to the election of 1904. In consequence of the mailable matter which had accumulated—matter of a purely campaign character; the corridors of this building, as has been mentioned, having been filled with it—the threat was made that this House should be held up long enough to send that matter out, if the minister would not agree to send it out afterwards. And it was sent out after the House rose, and it took two special trains with mail clerks and a cost of thousands of dollars to send that political matter through the length and breadth of this country. It seems to me that when the mail matter is of one political complexion it meets with no objection from our friends of the opposition, but if it is of another political complexion then they deem it very objectionable to frank. It seems to me reasonable that ministers out of session should have the same right which members have in session, and I do not think that any other practice is possible. If you proceed to limit the character of the mail matter which a member may send out, you would have to hold an investigation into the character of the matter, an investigation which would certainly be most objectionable and undesirable. I think the same objection would apply to limiting ministers, and that is the reason why that interpretation of the Act has been followed since confederation.

Mr. HUGHES. Had the character of this communication that has been brought before the House, been at all in the line of decency, I presume there would have been very little said about it. But it is of such a character that every member of the government who has spoken about it has repudiated all knowledge of it, and the Solicitor General has repudiated having anything to do with it.

Mr. BUREAU. I never repudiated it.

Mr. HUGHES. The Solicitor General said that he knew nothing about the subject matter.

Mr. BUREAU. I said I did not read it all.

Mr. HUGHES. Did the Solicitor General read this article that he sent out?

Mr. BUREAU. No.

Mr. HUGHES. Then I am correct in saying that he has repudiated having anything to do with the composition of this article.

Mr. BUREAU. Does my hon. friend mean to say that he repudiates everything he does not read?

Mr. CONGDON.

Mr. HUGHES. I have not sent out anything of this kind. But this is the point that I want to put before the House. A few years ago there was a great deal of campaign literature sent out by the Conservative party, and I sent out my share of it, but not one tithe of that literature ever reached its destination, owing to the refusal of the then Postmaster General to send it forward. That is what I rise to protest against. Not only did these gentlemen hold it up, but they actually robbed the mails, and I maintain that they left themselves open to criminal prosecution. They destroyed it by tons, I was going to say; at any rate, it was not sent forward, perhaps they sold it to raise funds for their own campaign literature. It was deliberately side-tracked, I purposely use the word 'deliberately,' it was side-tracked and destroyed. That was before the time of the present Postmaster General. I was informed that there were tons of that literature stored up in places here in Ottawa for some years after the elections were held. Now, when a person goes to the trouble of sending out respectable campaign literature, I think he has a right to require that it is conveyed to its destination. So far as the literature under discussion is concerned, I will not say anything except that the contents of the letter have been frankly repudiated by every respectable gentleman who has spoken on the matter to-day.

Mr. G. TAYLOR. Reference has been made by the Postmaster General, and by the Solicitor General, and the member for Yukon (Mr. Congdon), to the state of affairs previous to the election of 1904; they stated that the corridors of the House were blocked by Conservative literature, and that two special trains had to be made up in order to take it forward. Let me inform you, Mr. Speaker, that the members of the Conservative party did prepare campaign literature previous to that election, they got it printed at Montreal, the envelopes were purchased there and addressed there, and each member paid his share of the expense. The literature came up here by express, and the members had the privilege of franking it just as members of the government had. But how was it done by members of the government and their supporters? Every day during the session, in the Department of Agriculture, in the Department of the Interior and in the Department of Justice, there was a staff of civil servants employed in addressing this Liberal campaign literature, and it was going out by the cartload, blocking the mails every day so that we could not get ours off. But there was this difference. Their literature was paid for by the country, the civil servants of this country were engaged in addressing it, and I saw it

going out to the post office to be mailed, and the country paid for all that. But on our side we had to pay out of our own pockets all the expense, and when we tried to mail it we could not do so because the mails were blocked by the literature from the departments, the post office was blocked and was not able to receive our mail from the House of Commons. Those are the facts of the case. I was blamed for franking this literature. I franked a portion of it and sent it into some good Liberal constituencies. It was all moral literature, good religious literature.

Mr. BUREAU. I never blamed you.

Mr. G. TAYLOR. But reference has been made to it here by other members. The fact is that the blocking of the mails was done by hon. gentlemen opposite in sending out their literature at the expense of the country, when they employed the civil servants to address it, while on our side we paid all the expense ourselves.

Mr. J. HAGGART. A few words with reference to the clause of the Act which is under consideration by the House, because I think I was Postmaster General when that Act was passed. The Act was passed for the purpose of limiting as far as possible the abuses that were practised by the too free use of the franking privilege. Every civil servant under the government had the franking privilege, and it was decided to limit that privilege, and the limitation is clearly set forth in the law. No minister has a right to frank any document except departmental documents during recess. Why should that not be so? What right has a minister of the Crown to a greater franking privilege than I have? We are alike members of parliament elected by our constituencies, and what right has a minister at any time of the year to send out to the electors campaign literature which I or any other member should not also have? Because I am in opposition am I to be debarred from doing it? That is the gravamen of the offence of which we complain. If we had the right, we would allow these gentlemen to do the same thing. But we have not the right, and we ought to be on a par with them as to our rights in this House. Therefore we insist upon the law being carried out. It is all very well for hon. members to make remarks upon the intention of parliament, but we are dealing with the statute as we find it, and we have no right to judge of the intentions of those who passed the Act. Here is the law, it is applied to us, and we cannot send out literature a day or two after the session is closed; we are debarred from sending it to our constituents. What we complain of is not that they send it out, but that they are taking a privilege which the law does not give them, and which we are deprived of. Give us the same privilege as you have and we will make no complaints about it. All that we expect as representatives of the people is that we shall have the same right as you have. At present we have no rights during the recess. We insist upon our rights and that you shall not exercise a right which we are deprived of.

House divided on amendment.—Mr. J. D. Taylor.

YEAS.

Messieurs.

Armstrong,	Magrath,
Barnard,	Meighen,
Best,	Middlebro,
Borden (Halifax),	Northrup,
Boyce,	Paquet,
Bradbury,	Perley,
Burrell,	Roche,
Campbell,	Russell,
Cowan,	Schaffner,
Crosby,	Sexsmith,
Crothers,	Sharpe (Lisgar),
Daniel,	Sharpe (Ontario),
Edwards,	Smyth,
Fraser,	Sproule,
Goodeve,	Stanfield,
Haggart (Lanark),	Staples,
Haggart (Winnipeg),	Stewart,
Henderson,	Taylor (Leeds),
Herron,	Taylor (New Westminster),
Hughes,	Wallace,
Jameson,	White (Renfrew),
Kidd,	Wilson (Lennox & Addington),
Lalor,	Wright.—48.
Lennox,	
McCall,	

NAYS.

Messieurs.

Allard,	Low,
Allen,	MacNutt,
Aylesworth,	McCraney,
Beauparlant,	McGiverin,
Béland,	McIntyre,
Borden (Sir Frederick),	McKenzie,
Boyer,	McLean (Huron),
Bureau,	Marcile (Bagot),
Cash,	Martin (St. Mary's),
Champagne,	Martin (Regina),
Chisholm (Antigonish),	Martin (Wellington),
Clark (Red Deer),	Michaud,
Clarke (Essex),	Molloy,
Congdon,	Murphy,
Conmee,	Neely,
Delisle,	Oliver,
Demers,	Papineau,
Douglas,	Pardee,
Ethier,	Parent,
Fielding,	Paterson,
Fisher,	Pickup,
Fortier,	Proulx,
Fowke,	Pugsley,
Geoffrion,	Rankin,
Graham,	Reid (Restigouche),
Harty,	Richards,
	Roy (Dorchester),
	Roy (Montmagny),

Hunt,	Rutan,
King,	Smith (Middlesex),
Knowles,	Smith (Nanaimo),
Kyte,	Sperry,
Lafortune,	Todd,
Lanctot (Richelieu),	Tolmie,
Lapointe,	Turcotte (Nicolet),
Laurier (Sir Wilfrid),	Turcotte (Quebec County),
Lavergne,	Turriff,
Law,	Warburton,
LeBlanc,	White (Victoria),
Lemieux,	Wilson (Laval).—79.
Loggie,	

PAIRS.

Messieurs.

Ministerial.	Opposition.
Brodeur,	Foster,
Templeman,	Worthington,
Stratton,	Gordon (Nipissing),
Sinclair,	Monk,
Gordon (Kent),	Osler,
Nesbitt,	Wilcox,
Hodgins,	Arthurs,
Currie (Prince Edward),	Maddin,
Rivet,	Doherty,
Carrier,	Lancaster,
Tobin,	Barker,
Macdonald,	Blain,
Brown,	Donnelly,
Seguin,	Nantel,
Meigs,	Currie (Simcoe),
Lovell,	Thornton,
Carvell,	Rhodes,
Savoie,	McCarthy,
Smith (Stormont),	Broder,
Dubeau,	Macdonell,
Bickerdike,	Ames,
Devlin,	Blondin,
German,	Bristol,
Chisholm (Inverness),	Crocket,
Guthrie,	Chisholm (Huron),
Gervais,	Forget,
Harris,	Elson,
McColl,	Clare,
McLean (Sunbury),	Marshall,
McAllister,	Lake,
Miller,	Lewis,
Sealey,	Lortie,
Schell,	Maclean (York),
Talbot,	Owen,
Prowse,	Reid (Grenville),
McCoig,	Price,
Black,	Thoburn,
McMillan,	Porter.

Amendment negatived.

Motion agreed to, and House went into Committee of Suppy.

Medical attendance, Indians, Ontario, $4,893.75.

Mr. U. WILSON. How many Indians in Ontario?

Hon. FRANK OLIVER (Minister of the Interior). The total number of Indians in Ontario is 23,898. The numbers in each band are given in detail in the report of the Indian Department.

Mr. WRIGHT. What is the total Indian population of Quebec?

Mr. J. G. HAGGART.

Mr. OLIVER. 11,523.

Mr. WRIGHT. Then why is the vote for Quebec as large as that of Ontario with only half as many Indians?

Mr. OLIVER. The Ontario Indians are situated on cultivated and cultivatable land, and so do not come under the necessities which cause this vote, whereas in Quebec they are in much larger proportion not settled on such lands and therefore, are subject to the need of relief. The difference in the numbers of the Indians has really no bearing on the case.

Mr. WRIGHT. What is the method of procuring supplies, blankets, &c., for the Indians?

Mr. OLIVER. The supplies provided for under this relief vote are in all cases purchased by tender after public advertisement.

Mr. WRIGHT. I find many supplies purchased in Ottawa for Indians in British Columbia, and other western provinces. That must involve heavy transportation charges.

Mr. OLIVER. The tender prices for goods purchased under this vote are prices delivered at the railway station nearest the point where they will be used.

Mr. WRIGHT. In purchasing flour and such heavy goods, does one tender cover the whole Dominion or is there a separate tender for each separate place?

Mr. OLIVER. One advertisement is issued calling for the delivery of certain supplies at certain places. The tenders that come in are examined, and the man who tenders lowest for delivery at a certain place gets the contract for delivery at that place. It is not required that a man shall tender for the whole quantity in order to get any of it.

Mr. G. TAYLOR. I understood the minister to say that the same system is pursued as was followed by his predecessors.

Mr. OLIVER. In this case?

Mr. G. TAYLOR. There used to be a thick catalogue setting forth the articles required for the Indians, and copies of the catalogue were sent to the wholesale houses all over the country; is that the system that is pursued now?

Mr. OLIVER. That is the same system.

Mr. HENDERSON. Are all these Indians, treaty Indians? Have they all a claim on the government for supplies?

Mr. OLIVER. The condition varies in different parts of the country. This amount is to provide for the relief of distress, and there is no distinction under that vote be-

tween the Indian who receives annuity money and the Indian who does not.

Mr. WRIGHT. What is the reason for giving special grants to those chiefs?

Mr. OLIVER. These bands have not sufficient funds of their own. In administering the affairs of the Indians where there is a property to be disposed of, a fund is created for the benefit of the band, and out of the interest of that fund certain expenses of the band are paid. In the case of those particular bands, their funds are not sufficient to pay the usual allowance, and this vote is supplementary.

Indians—Ontario and Quebec—Surveys, $10,000.

Mr. HENDERSON. The same amount of surveys?

Mr. OLIVER. We have a survey staff whose time is employed in making surveys of reserves and working generally for the department. The surveys we propose to make with this money are at Fort Hope, Martins Falls, Fort Albany and Moose Factory. These are reserves in New Ontario where we took adhesion of the Indians about three years ago.

Mr. U. WILSON. How much of the vote did we spend last year?

Mr. OLIVER. We only spent $3,000 last year.

Mr. WRIGHT. This does not seem to be a revote then.

Mr. OLIVER. It is a new vote.

Mr. ARMSTRONG. How many acres were sold last year of Indian lands?

Mr. OLIVER. There were no lands sold in Ontario, and if my hon. friend would wait until we come to the western provinces, it would keep the discussion more in order.

Indian Land Management fund and province of Quebec fund, $10,000.

Mr. WRIGHT. What is the purpose of that?

Mr. OLIVER. Many years ago when the government of Canada took over the administration of Indian affairs it was thought possible that the exclusive management should be carried on out of Indian funds, and for a number of years an attempt was made to carry on the business in that way. The result was that the cost of management exceeded the yearly accruing revenue from the funds. The capital was being depleted by the cost of management, and if matters had gone on in that way the capital fund would have been exhausted. It was thought that that was not the proper way to carry on the business and at some period it was decided that the bulk of the cost of management should be voted out of the general treasury and that the money taken from the capital funds of the Indians should be returned to that fund. So every year we have voted a certain amount as the amount to be returned to that capital fund. I may say that at the rate we have been going the capital fund will soon be up to its original figure, and this charge will disappear.

Mr. U. WILSON. Are we using the interest that accumulates to pay other expenses?

Mr. OLIVER. The accruing interest is being used for the purposes of the Indians. We are not deducting from this capital, and not only so, but we are supplementing the interest——

Mr. U. WILSON. I did not make myself clear. I understood that this was not only to replace what had been taken, but also to defray the expenses of management.

Mr. OLIVER. This vote is simply to replace, year by year, a certain portion of the money that was taken. The interest has been spent from year to year, as it was originally intended it should be spent, but, instead of taking the shortage out of the capital, we ask parliament now to vote it, and not only so, but to make up the shortage that was created.

Mr. WRIGHT. There are two votes here: Indians land management and Quebec fund. What is the distinction?

Mr. OLIVER. The two are of the same nature. There was a special fund provided by the province of Quebec, and there was a fund provided for the management outside of Quebec. Both funds were dealt with in the same way and both suffered similar depletion, and we are making up to these funds in the same way year by year.

Mr. G. TAYLOR. There has been no change in this for many years?

Mr. OLIVER. No.

Mr. ARMSTRONG. The increase in the Indian population is very slight. But there are three hundred more officials than there were about fourteen years ago and the expense is greatly increased. A year or two ago the expenditure was $60,000 more than it had been a few years before that. Why should the expenditure increase in this way and the money be so extravagantly used?

Mr. OLIVER. My hon. friend suggests that the expenditure is larger in proportion to the number of Indians than it was ten or twelve years ago. I have no doubt his statement is correct. The only answer

we can make is that we are giving a better service to the Indians than in times gone by. With the development of the country we have been able to take new areas under treaty, and to assume responsibilities in regard to them. We are carrying out those responsibilities, mainly in relation to education—school education, and education in farming and industry—to a greater extent than in former years. In doing that we think we have not only the sanction, but the cordial approval of the public.

Mr. ARMSTRONG. I do not wish to enter upon a controversy now, but I am afraid the minister (Mr. Oliver) is not fully acquainted with the facts. For instance, up to two years ago there had been an increase, only one in the number of school teachers in twelve years. If I had time I would like to show the condition of the Indian Department. I believe it is the duty of the Minister of the Interior to turn over the Department of Indian Affairs to some other minister who would have time to attend to it. I do not find so much fault with the minister. He has not only this Indian department to look after, but he has charge of immigration, public lands, homestead inspection, fire ranging and many other branches. It is impossible for one man to do all this. Yet he retains the Indian Department, in the face of the fact that other ministers of the Crown are going around practically looking for something to do. It is no wonder that he has such cases as that of the St. Peter's reserve brought before this House. It is no wonder that charges are brought before this House such as I made two years ago, when I showed that out of 620,000 acres of Indian lands, 500,000 acres had been sold at an upset price fixed by the department. That means nothing else than that the price was fixed by the deputy minister. And after the sample of work done by the deputy minister, I think it would be wise for the minister to take into consideration whether he is capable of handling the department, or if it is not time he should look about and get another man in his place. The minister speaks for the good work done for the Indians on educational lines. Does he want me to show the condition of the Indians in the United States and the splendid, uplifting work that is going on among the Indians of that country as compared with what is being done in Canada? The minister tells us that the Indians own $32,000,000 of property. Yet we find that there are 3,167 cases of tuberculous diseases. What is being done for them? And the physicians in charge of 41,000 Indians did not report at all—about half the physicians employed under the present deputy. I could take up hours of the time of this House with instances of this kind.

Mr. TOLMIE. Go on.

Mr. ARMSTRONG. If the hon. gentleman (Mr. Tolmie) would like to hear reasons for condemning the work of the Indian Department, I could give him facts to show that the department is carried on in a most careless, indifferent, and I might say, corrupt manner. The minister has had these matters called to his attention time and again. But, instead of taking hold of the department or allowing some other minister to do so, which I claim is his duty, he still continues to attempt the task, which is evidently beyond him, of managing all the affairs placed in his charge. I call the minister's attention to these matters as showing that the money is being recklessly spent.

Mr. CONMEE. I do not think the hon. member (Mr. Armstrong) is warranted in making general assertions that money has been recklessly spent, and that the department is improperly and corruptly managed. These are easy things to say without attempting to bring evidence in support of them. I think I have some knowledge of the management of the Indian Department, at least in my riding. I happen to represent a district comprising nearly one-half the area of the province of Ontario, in which the greater portion of the Indian population of that province reside. And I am prepared to say that, in my judgment, the business of the Indians is well and honestly managed. I am prepared to say that there is a great improvement in the educational facilities afforded the Indians now over what there was even a few years ago. There are new buildings and new equipment, sanitary conditions are improved, and the position of the Indians generally improved. It is a very difficult thing to carry out the work efficiently, as it is there is an improvement upon the conditions of some years ago. Affairs are better managed than they were formerly. I am not finding fault with the past, but I think I have some knowledge of the matter, and my opinion is that there is a vast improvement on these lines.

Mr. ARMSTRONG. I am satisfied the hon. gentleman (Mr. Conmee) is not acquainted with the matter at all. I went into the facts two years ago, and placed before the House statistics which went to show that out of 620,000 acres of land, tens of thousands of acres had been sold at ten cents and fifteen cents an acre, that dozens of islands had been sold at $1 apiece. Does the hon. minister call that taking care of the Indian lands of the country? I have a return covering every acre of land sold, showing where it was located and to whom it was sold. I could bring that return again and show page after page of records

of lands sold which even the hon. member (Mr. Conmee) would say were not sold at a right price. Why, in 1908, as I showed, there were some 3,000 Indians around James Bay who had not among them a single doctor or government official. There was a territory in Moosonee or Keewatin in which there were 10,000 Indians and not a government official amongst them. These are charges that have never been refuted, and that have been made time and again in this parliament.

Mr. CONMEE. These were not treaty Indians. They were not taken over by the department, and the government could hardly be held responsible for them.

Mr. ARMSTRONG. But if the hon. gentleman will investigate Indian affairs, he will find that the department has spent tens of thousands of dollars on non-treaty Indians.

Mr. CONMEE. They were not treaty Indians at that time in the sense in which they are to-day. As to the sale of lands, the lands were sold for the market price at the time. All the Indian lands are sold, so far as I know, by public competition after advertisement. The hon. member shakes his head. I am well aware that Indian lands have been sold otherwise, but not of recent years. The hon. gentleman thinks he made very important charges against the Indian Department a couple of years ago. I venture to say that he has not convinced anybody, in this House or out of it, that the charge was worth the paper it was written on, for the reason that the lands were sold at the market prices. I know of Indian lands settled by a previous administration on similar terms to those applying to free grant lands in Ontario. I speak of the Manitoulin island. This was an Indian reserve. It was in the public interest that the land should be settled. The Indians to-day are better taken care of than they would have been if they had held it, because they have been furnished with industrial schools and industrial works, have been given an education and taught trades. The result is that they have advanced in intelligence and civilization to a very great extent as compared with ten or fifteen years ago. It is a very easy thing to find fault. I do not pretend to say that this department, or any other department, has not made mistakes, but I do say that it is unfair for the hon. member (Mr. Armstrong) to make such strong and sweeping charges as he has made without any evidence to back them up. Those charges are not true so far as Ontario is concerned.

Mr. ARMSTRONG. According to the hon. gentleman's (Mr. Conmee's) own argument, he knows only very little of a small portion of this question of the Indians. He has not investigated the Indian report, I venture to say he has not looked through it, yet he says that everything is going along smoothly. The hon. gentleman is the very man that will stand by this government in every bit of trickery and corruption that is carried on in the parliament of Canada. He stood up no doubt for the St. Peter's reserve. Does he really think that was a straight forward business-like transaction? Does he think that when the hon. member for Algoma (Mr. Boyce) brought up that charge last year in regard to Indian lands, does he think that also was a straight forward business-like transaction, and carried through for the benefit of the Indians? Then the sale of 620,000 acres I referred to. The hon. gentleman knows full well that those lands were not put up and disposed of by auction in a proper way, a large portion of those lands was disposed of either by private sale under the Indian agent, or at an upset price fixed by the department, that is to say, fixed by the deputy head.

Mr. CONMEE. The hon. gentleman is not justified in saying that I have not looked into the Indian reports. I do not profess to have examined all the Indian reports, but I have more or less knowledge of their contents. Now, the hon. gentleman said that the Indian lands referred to by the member for Algoma were sold at an upset price and without advertisement. What lands, and where?

Mr. ARMSTRONG. I have a list of them, a stack of them several inches high.

Mr. CONMEE. Then the hon. gentleman refers to the St. Peter's reserve in the vicinity of Selkirk, and wants to know if I think I was justified in voting on that question as I did. I want to tell him that I do. In my opinion that was a business-like transaction, carried out in the interest of the public and in the interest of the Indians themselves. I know the local conditions of Selkirk better than my hon. friend does, and I have no hesitation in saying that in my opinion that transaction was in the pubilc interest, and will be and is already proving to be in the interest of the Indian themselves. It is better for them to be away from the surroundings in which they were placed.

Mr. ARMSTRONG. Why not then send them away in Ontario?

Mr. CONMEE. Well, I think they should be. I think that what the minister has done at Selkirk he should have done on the Rainy river. The condition of the Indians there is even worse, and the party to which my hon. friend belongs is responsible for it, and I will tell him why. In the days when the ownership of the territory was in dispute, when it became known that they were not to have control

of the land, the Conservative government at Ottawa surveyed out a large number of reserves in that section of the country—

Mr. G. TAYLOR. What has this to do with the item?

Mr. DEPUTY SPEAKER. I think it is sufficiently relevant to the Indian land management to be allowed.

Mr. CONMEE. —which the Indians did not require, and upon which no Indian has yet settled. There is a large block of wild land reserves at the mouth of the Rainy river, and there has never been a family of Indians on it to this day, and the whole country for nearly a hundred miles is cut up by several other reserves. Does the hon. gentleman say that that is in the public interest or in the interest of the Indians? I listened to the debate on the St. Peter's reserve, and I heard the arguments put up by hon. gentlemen opposite, and I was not convinced that that was not an honestly carried out transaction. It was absolutely necessary for the officials of the department to go there and act as they did act, if there was to be a surrender made. I heard nothing to convince me that there was any undue pressure brought upon the Indians to surrender their reserve. I believe they were left perfectly free to vote as they chose. There is no political object to be served by hon. gentlemen opposite in making these strong assertions. I was going to say ridiculous assertions, of dishonesty, corruption, deceit, wrong-doing, maladministration. It is easy for any one to make these charges, but my hon. friend is not building himself up, he is not advancing the reputation of his party in the country, but he is rather pulling it down when he makes charges for which there is no foundation. The facilities afforded by this parliament for affording investigation are open to every member, and when he makes a charge of that character he has the means at his disposal of proving it. I think if I were sitting on the opposition side of the House, I would not be content with making assertions and reading a few affidavits extracted from Indians, drunk or sober; I would endeavour to furnish something better than that, I would avail myself of the machinery afforded by parliament to prove my charges or seek investigation otherwise.

Indians—Ontario and Quebec, general legal expenses, $13,500.

Mr. WRIGHT. That seems to be a large sum of money to pay in legal expenses.

Mr. OLIVER. The amount is large, but it is the same amount as was voted last year. It is much larger than was formerly voted. The ordinary legal expenses which are incurred in the enforcement of law in regard to reserves run to $3,000 or $4,000 a year. The reason this vote is so large is because we had to secure the settlement of the long outstanding and very celebrated Oka Indian case, in regard to a reserve on the Ottawa river. It perhaps would not be of advantage at this stage of the session to go into the details of the case, but it is a very celebrated question, and, some years ago, when matters had come to rather an acute stage it seemed to me that the best thing to be done was to get the case before the Privy Council, and get a final decision upon it, because no decision short of that would be final or acceptable to either parties to the dispute. We have, therefore, instituted proceedings and will carry the case to the Privy Council, and $10,000 of this amount is in regard to the Oka Indians case. There has been one decision. The first decision has been handed down by the court at Montreal and proceedings are now being taken to have the case carried to the court of appeal from which it will be carried to the Privy Council, and we hope to get a final settlement of the question.

Mr. WRIGHT. The small band of Indians in the riding I represent are interested in some degree with regard to the Oka Indians. I do not know whether their phase of the dispute comes under the case that will be submitted to the Privy Council, or whether a final settlement has been made as to what their rights are. I think their claim had something to do with timber. I would like to know what is the position of this band in regard to the Oka dispute. Requests have been made to me from time to time to look into the matter, but I have found it difficult to ascertain the exact position. I shall not take up the time of the committee now, but I will make private inquiries in the department.

Mr. OLIVER. The settlement in my hon. friend's constituency of some of the Oka Indians is the result of an effort which was made to settle this difficulty, and some years ago an arrangement was entered into whereby it was hoped that the Indians, who were contesting for the ownership of the reserve at Oka, would take land in the township of Gibson. Some of them agreed to do so, but others refused to move, and it is in regard to the settlement of the land rights of those who remained that the case has been entered. Those who removed to the township of Gibson did so with the understanding that they exchanged their land rights in Oka for the land rights which they secured in Gibson, but their right to a share of the band fund still remains. They are entitled to a share in the fund of the Oka band, and as a matter of fact do now receive their share. They are dealt with otherwise the same as other Indians. There may be some other matter in dispute

that they are not satisfied with, but that is the principle one upon which we are dealing with them.

Mr. WRIGHT. I understand that they are not receiving any money in a general way like the other tribes. I do not know what the minister means when he says that they do receive their money.

Mr. OLIVER. They are not receiving any cash. The fund of the band is very small, and there are certain expenses which are taken out of that fund for the benefit of the two separated sections of the band—those at Oka, and those at Gibson. They are dealt with, in so far as the funds are concerned, on just the same footing as those of Oka. The Auditor General's Report for 1908-9, at page 116—I, shows that they have a balance at their credit of $4,-835.32. That is their capital, and of course the interest on that is spent from time to time for the necessities that arise. It is a very small amount.

Indians—Nova Scotia—repairs to roads and dyking, $450.

Mr. GEO. TAYLOR. There is an increase.

Mr. OLIVER. This is for improving roads that pass through the Indian reserves, and the work is done on the reserves.

Mr. GEO. TAYLOR. Is that work done by the Indians?

Mr. OLIVER. Yes.

Mr. WRIGHT. I would like to ask the minister whether in some cases this is taken out of the Indian fund or is always a grant from the government. I suppose that some of these Indian bands are quite wealthy, and that they have plenty of money to make their own roads. Last year a sale was made of the timber upon the reserve on the French river, and the proceeds ran up to somewhere over a million dollars. The average Indian will be much wealthier there than the average white man, and some discrimination should be made under these circumstances with regard to road making. The wealthy Indians should make their own roads while the poor ones should be taken care of to some extent.

Mr. OLIVER. Where a band has a fund which can be used for this purpose the fund is used, but in this case this band had no fund, or whatever fund it has is so very limited that it would be simply using it up. We, therefore, have to give these Indians money for improvements or the improvements cannot be undertaken. It is not considered to be in the public interest that a road, where it passes through an Indian reserve, should be in an impassable condition.

Mr. GEO. TAYLOR. You allow them to earn the money by doing the work?

Mr. OLIVER. Yes.

Mr. ARMSTRONG. On one side of the Kettlepoint Indian reserve is the village, and on the other side is a farming district, and for the last two or three years the road around the lake in the reserve has been impassible and a long detour has to be made to get to the other side. There is a summer resort at the reserve also, and I hope the minister will repair that road.

Mr. OLIVER. A note will be taken of what the hon. gentleman said, and we will look after it.

At six o'clock House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill (No. 190) to incorporate the Gatineau and Ungava Railway Company.—Mr. Devlin.

Bill (No. 201) for the relief of John Green.—Mr. Edwards.

Bill (No. 202) for the relief of James Thornton Brownridge.—Mr. Blain.

SECOND READING.

Second reading of Bill (No. 215) to incorporate the Buctouche Railway and Transportation Company.—Mr. Carvell.

SUPPLY.

House in Committee of Supply.

Indians—salaries—New Brunswick, $1,958.

Mr. G. TAYLOR. There is an increase of $500.

Mr. OLIVER. That provides for an increase in the salaries of the three superintendents in New Brunswick as follows: R. A. Irving, from $500 to $800; James White, from $350 to $450; and G. E. Baxter, from $250 to $350. The explanation is that we do not think that the salaries have been reasonable for the time taken in connection with the work.

Mr. W. WRIGHT. How many Indians are there in New Brunswick?

Mr. OLIVER. 1,861.

Indians—salaries, relief and seed grain, medical attendance, &c.—Prince Edward Island, $4,650.

Mr. HENDERSON. How many Indians are there in Prince Edward Island?

Mr. OLIVER. 276.

Mr. HENDERSON. Were there Indians down there originally?

Mr. OLIVER. Yes, their reserve is on an island off the mainland; Lennox island.

Wharf — Lennox island, Prince Edward Island, $2,500.

Mr. OLIVER. The Indians there have to communicate with the mainland to sell their produce. The old wharf has gone out of value, and this is part payment of the cost of a new wharf, the other part being put up by the Department of Public Works.

Mr. G. TAYLOR. Does this complete it?

Mr. OLIVER. Yes.

Mr. WRIGHT. Are these Indians farming on their lands?

Mr. OLIVER. Yes, they farm, but in a small way.

Mr. WRIGHT. Are any efforts being put forth to make good citizens of them, to induce them to take up their lands separately?

Mr. OLIVER. I do not think so. The effort of the department has been to improve their condition as Indians, that is to say, to induce them to cultivate their land and to become self-supporting.

Mr. G. TAYLOR. Are they nearly self-sustaining?

Mr. OLIVER. Yes, these people are.

Mr. WRIGHT. It seems to me that the efforts of the Indian Department ought to be directed along that channel. If we are ever going to assimilate the Indian population, it will have to be done in that way. I do not think the case is hopeless. I might cite the case of a band of Oka Indians that went to the riding I represent. These Indians have their lands and they farm almost as successfully as the average white man. They are no burden on the community, and many of them are examples of what might be done with the Indians. I think a great many of the Indians would become good citizens of Canada with a little time and attention.

Mr. OLIVER. I do not know that it would be profitable to argue out that question just now. It is a very, very broad question. I merely stated what has been the policy of the department. These Indians cultivate in severalty and they own their land in community. As Indians, they have certain privileges. My hon. friend has placed before the House the suggestion that the Indians have less advantages than the white men. The Indian believes that by the terms of the treaty with him he has advantages over the condition of the white citizen, and it would not be merely a matter of getting the Indian to support himself, in which we have been successful, in a large number of cases, but of getting him to give up the special privileges, advantages and exemptions which he has as an Indian and which he would lose if he became a citizen.

Mr. WRIGHT. It seems to me that the experiment might well be tried in Prince Edward Island.

Indians — Manitoba, Saskatchewan, Alberta and Northwest Territories—annuities and commutations, $172,000.

Mr. ROCHE. There is a decrease here of $1,200. Is that due to a decrease in the number of Indians?

Mr. OLIVER. It does not necessarily indicate a decrease in the number. There are commutations, and there are also failures to apply for annuities. We make the calculation that each year on these figures as well as on the number of Indians.

Indians—Manitoba, etc.—Live stock, $6,960.

Mr. ROCHE. How are these animals purchased?

Mr. OLIVER. The principal purchasers here are of bulls, which we buy at the thoroughbred sales if enough are offered, and, if not, we have to buy otherwise. The oxen and the other stock we buy locally.

Mr. W. H. SHARPE. Do you supply them with this much each year?

Mr. OLIVER. Yes; the amount is the same as last year.

Mr. W. H. SHARPE. Why is it necessary to continue this annually?

Mr. OLIVER. It is necessary, of course, constantly to bring in new blood. We are not restocking every reserve every year, but, because of the large number of reserves which must be supplied, we have to continually make purchases of stock.

Mr. G. TAYLOR. Was the full amount spent last year?

Mr. OLIVER. Yes.

Mr. HENDERSON. What did the Indians do with these males? Did they kill them and eat them?

Mr. OLIVER. They employed them as other stock raisers do.

Mr. HENDERSON. They are bought by the government. Do the Indians appropriate them as their own?

Mr. OLIVER. Yes, subject to government supervision. Of course, the effect is ultimately to make the Indians, as my hon. friend from Muskoka (Mr. Wright)

suggested, self-supporting. So we furnish them from time to time with stock, and supervise them in the rearing and disposition of these animals.

Indians, Manitoba, &c.—Supplies for destitute Indians, $121,105.

Mr. ROCHE. I understood the minister to say before six o'clock that all the supplies for these reserves in western Canada are purchased by tender. I notice the names of a great many firms from eastern Canada sending out supplies to the west, and I was wondering how, if bought by tender, these people in eastern cities could supply the material cheaper than those in the west, considering the high freight rates.

Mr. OLIVER. The freight has to be paid whether the dealer lives in the west or in the east. Of course, in asking for bids we ask every one, and take the lowest bidder wherever he may live. The price is the price of the goods delivered, so it makes no difference to us whether the dealer is in the west, or in the east.

Indians, Manitoba, &c.—Hospitals, medical attendance, medicines, &c., $2,057.

Mr. STAPLES. The minister may now be able to answer the question I put to him a few moments ago: Who is the medical attendant at Swan Lake?

Mr. OLIVER. J. J. Cooper.

Mr. STAPLES. How long has he been acting in that capacity, and what remuneration does he get?

Mr. OLIVER. He has been medical attendant for some time, I cannot say when he was appointed. He gets a retainer of $60 a year, and then he is paid for each trip he makes to the reserve.

Mr. STAPLES. How much did he draw last year?

Mr. OLIVER. I have not that information for last year. Of course, the Auditor's report contains the amount for the year before last.

Mr. STAPLES. The minister's department has no doubt been advised of the poisoning case that took place on that reserve. There was a great deal of correspondence in the press regarding it last summer, and there was a difference of opinion as to how it should have been dealt with. Possibly the minister or his deputy could tell us about the lines of action the government took with regard to it. I remember there were certain citizens there who thought the government did not do its duty, and I would like to know what effort they made to discover the cause of the poisoning, or whether they attempted to prosecute those who had been giving, I think, some kind of medicine with an extract of peppermint in it. I know the people in that locality thought the government were very inactive, and should have followed it up a little closer.

Mr. OLIVER. I think it would be better for my hon. friend to allow the matter to rest, and I will look into it. It is rather a serious question, and I will give him the information at a later date.

Mr. STAPLES. In what form will he give it to me?

Mr. OLIVER. Probably we will not be through with our estimates to-night, and there are moreover some supplementaries coming, and there will be another occasion when I can give the hon. gentleman the information across the floor, or by laying the papers on the table.

Mr. ROCHE. There was formerly an Indian hospital on the reserve near Rossburn, and I understand that hospital has been closed, or removed to the town of Birtle. I would like the minister to explain on whose recommendation that was removed, or why it was removed from Rosthern reserve. Is there any local difficulty there?

Mr. OLIVER. It was thought the hospital at Rossburn was not as conveniently located for administration as it would be at Birtle. Birtle is an important railroad point, with good railway facilities that did not exist at Rossburn. The hospital was removed on the report of the inspector, Mr. Swinford.

Mr. ROCHE. I notice an item in the Auditor General's Report for preventing the spread of tuberculosis among the Indians. What steps do the government take to prevent the spread of that disease amongst the Indians?

Mr. OLIVER. My hon. friend understands that it is only in recent years that the subject of tuberculosis has been taken up seriously. But the department has taken it up seriously within the last few years, and this vote is for the purpose of affording assistance. Treatment is given to special cases, that is to say, provision is made for the removal of certain cases to places where the patients may get better treatment. We have established tent hospitals at several points, and generally speaking, we are taking cognizance of tuberculosis amongst the Indians with a view of keeping abreast with the advance of medical knowledge.

Mr. ROCHE. I see you give a grant to the Toronto tuberculosis hospital; has that anything to do with the Indians?

Mr. OLIVER. There is a grant made to the Toronto hospital by the Indian Department, there are several Indian child-

ren in that hospital now, and it is in connection with these and similar cases that this vote is asked for.

Indians—Man., &c.—Triennial clothing, treaties 4 and 7 and adhesion to treaty 5, $2,700.

Mr. STAPLES. Where are these goods purchased, and how?

Mr. OLIVER. The clothing is made at the Kingston penitentiary and purchased from the penitentiary authorities.

Mr. W. H. SHARPE. Why did the government have to give each one of the Indians so much land on the St. Peter's reserve, when they got them to surrender that reserve?

Mr. OLIVER. In severalty?

Mr. W. H. SHARPE. Yes.

Mr. OLIVER. The reason was that these Indians, at the time of the transfer from the Hudson Bay Company, were occupants in severalty of their land and were, in law, original settlers of the province of Manitoba. They afterwards decided to become treaty Indians and were given the reserve as treaty Indians. We were anxious to secure the surrender of their reserve and their removal to another reserve, and it was desired, too, at the same time that we were wiping out their rights as Indians in that reserve, to also wipe out such rights as they might have as original settlers of Manitoba at the time of the transfer. For that purpose that provision was embodied in the deed of surrender. When each Indian got his patent the receipt that he signed was a receipt, not only for the land, but it was a receipt which stated that it was in full of his rights as an original settler of the province of Manitoba.

Mr. W. H. SHARPE. Is that the only case we have in the west?

Mr. OLIVER. There is no other case.

Mr. STAPLES. Is the minister having any success in inducing the Indians to surrender the balance of the Swan lake reserve, and what effort is being made by the government in that direction?

Mr. OLIVER. We were successful in getting the surrender of a portion of the Swan lake reserve a year or two ago. We have settled with them and disposed of the land, but we did not think it was wise or likely to be successful to go right back immediately for a further surrender. We thought it was better to clean up the arrangement that had been made, and then after that had been done we could go back and see if the Indians would be willing to surrender a further amount, which we are quite prepared to do.

Mr. STAPLES. The minister stated that he thought it was better to make a clean up of that which had already been undertaken. It has been cleaned up, I understand, very successfully, not only to the Indians themselves, but to the people of that particular district. I would suggest that the minister now try and get, at least, a large portion of the reserve surrendered and brought under cultivation. While the minister has stated that he had succeeded in getting a portion of it, there is another portion that it would be a great deal more desirable to get the surrender of. I can assure him that the citizens of that section will appreciate it very much if the minister will begin negotiations along careful lines and try to get the balance of that reserve surrendered. It is not necessary that I should go into the reasons why it should be surrendered more than to say that it lies between the town of Swan Lake on the east and the town of Marieopolis on the west. It is the best agricultural land, and it is simply lying idle there. It is a great injury to the development of these towns and the district in general. I hope the minister will begin negotiations right along the same lines as those which proved so successful before. I can assure him that if he succeeds as he did before the people will appreciate it very much.

Mr. OLIVER. I will be very glad to take up the matter at the earliest possible opportunity.

Mr. W. H. SHARPE. How many Indians are there still on the Swan lake reserve?

Mr. OLIVER. While we were successful in securing the first surrender it does not necessarily follow that we will be successful in making the second attempt. My hon. friend may have heard of the man who was successful in getting away with the mill, but was caught when he came back for the dam.

Mr. STAPLES. I might draw the minister's attention also to the Long Plain reserve, which lies between Portage la Prairie and the Assiniboine. A great many people have asked me to bring it to the attention of the minister in order that he might try to get a surrender of a portion of it, at least, if not all. There was a time when this was not considered valuable land from the fact that it was well wooded, but fires have been doing their work, settlers have been cleaning up the land, and it is now practically clean land. It could be very easily brought under cultivation, and it is adjacent to good settlements—Indian Ford settlement across the river and Portage la Prairie plains to the north—and if the minister would enter upon negotiations, I think this would be a favourable time to secure the surrender.

Mr. OLIVER. I will be very glad to take a note of it. There are 113 Indians on the Swan lake reserve.

Indians—Man., &c.—Sioux, $4,498.

Mr. GEO. TAYLOR. There is a decrease of half.

Mr. OLIVER. That is on account of some mill machinery which we furnished last year and which we are not furnishing this year.

Mr. SCHAFFNER. How many Indians are there on the Turtle mountain reserve, and how much land have they?

Mr. OLIVER. There are 15 at the Turtle mountain reserve, and it is one square mile in area. There has been a surrender taken of part of the reserve.

Indians—Man., &c.—grist and saw-mills, $4,637.

Mr. OLIVER. We got the Indians to surrender the reserve west of Battleford and take a reserve north of the river and one of the terms was that we should provide them with milling machinery.

Indians—Man., &c.— general expenses, $230,015.

Mr. MAGRATH. Dr. Lafferty is the medical officer attending Blackfoot reserve and he is certainly a very excellent physician, but he lives at Calgary which is quite a distance from the reserve. Dr. Lafferty draws $600 a year for this service, and I would like to know from the minister in what way he is able to attend to his duties on the reserve and earn this money?

Mr. OLIVER. He makes regular visits once a month and is subject to call in emergency.

Mr. MAGRATH. Is there any other doctor attached to that reserve?

Mr. OLIVER. There is Dr. Rose, who is in attendance on the hospital on the reserve.

Mr. MAGRATH. Dr. Rose lives at Gleichen. If Dr. Lafferty were living near this reserve I would have nothing to say, because he is an excellent doctor. But, Dr. Lafferty lives 55 miles away. The minister says he makes one trip a month to the reserve and I find he has received $45.60 for railway fares which I presume is between Gleichen and Calgary. That would represent about 20 trips. His salary of $600 a year would therefore be at the rate of about $30 a trip. I do not mind that so much as the fact that it is against my principle to have a doctor residing at such a distance from the scene of his labours. For instance, none of us would have our family physician in the city of Toronto when we could find medical men to attend us in Ottawa. Dr. Rose, and at least one other doctor lives in Gleichen, and in the interest of effective medical service to the Indians we should, I think have their medical attendant living near them. That is the point I bring to the attention of the minister.

Mr. OLIVER. Dr. Rose attends the church hospital on the Blackfoot reserve towards the support of which we pay $1,272, so that we think we are doing something towards medical attendance for the Indians. It is true Dr. Lafferty lives at Calgary, and that he is only called upon to make 12 visits a year in addition to emergency calls, and it is true that there could be very much more convenient medical attendance given by Dr. Rose or by one of the medical men living at Gleichen. But there is always a variety of opinion as to the value of the services of medical men, and the old saying is that doctors differ. In administering the affairs of a reserve having about 800 Indians it is not out of place, and not a waste of public money, and not to the disadvantage of the Indians that we should have making monthly visits to that reserve and ready for emergent calls a gentleman of the admittedly high qualifications of Dr. Lafferty. I suppose my hon. friend (Mr. Magrath) will admit that he has probably considerably higher qualifications than have the gentlemen who are resident in Gleichen. It is a matter of opinion as to which is the best way to serve the Indians, and up to the present time we have taken the view that the interests of the Indians and of the public are best served by securing the somewhat eminent services of Dr. Lafferty in conjunction with the hospital attendance of Dr. Rose.

Mr. MAGRATH. I agree with the minister that doctors differ. Dr. Lafferty is a very capable physician, and the same may be said of the gentlemen who are practising in Gleichen. Dr. Lafferty also attends the Stony reserve. I would like to know at what point on the railway west of Calgary he has to go to get to the reserve.

Mr. OLIVER. The station that people generally go to when they are visiting the Stony reserve is Morley, and I think it is in the neighbourhood of some 50 miles from Calgary.

Mr. MAGRATH. I do not entertain the same views as the minister with regard to this matter, and I suppose there is no use my pressing the subject further. I don't mind Dr. Lafferty going to the Blackfoot reserve or to the other reserve either so long as the Indians get proper medical attention, but my view is that the medical men at Gleichen should attend to the Indians who are located on the reserve near by. May I ask the minister what results if any have been obtained in dealing with the blood Indians in respect to releasing a portion of their reserve.

Mr. OLIVER. There have been a number of attempts made, but without success,

to secure the surrender of a portion of the Blood Reserve. Last fall I visited the reserve to discuss matters with the Indians, and while I did not think it advisable to discuss the question of surrender with the Indians, I found them very strongly against the idea. I would think that the prospect of securing a surrender there is rather remote. Last year we secured a surrender of a portion of the Piegan reserve, and we have some hopes that as a result of that surrender when its terms have been carried out and the Indians realize the benefits that will accrue to them from it, the Bloods will be influenced to follow the example of the Piegans. The Bloods, Piegans, Sarcees and Blackfeet were allied tribes and whatever interests one tribe interests the other. We thought that having broken the circle and secured the surrender of a part of one reserve, it was better policy to wait until the results of that surrender had made themselves apparent before we approached the other bands definitely with a proposal for a surrender. My hon. friend is aware that strong efforts were made to prevent the Piegan surrender going through; misrepresentations were made in regard to it and the efforts of the department were hampered in a great degree. This being the case we thought it was better that the action taken by the department should speak for itself, and we have hopes that when that has taken place we will have results in the cases of some of the other reserves.

Mr. MAGRATH. My opinion is that it would be better in the interest of the Indian if we were to take a perpetual lease from him instead of giving a fee simple title, that is that the Indians lands should be sold carrying a perpetual mortgage. For instance, the Canadian Pacific railway irrigated lands carry a perpetual mortgage of 50 cents an acre. If you go to the Indians and say: We do not want to take the title from you, and offer him a rental based on 6 per cent interest on say, for the purposes of this argument, a sale price of $16.66 an acre, it would be equivalent to $1 an acre a year. I think if a proposal of that kind were put before the Indian wherein the land was retained as security for the interest or rent, and that as long as the purchaser or his assignee paid the $1 per acre per year, the occupant would have the use of the land, such a proposal it appears to me would appeal to the Indian. It is possible to sell lands in that way because the Canadian Pacific railway have been very successful in selling their irrigated lands on those terms. As I understand you can sell the land and the Indian can claim 50 per cent of the purchase money. The other 50 per cent the government holds and pay the Indian three per cent on it, whether the rate at which the government can borrow money abroad goes up or down. That rental method is successful to-day in the disposal of western lands and it could be applied to these Indian lands.

Mr. OLIVER. That is a very broad question, and I would not like to bring on a lengthy discussion, but the 50 cents an acre on the Canadian Pacific railway irrigated lands is an insurance guaranteeing a water supply for the crops when water is needed. There is no such insurance in the case of the Indian lands, and while many men would be willing to pay a rental of 50 cents an acre to secure a water supply in a country that may be subject to lack of rainfull they would hesitate to pay a dollar or fifty cents an acre interest when there was no such insurance connected with it. The idea of a tenant proprietorship in the Northwest does not appeal to me. The policy of the government is to have a population on the land who shall be the owners in fee simple of that land, and any proposal, no matter how attractive, that would involve tenancy rather than proprietorship, viewed from the standpoint of the best interests of Canada and the west, would not appeal to my mind.

Mr. MAGRATH. It is an absolute ownership as long as the rent is paid. I have discussed this with prominent real estate men who are largely engaged in settling the west, and they have said they could sell the whole Blood reserve if they had an opportunity to do so on that basis.

Mr. OLIVER. My hon. friend speaks of real estate men who are settling the west. The business of the real estate man is not the settlement of the west, but the holding up of the settler of the west.

Mr. MAGRATH. It is another case in which the hon. gentleman and myself differ, and we are too near the end of the session to take up any time discussing it.

Mr. HERRON. How are things progressing at the Piegan agency with reference to the winding up of that sale? I understand the sale is completed, and I am prepared to admit that the selling of the land is popular with the people of that country, and that there is no complaint in connection with the sale. There was complaint with regard to the consent of the Indians; it was claimed that there was dissatisfaction when the land was sold.

Mr. OLIVER. The total area of the reserve was 116,096 acres. There was surrendered for sale 22,338 acres. There were actually sold 12,000 acres and the sum realized was $205,692. The amount immediately available for expenditure on behalf of the Indians was $54,564. There were 471 souls in the band. We propose to invest this $54,000, that was immediately available, in machinery and implements for the benefit

of the band to enable them to go on with the work of breaking up their reserve, cultivating it, and making it productive. Among the implements we propose to buy are a 36 horse-power traction steam engine, to cost $4,046; a Cockshutt gang plough, 30 sets double harness, 6 seed drillers; 4 binders, and a number of other implements. There will be five and a half miles of fencing, and an engineer will be employed at a salary of $125 a month to have charge of the land breaking work.

Mr. STAPLES. How many months in the year will he be engaged?

Mr. OLIVER. I could not say at the moment. I may explain the purpose of the traction engine. Most of my hon. friends are aware that a great deal of the land in southern Alberta is being broken up by the aid of engines instead of by horses, and we have found by our experience on the Blood reserve that it is economical, and advantageous to invest in such an engine for the purpose of breaking up the land.

Mr. HERRON. I understand that the franchise was extended to the Indians in this district under certain conditions embodied in the order in council passed last June, by which if they take out patents for a certain portion of land, and put it under cultivation, &c., they will be eligible to vote. I want to know if they are taking advantage of the law.

Mr. OLIVER. There is a provision in the Indian Act whereby on proclamation being issued in regard to any band, the members of that band are entitled on the fulfilment of certain conditions set forth in the Act to be enfranchised. But the conditions surrounding the enfranchisement are such that they are very seldom taken advantage of in any part of Canada, and so far as we are aware they are not taken advantage of to any degree up to the present time in the west. However, the privilege is there if the Indian wishes to become enfranchised; he may become, to all intents and purposes, a white man if he wants to, but he does not want to.

Mr. STAPLES. This is a new undertaking in regard to these Indian reserves. After listening to the hon. member for Macleod (Mr. Herron), and to what the minister has said, it seems to me we have a fairly good way of bringing those other reserves under cultivation. For instance take Swan lake. There it would be easy to bring the land under cultivation, and if it were made to produce, the citizens of the towns mentioned a while ago, would get the benefit. I would make a strong plea to have that land brought under cultivation. The gasoline or steam engine has worked for the good of the Indian on the reserve mentioned, and also on that section of land down in the Indian ford district. If the government is going to undertake a policy of that kind. I would put in a claim to have the lands in the county I represent cultivated as much as the Blood Indian reserve or any other reserve in Alberta. I am not finding any fault with what has been done up there, I simply want to impress upon the minister the great benefit to these communities I have mentioned, if the land were brought under cultivation.

Mr. OLIVER. I am afraid my hon. friend has rather a wrong idea in this connection. What was done in regard to the Piegan reserve was done to meet the views of the Indians, and we are prepared to meet those views in that way when those views are expressed. But we cannot compel them to adopt these views.

Mr. STAPLES. It would be a good thing to suggest to them.

Mr. OLIVER. Yes, but unless the people have the idea themselves, it is very possible that the suggestion would not work out. In the case of the Piegans, they had seen that the Bloods had succeeded in getting a large area of land broken up, and that they were becoming very prosperous and independent by reason of that cultivation. Then they did not have sufficient machinery to break up the land, but they believed that if they could get the land broken up they could work it to advantage. So it was the possibility of securing this machinery to enable them to bring their land under cultivation, that induced them to part with a portion of their reserve. It was not the money they were going to get; it was the fact that they would be enabled to employ their energy to advantage, and profit by bringing under cultivation the soil of the remaining part of the reserve.

Indians—British Columbia—salaries, $28,520.

Mr. COWAN. Has Mr. Vowell resigned?

Mr. OLIVER. He has resigned, but his resignation takes effect only at the end of the present fiscal year.

Mr. COWAN. Has the department taken steps towards the appointment of his successor?

Mr. OLIVER. No steps have been taken yet.

Mr. COWAN. Have no applications been made for the office?

Mr. OLIVER. I could not say that there have or have not been. We have not been considering applications up to this time, as the resignation does not take effect until March 31 next.

Mr. COWAN. Although it does not directly bear on this item, I would like to ask whether or not there has been a sale either effected or in contemplation of the Kapilano reserve, situated within the corporation limits of the city of Vancouver?

Mr. OLIVER. No sale has been made, nor is any at present in contemplation.

Mr. COWAN. I am very glad to hear it. Is the department likely to consider an offer to purchase that reserve?

Mr. OLIVER. As my hon. friend (Mr. Cowan) is aware, the condition of title in regard to reserves in the province of British Columbia is such, at the present time, that it does not seem to us to be wise or good public policy for us to enter upon any negotiations for the alienation of title. We do not think that the interest of the Indians would be served by an attempt to pass title at the present time when we are not in a position to give a clear title. The subject has been matter for discussion between an officer of the British Columbia government and the Justice Department during the past few days. I am afraid that we may not be able to reach a conclusion in regard to it without a reference to the Privy Council. But, for the present, we do not feel that we would be justified in undertaking to deal with this question of Indian lands when the question of title is in its present condition.

Mr. COWAN. In any event, I suppose, the minister would take the view that this Kapilano reserve, situated as it is within the corporation limits of the city of Vancouver, might better be sold to the public than to a private person. The minister knows the situation of that reserve. I am glad to know that he is not contemplating any sale of it to a private purchaser. I rather think there is a very strong feeling there that, if that reserve is alienated at all, it should be alienated to the city of Vancouver, in the heart of which it lies.

Mr. OLIVER. I quite appreciate the disadvantage of having that and other reserves in the vicinity of Vancouver remain where they are, and I will be very glad to take any steps possible to secure the change of title, that is, to have the Indians removed and make this land available for the expansion of the city's development. And, as soon as the question of title can be settled, if the responsibility remains with us, I can assure my hon. friend, no time will be lost in trying to bring the matter to a point that will enable this land to be used—to bring it under taxation and in process of development. As to the disposing of it specially to the city, I would not like to give any definite pledge on that point. My hon. friend will understand that, as administering Indian affairs, our business is to secure the best value possible for the Indians. All I can say is that, if it should fall to us to have the administration of that reserve, and to have the right to give a clear title, I would be as glad to sell it to the city as to anybody else, provided the city would pay for it. But, our interest, as administering Indian affairs, would be to get as much as possible for the land.

Mr. G. TAYLOR. You could cut it up and sell it by auction.

Mr. OLIVER. My hon. friend (Mr. Cowan) can rest assured of this—that there will be no private disposition of it.

Mr. COWAN. I am very glad to have that assurance. I think the minister expressed in the fall of 1908, by way of telegram, his feeling as Minister of the Interior, that this government would release to the city of Vancouver its title to the Indian reserve provided the provincial government would do the same, and the Indians were settled with. I think the minister will remember that in October, 1908, a telegram was sent from him to Mr. MacInnes, who was then a candidate for Dominion honours. And I would like to be assured that that still is his policy. Let me give the reason why we should still have that assurance. The city of Vancouver has rested with a good deal of faith on the assurance contained in that telegram, in the faith that the reserve will finally become the property of the city, provided, as the minister says, that they deal as generously as anybody else with the Indians, and provided they get whatever reversionary interest the province may have. They have rested upon that. We have rested upon that, and have been pursuing a course with the object of procuring that property, relying upon that telegram the minister sent in October, 1908. I wish to know if the minister still holds the view expressed in that telegram, and whether the city is still justified in holding the hope of procuring the title in the city to that reserve, provided, as the minister says, that the city will settle in a generous way with the Indians.

Mr. OLIVER. I would not like to bind myself to the wording of the telegram unless I saw it, and I do not just remember now what was in it. But if the position which I stated to the House to-night accords with that of the telegram; I know what I said to-night, and I am willing to stand by that. Our policy is, as I stated at some length the other night, that where the value of the land is worth more to the Indian than the land itself, we exchange the land for the money. In order to do that to the advantage of the

Indian, of course there must be a possibility of giving a clear title, and that being done, then the land goes to the man that will pay the most for it.

Mr. COWAN. In this case I can remind the minister what was in that telegram, and I think he will recall it to his memory. It was a telegram to Mr. McInnis saying that the Dominion would convey to the city the Kapilano reserve, provided the city made a settlement with the Indian and procured a release of the reversionary interest of the province

Mr. OLIVER. I think I would have to supplement that by saying that the terms to the Indians would have to be satisfactory to the department as well as to the Indians.

Mr. COWAN. That is what that telegram meant. The minister will note that really he gives the city of Vancouver a refusal of that Indian reserve.

Mr. OLIVER. No, it gives them an opportunity to bid upon it, but they would have to bid higher than anybody else in order to get it.

Indian education, $480,000.

Mr. OLIVER. We are building a new school house on the Oneida reserve, $3,000; another on the Caughnawaga reserve, $6,500; and we are building a boarding school in the Yukon for which we are asking $20,000. These are items of increase over last year.

Mr. G. TAYLOR. What about the industrial schools at Elkhorn and Regina, have these been abolished?

Mr. OLIVER. We have had a great deal of discussion with the religious bodies who are conducting boarding and industrial schools, with a view to a readjustment of the burden which some of them are finding rather heavy. There was an understanding, as we thought, by which the Elkhorn school would be closed, but the understanding was not carried out, and that school remains in the position it was in before. The school at Regina, however, has been closed, in accordance with an understanding we arrived at with the Presbyterians who were managing the school at Regina. On an understanding with them, we closed the Regina school because it was not well situated for carrying on the work. We put up a boarding school on the File Hills reserve, and increased the amount per head at all the Presbyterian boarding schools in Saskatchewan from $72 to $100. That is the arrangement made with the Presbyterian church, with which they are satisfied.

Indian education—to provide a further amount for buildings and per capita grant for residential schools, $122,040.

Mr. OLIVER. This is in regard to boarding school. I will give the list.

To increase the per capita grant and the number of pupils at the Fort William orphanage, Fort William, Ontario, $2,000.

This is for the purpose of recognizing the character of the building that has been erected there. It is an absolutely modern building in every particular, and we think it is right and proper that where any church, out of its own resources, provides the capital for a first-class building such as this we should give the maximum grant. This mission was not receiving the maximum grant under the conditions of the old building, but when they got into their new building we considered that they were entitled to the maximum.

To provide an amount for the erection of an addition to File Hills boarding school, $15,000.

This is the proposition that I mentioned a few minutes ago in connection with the Presbyterian church.

To provide for an increase of ten pupils each for the Wabiscow and Whitefish Lake Church of England boarding schools, $1,440.

To provide a per capita grant for ten additional pupils at the Sturgeon Lake Roman Catholic boarding school, $720.

To provide for the erection of a Church of England boarding school on the Blackfoot reserve, $20,000.

The church of England had a boarding school on the Blackfoot reserve. The building had been erected by themselves, but it became unsanitary and it was decided to close it up. They were not able to replace it, and we thought that in this case the government would be warranted, in order to provide for the education of the Indians, in providing this sum.

To provide a grant for forty pupils at $72, $2,880.

We are erecting the building, and therefore, we do not give the maximum grant with respect to the pupils.

To provide for the erection of buildings for the Kootenay Indian Industrial school, $60,000.

This is a very large boarding school at St. Eugene in the Kootenay country near Fort Steele. It is an old established school, it has done a great deal of work, but the buildings have become absolutely unsanitary. We think it is right that a good building should be put up.

To erect new building for the Alert Bay Girls' Home and provide equipment, $20,000.

Making a total of $122,040. This is an increase in the pupilage and per capita

grant in some cases, and it makes provision for new, substantial and sanitary buildings.

Post office, outside service—salaries and allowances, $3,169,028.50.

Mr. ARMSTRONG. Would the hon. Postmaster General (Mr. Lemieux) be good enough to tell us why he removed the post office at Dickson, Ontario, from the place where it formerly was, and what reason he has to give in view of the fact that he has received a number of communications, petitions and affidavits urging upon him the necessity of allowing the post office to remain where it is, and would he at the same time tell the committee why it is not possible for him to return that post office to the locality in which it was formerly situated?

Hon. R. LEMIEUX (Postmaster General). I inquired as to the facts of this case at the request of the hon. gentleman (Mr. Armstrong), and I found that some time ago the postmaster at Dickson in the united counties of Stormont and Cornwall left the province of Ontario to settle in Saskatchewan. After he left there were two applications to locate the post office at two different sites, and the inspector selected a site at a distance of about one mile and a quarter from the former location. He would have selected the place formerly occupied by the ex-postmaster were it not that a station had been opened on the Ottawa and New York railway near which we were obliged to open a new post office, and to equalize the distance we had to locate this one a little further west. Since my attention has been called to the matter I have asked the deputy minister to inform me whether there was enough population at the site of the former post office to justify the erection of a new one there, so as to satisfy the community I expect to have the report shortly, and if there is room for another post office there I will open one with pleasure.

Mr. G. GORDON. Has a post office inspector been appointed at North Bay?

Mr. LEMIEUX. Yes, Mr. Limoges who is well known to my hon. friend (Mr. Gordon) was appointed two or three months ago, but before entering on his duties we put him under the direction of the post office inspector at Ottawa. I understand that Mr. Limoges, whom I have met, is a very able man and has resided in the district for a great many years. I believe he will prove satisfactory to the department and to the public. I may tell my hon. friend that a few days ago we selected a young man of great ability, who has been in the service for many years, as assistant inspector to Mr. Limoges. I refer to Mr. Ross, son of the general superintendent of post offices in the Dominion, and who, I believe, will give as much satisfaction to the public in that district as his father has given throughout the Dominion.

Mr. G. GORDON. I thought an inspector had to be in the service of the Post Office Department for a certain period before being appointed.

Mr. LEMIEUX. We can appoint an inspector who has not been in the service, but the assistant inspector must have been at least 5 years in the service.

Mr. G. GORDON. That is a curious way of doing business. It would seem to be common sense that the inspector is the man who should have more knowledge than the assistant inspector.

Mr. LEMIEUX. That is the law as I found it.

Mr. G. GORDON. Is that a proper business way of conducting affairs?

Mr. LEMIEUX. In the larger cities we appoint as postmasters, men who have been in business and are well known to the general public, and then we give them as assistants the best men we have in the service.

Mr. G. GORDON. You don't depend much on your inspectors.

Mr. LEMIEUX. On the contrary. The inspector before assuming his duties, has to undergo a period of training. Of course, we select men of tact and ability and men who know the district, and in a short time they can become efficient officers.

Mr. ARMSTRONG. I am glad that the Postmaster General has promised to further investigate the complaints of the people of Dickson, and I feel satisfied that the facts will justify him in establishing a post office there.

Mr. WALLACE. I wish to remind the Postmaster General that the town of North Toronto has applied for a free postal delivery. North Toronto has a population of nearly 5,000 at present. Its southern boundary adjoins the northern boundary of the city of Toronto and its streets are in fact a continuation of the streets of the city. North Toronto has 16 miles of good sidewalk, and if the Postmaster General desires to accommodate the greatest number he should start with a town like North Toronto.

Mr. LEMIEUX. The streets of North Toronto are a continuation of the streets of Toronto?

Mr. WALLACE. Yes.

Mr. LEMIEUX. I may tell my hon. friend (Mr. Wallace) that I have taken

note of the verbal representations he made to me the other day. The hon. gentleman from York (Mr. Maclean) has also made representations to me on the subject, and I am having inquiry made. Probably during the summer we will be able to provide for free letter delivery in that section of the city.

Post Office—Miscellaneous, $50,000.

Mr. STAPLES. Where is the post office now in the town of Holland? The office was burned there about two months ago. It was a rented building.

Mr. LEMIEUX. We would, of course, rent another post office. If the postmaster was the proprietor, he would probably rebuild.

Mr. LENNOX. I have been asked if a free rural mail delivery route could be established in a portion of the township of Innisfail. There is a thickly settled farming locality and a summer resort which would be served by a loop. There is no post office and no mail route there now, although in the summer a temporary office has been opened at the summer resort, Peninsular park.

Mr. LEMIEUX. If my hon. friend will spend a quarter of an hour with me on Tuesday, we might see what can be done. I remember a request from that township for the establishment of a rural mail delivery. We might overcome the difficulty by establishing a post office at the summer resort.

Mr. G. GORDON. Has the department received a request for a post office at Gowganda Junction?

Mr. LEMIEUX. Yes, we have also an application from a company wishing to undertake the mail service.

Mr. G. GORDON. A post office will be put there?

Mr. LEMIEUX. Yes.

Miscellaneous—expenses under the Naturalization Act, $5,000.

Mr. GEO. TAYLOR. There is an increase of $1,000 there.

Mr. FIELDING There is no special reason except the general enlargement of business.

Miscellaneous—To assist in the publication of the proceedings of the Royal Society, $5,000.

Mr. FIELDING. There has been a change of the words in that item.

Mr. DEPUTY SPEAKER. The amendment is to strike out, 'to assist in the publication of the proceedings of, so that the item will read, 'to the Royal Society.'

Mr. FIELDING. It is intended to give them a little more elasticity in the application of the vote.

Miscellaneous—Grant to the Canadian Handicrafts Guild, $1,000.

Mr. GEO. TAYLOR. What institution is that?

Mr. FISHER. It is an association which is working amongst the people in the country parts to teach them home industries and give them samples to help them in their work.

Miscellaneous—To provide for expenses of Conservation Commission—further amount required, $35,000.

Mr. CROSBY. Is this the only amount granted for that?

Mr. FIELDING. There was $15,000 in the main estimates.

Mr. CROSBY. That makes $50,000 altogether?

Mr. FIELDING. Yes.

Miscellaneous—Ottawa Branch of Royal Mint—further amount for Mint maintenance, $25,000.

Mr. GEO. GORDON. I would like to ask the Minister of Finance if he has considered the advisability of coining nickel?

Mr. FIELDING. My hon. friend was not present when we had a good discussion the other day on the subject. There are some reasons in favour of the nickel and quite a number against it. The objection to nickel is that it is a white metal and, many people think, too easily confused with silver. However, the matter has not been determined. For the present we continue our old forms of currency in silver.

Mr. G. TAYLOR. Might I suggest, we have done a very good day's work, and as we were up late last night, I think we should adjourn.

Mr. FIELDING. I think the suggestion is reasonable.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House.

Mr. G. TAYLOR. What business for Monday?

Mr. FIELDING. First, the Combines Bill, and, if that is disposed of, the Insurance Bill.

Motion agreed to, and House adjourned at 10.30 p.m.

HOUSE OF COMMONS.

MONDAY, April 25, 1910.

The SPEAKER took the Chair at Eleven o'clock.

FIRST READING.

Bill (No. 216) respecting the British North-western Fire Insurance Company.

THE LOBSTER FISHERIES.

Mr. SINCLAIR presented the report of the special committee to investigate the lobster industry on the coast of the maritime provinces and Quebec. He said : I desire to give notice that I will move the adoption of this report on Wednesday next.

REVISION OF THE RULES OF THE HOUSE.

Sir WILFRID LAURIER laid on the table the report of the special committee to revise the rules of the House and moved that the same be referred to the Committee of the Whole House for consideration to-morrow.

Mr. SPROULE. Would it not be well, even necessary, to have copies of the proposed revision in the hands of members before the matter is taken up? There seems a very short time for consideration, if a report only now presented is to be taken up to-morrow.

Sir WILFRID LAURIER. This report will be printed in the Votes and Proceedings of to-morrow. If not convenient for hon. members to consider it then, some other day will be chosen.

Mr. SPROULE. It would be better later on.

Sir WILFRID LAURIER. Next Friday.

Mr. SPEAKER. Taken into consideration next Friday. Carried.

PRISONS AND REFORMATORIES ACT AMENDMENT.

Mr. AYLESWORTH moved for leave to introduce Bill (No. 217) to amend the Prisons and Reformatories Act. He said : The Manitoba legislature, at its recent session, passed an Act establishing an industrial home in the province. Such an institution would not be within the language of our present Prisons and Reformatories Act. This Bill is introduced to amend our statute in order to enable the courts in Manitoba to sentence prisoners to the institution just established.

Motion agreed to, and Bill read the first time.

Mr. FIELDING.

RETAIL MERCHANTS' ASSOCIATION OF CANADA.

House in committee on Bill (No. 210) to incorporate the Retail Merchants' Association of Canada—Mr. Gervais.

Mr. LENNOX. I was not in my place at the moment when the resolution to go into committee on this Bill was presented and carried. I have been requested to ask that this Bill be allowed to stand over, as there are some gentlemen who wish to deal with it, and who could not be here to-day. Also, I see that the Minister of Finance (Mr. Fielding) is not in his place, and I am told that there is need for an amendment of the Bill, to which his attention should be called, to prevent this corporation being given the right to act as bankers. For myself, I have not gone into the matter at all carefully, and I do not wish to be pressed into having to deal with it. One hon. member, who was obliged to leave Ottawa on Saturday and has not yet returned, particularly desires to deal with this Bill. I would ask that the government consent to have the Bill laid over until to-morrow.

Mr. LEMIEUX. I think that my hon. friend from Montreal, St. James (Mr. Gervais), in whose name this Bill stands, is not in his place at the moment. I suppose he will arrive by the noon train. I think there could be no objection to postponing the consideration of this Bill until to-morrow night. Will that do ?

Mr. LENNOX. Yes. I move that the committee rise, report progress and ask leave to sit again.

Progress reported.

SECOND READINGS.

Bill (No. 211) to incorporate the Pioneers Loan Company.—Mr. Turriff.

Bill (No. 214) respecting the Alberta and British Columbia Railway Company.—Mr. Herron.

BRANDON, SASKATCHEWAN AND HUDSON BAY RAILWAY COMPANY.

Mr. PARDEE moved the second reading of Bill (No. 213) respecting the Brandon, Saskatchewan and Hudson Bay Railway Company.

Mr. McGIVERIN. I notice that the name of the Bill on the order paper is not the same as in the Bill itself. The name of the Bill is the Brandon, Saskatchewan and Hudson Bay Railway Company, and on the order paper it is the Brandon, Saskatchewan and British Columbia Railway Company.

Mr. SPEAKER. The name is correct in the French copy. It is merely a typographical error.

Motion agreed to, and Bill read the second time.

QUESTIONS.

THE ST. LAWRENCE POWER COMPANY.

Mr. S. SHARPE:

1. Has the St. Lawrence Power Company complied with section 13 of the Act of Incorporation, 1901?
2. Has the government investigated the facts in regard to this question?
3. If so, in what way and what conclusion has the government reached?
4. If not, does the government purpose instituting any investigation with the view of ascertaining whether the powers of the company under the Act of 1901 have become null and void?
5. Does the government entertain the view of the Solicitor General, that the amendments inserted in the St. Lawrence Power Company's Bill dealing with the St. Lawrence Power Company, created by the Act of 1901, cannot possibly control or affect the company under the Act of 1901?
6. Do any of the amendments inserted in the St. Lawrence Power Transmission Bill, in the opinion of the government, have the effect of reviving any of the powers of the St. Lawrence Power Company under the Act of 1901, which may have become null and void by reason of the said company not complying with the provisions of said Act?
7. Was it the intention of the government or the hon. member who had charge of the Bill, by any of the amendments, to revive said rights?
8. If the said company have forfeited any of the rights, is it the intention of the government to claim the benefit of such forfeiture?

Hon. WM. PUGSLEY. I call attention to the fact that the 5th paragraph states that the Solicitor General entertains certain views with regard to the Bill. I think the question is irregular in that respect. But if my hon. friend will be good enough to point where and when the Solicitor General made that statement, I will get the answer. In the meantime, the question might stand.

MAIL MATTER CARRIED BY FREE DELIVERY.

Mr. J. D. TAYLOR:

1. Is mail matter, other than letters, delivered to street addresses in places having a system of free delivery to carriers?
2. If so, to what class of matter, other than letters, does such free delivery extend?
3. Has the Post Office Department established any regulations respecting free delivery of matter, other than letters? If so, have such regulations been made public and where?

Hon. R. LEMIEUX:

1. Yes.
2. All classes of mailable matter, except such packages as may be too heavy to be taken out by the letter carriers.
3. The only class of people affected are the business men, senators and members of parliament, living in cities, who are perfectly aware of the rule.

CHINAMEN PAYING CAPITATION TAX.

Mr. BURRELL:

1. How many Chinamen entering Canada paid the capitation tax during the fiscal year ending March, 1910?
2. How many entered under exemption from the tax?
3. What was the chief reason advanced for exemption?

Sir WILFRID LAURIER:

1. 1,614.
2. 688.
3. They were exempt under the Act as merchants and the wives and children of merchants.

TELEGRAPH LINES—ST. ALEXIS AND L'ANSE ST. JEAN.

Mr. GIRARD:

1. What amount has the Minister of Public Works paid to Elzéar Boivin for the construction of a telegraph line between St. Alexis and l'Anse St. Jean, and in what year?
2. What amount did the same minister pay for reconstructing and repairing this telegraph line, and in what year?
3. What is the total length of this line?

Mr. PUGSLEY:

1. Total payment to Mr. Elzéar Boivin was $2,003.13, in October, 1897, for the work of distributing poles for and construction of 40 1-16 miles of telegraph line, under contract No. 3,013, dated 2nd February, 1897, at $50 per mile.
2. There was no reconstruction or special repairs called for; whatever general repairs were made in subsequent years were performed by the regular linemen employed to keep the lines in order.
3. The length of line between St. Alexis and l'Anse St. Jean is reckoned as 40 miles

BUOYS ON LAKE ST. JOHN.

Mr. GIRARD:

1. What amounts has the Minister of Public Works paid, year by year, for the placing and maintenance of buoys on Lake St. John and the rivers emptying into it, between 1897 and 1904?
2. To what companies or persons has he paid each year?

Mr. PUGSLEY:

1.

1896-97	$ 500 00
1897-98	500 00
1898-99	250 00
1899-00	250 00
1900-01	250 00
1901-02	250 00
1902-03	250 00
1903-04	Nil.
Total	$2,250 00

2. Mr. B. A. Scott in each case.

OYAMEL COMPANY, ROBERVAL.

Mr. GIRARD:

Did the Oyamel Company of Roberval, or its manager, B. A. Scott, present for payment

in 1901 or 1902, to the Minister of Public Works, an account for tamarack wood sold for the sum of $105 or for any other amount? If so, what has the minister done about this claim?

Mr. PUGSLEY:
(a) Yes.
(b) It was paid.

TOLLS ON LOGS ON RIVER SAGUENAY.

Mr. GIRARD:

1. What amount was due by the Pulp Company of Chicoutimi, year by year since 1903, for tolls on logs passing into the booms on the River Saguenay, and for contribution to the maintenance of the said booms up to the 1st of January, 1910?
2. What amount has it paid on its dues and on what date?
3. If it has not paid its whole debt, does the government intend to oblige it to do so?

Mr. PUGSLEY:
1 (a). Tolls.

1903	Nothing.
1904	"
1905	"
1906	$1,116 92
1907	1,801 00
1908	1,533 30
1909	3,088 34 (Paid.)
	$7,539 56

(b) Contribution to maintenance.
Amounts to be paid under consideration for adjustment.
2. They have paid $3,088.34 on 12th March, 1910, being dues on tolls of 1909 in full at tariff rates.
3. Under consideration.

MAIL CARRIAGE—BLAIRMORE STATION.

Mr. ARMSTRONG:

1. Has the contract been let for carrying the mail from Blairmore station to the post office? If so, what is the amount paid for said services and who received the contract?
2. What was the amount paid for the former contract and who carried the mail?
3. Does the postmaster at Blairmore receive all moneys paid for box rents and commission on money orders, and what is the total amount received by the postmaster from all sources?

Mr. LEMIEUX:
1. No.
2. $100 per annum. H. E. Lyon.
3. The postmaster receives all moneys paid for box rents and commissions on money orders. The total amount received from all sources for the year ending 31st March, 1910, including carrying the mails, was $858.29.

DREDGING AT MOUTH OF RED RIVER.

Mr. BRADBURY:

How many yards of sand or earth were moved last season by the government dredges at the mouth of the Red river, and what was the cost per yard for such work?

Mr. GIRARD.

Mr. PUGSLEY: It being necessary to obtain this information from the resident engineer at Winnipeg, I would ask my hon. friend to allow the question to stand.

IMMIGRANTS ON THE BAY OF QUINTE RAILWAY.

Mr. URIAH WILSON:

1. How many immigrants were located during the past two fiscal years along the line of the Bay of Quinte railway between Deseronto and Bannockburn, and at what place was each immigrant located?
2. How many were deported during the same two years from the above district?

Hon. FRANK OLIVER:

1. The government has no record, the destination of immigrants being recorded by provinces only.
2. 68.

WHARFAGE DUES AT BURK'S FALLS.

Mr. ARTHURS:

1. What amount of wharfage or other dues was collected at Burk's Falls during each of the years 1907, 1908 and 1909?
2. What is the rate of wharfage and other dues?
3. Who is the wharfinger, and what is his salary?

Hon. WM. TEMPLEMAN:
1.

	Gross.	Net Revenue.
1907	$18 46	$13 75
1908	Nil	Nil
1909	77 47	58 13

2. The general tariff rates for wharfage which applies to all wharfs administered by the Department of Marine and Fisheries.
3. A. J. Collins, 25 per cent of collections.

IMMIGRANTS FROM EUROPEAN COUNTRIES.

Mr. LEWIS:

1. How many immigrants from Southern Italy, Russia, Liberia, Russia in Asia, Turkey and Turkey in Asia, have entered Canada since January, 1, 1908?
2. Has the government any advice or information of immigration of peasants into Canada from Southern Italy, Russia, Liberia, Russia in Asia, Turkey and Turkey in Asia during 1910?

Mr. OLIVER:

1. From Italy as a whole (no separate record being kept for southern Italy) 12,246; Russia, 16,751; Liberia, none; Russia in Asia, none; Turkey, 778; Turkey in Asia, 600; total, 30,375.
2. No.

HOUSE OF COMMONS STAFF.

Sir WILFRID LAURIER moved that the following order be discharged:

Resolved, That the recommendation of the Honourable The Speaker of the House of Commons respecting the organization of the staff of the House of Commons, laid on the table of the House on Wednesday, the 6th day of April, be concurred in.

Motion agreed to and order discharged.

SUBSIDIES TO RAILWAYS.

Sir WILFRID LAURIER. In the absence of the Minister of Railways and Canals, I move that to-morrow the House go into Committee of the Whole to consider the following proposed resolution, and I may add that they have been submitted to His Excellency and he has approved of the same

Resolved, That it is expedient to provide as follows:—

1. The Governor in Council may grant a subsidy of $3,200 per mile towards the construction of each of the undermentioned lines of railway (not exceeding in any case the number of miles hereinafter respectively stated) which shall not cost more on the average than $15,000 per mile, for the mileage subsidized, and towards the construction of each of the said lines of railway, not exceeding the mileage hereinafter stated, which shall cost more on the average than $15,000 per mile for the mileage subsidized, a further subsidy beyond the sum of $3,200 per mile of fifty per cent on so much of the average cost of the mileage subsidized as is in excess of $15,000 per mile, such subsidy not exceeding in the whole the sum of $6,400 per mile:—

1. For a line of railway from Tusket Wedge to a point on the Halifax and Southwestern railway at or near Riverdale station, in lieu of the subsidy granted by chapter 63 of 1908, section 1, item 27; not exceeding 8 miles.

2. To the Halifax and Southwestern railway Company, for a line of railway from Lunenburg to Bridgewater via Upper LaHave, in lieu of the subsidy granted by chapter 63 of 1908, section 1, item 28; not exceeding 12 miles.

3. To the Inverness railway and Coal Company, for a line of railway from Cheticamp to a point on the line already built between Broad Cove and Point Tupper, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 17; not exceeding 37 miles.

4. To the Margaree Coal and Railway Company, for a line of railway from a point at or near Orangedale, on the Intercolonial railway, thence by the east side of Lake Ainslie and Ste. Rosa, to Chimney Corner Cove, not exceeding 46 miles; and for a line of railway from a point on the Intercolonial railway between Orangedale and Point Tupper to Caribou Cove on Inhabitant's bay and river, not exceeding 4 miles; in lieu of subsidy granted by chapter 63 of 1908, section 1, item 18; not exceeding in all 50 miles.

5. For a line of railway from a point on the Dominion Atlantic railway to the Government pier or wharf at Canning, in lieu of subsidy granted by chapter 40 of 1907; section 1, item 7; not exceeding 1 mile.

6. For a line of railway from Brazil lake on the Dominion Atlantic railway to Kemptville, Nova Scotia, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 16; not exceeding 11 miles.

7. To the Dominion Atlantic Railway Company, for a line of railway from Centreville on the Dominion Atlantic railway, westerly to Weston, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 30; not exceeding 15 miles.

8. For a line of railway from a point on the Intercolonial railway at or near Dartmouth, in the county of Halifax, to a point at or near Deans Settlement, in the county of Halifax, in lieu of the subsidy granted by chapter 63 of 1908, section 1, item 21; not exceeding 80 miles.

9. For a line of railway from a point at or near Deans Settlement, in the county of Halifax, to a point at or near Melrose, in the county of Guysborough, in lieu of the subsidy granted by chapter 63 of 1908, section 1, item 22; not exceeding 52 miles.

10. For a line of railway from a point at or near New Glasgow, in the county of Pictou, to a point at or near Melrose, in the county of Guysborough, and from the said point at or near Melrose to Guysborough, in the county of Guysborough, with branch line to Country Harbour, in the county of Guysborough, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 23; not exceeding in all 116 miles.

11. To the International Railway Company of New Brunswick, for 3½ miles of its railway, being the distance which the subsidy granted by chapter 63 of 1908, section 1, item 15, is short of covering.

12. For a line of railway from Grand Falls to St. John, in New Brunswick, in lieu of subsidies granted by chapter 40 of 1907, section 1, items 2, 3 and 10, respectively, and in lieu of subsidies granted by chapter 63 of 1908, section 1, item 69; not exceeding 228 miles.

13. For a line of railway from Connors, at the terminus of the Temiscouata railway, to a point on the boundary line between New Brunswick and Quebec, at the foot of Beau lake, in lieu of subsidy granted by chapter 40 of 1907, section 1, item 25; not exceeding 18 miles.

14. To the York and Carleton Railway Company, for a line of railway from its present terminus to a point on the National Transcontinental railway, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 33; not exceeding 9 miles.

15. For a line of railway from a point on the Canadian Pacific railway at or near Plaster Rock to Riley Brook, in lieu of subsidy granted by chapter 63, of 1908, section 1, item 31; not exceeding 28 miles.

16. To the Atlantic, Quebec and Western Railway Company, for a line of railway from Paspebiac to Gaspé, as near the shore as practicable, in lieu of subsidy granted by chapter 43 of 1906, section 1, item 9, for a line between the points above mentioned; not exceeding 102 miles.

17. To the Canadian Northern Quebec Railway Company, for a line of railway from a point at or near Arundel to a point in the municipality of the United Townships of Preston and Hartwell, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 11, for a line of railway between the points above mentioned; not exceeding 30 miles.

18. For a line of railway from Roberval westward towards James bay, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 9; not exceeding 100 miles.

19. To the Quebec and Lake St. John Railway Company, for the following lines of railway:—

(a) from Valcartier station to St. Catherine, not exceeding 3·8 miles;
(b) from Valcartier station towards Gosford, not exceeding 5½ miles;
(c) from the end of the 35th mile of the branch to La Tuque, on the River St. Maurice, to La Tuque Falls, not exceeding 5 miles;
(d) from La Tuque falls to the mouth of the River Croche, not exceeding 5 miles;
(e) from a point on the La Tuque branch to the steamboat landing near La Tuque, not exceeding 1·6 miles;
(f) from Herbertville to St. Joseph d'Alma, not exceeding 10 miles;
(g) from Chicoutimi south or southeast, not exceeding 5 miles;

the said subsidies being granted in lieu of the subsidies granted by chapter 63 of 1908, section 1, items 43, 44 and 72, respectively; not exceeding 359 miles.

20. To the Quebec and New Brunswick Railway Company, for a line of railway from Chaudière Junction to a point at or near the International boundary, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 25; not exceeding 62 miles.

21. To the Eastern Townships Railway Company, for a line of railway from the Intercolonial Railway at St. Leonard's Junction to Dudswell, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 41; not exceeding 36 miles.

22. To the L'Avenir and Melbourne Railway Company, for a line of railway from Melbourne to Drummondville, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 71; not exceeding 28 miles.

23. To the Lotbinière and Megantic Railway Company, for a line of railway to extend its railway southerly from a point at or near Lyster, in Megantic county, to or towards a point at or near Lime Ridge, in the township of Dudswell, not exceeding 50 miles;

and for a line of railway from a point on its line in the township of Inverness, to a point at or near the bridge over the St. Lawrence river at or near Quebec; not exceeding 30 miles, in lieu of the subsidies granted by chapter 63 of 1908, section 1, item 19; not exceeding in all 80 miles.

24. For a line of railway from Joliette to or near Lake Manuan, in lieu of subsidy granted by chapter 57 of 1903, section 2, item 9, not exceeding 60 miles.

25. For a line of railway from St. Joachim towards Seven Islands, including branches to Murray Bay and Baie St. Paul, in lieu of subsidy granted by chapter 43 of 1906, section 1, item 11; not exceeding 170 miles.

26. For a line of railway from a point at or near Ste. Agathe des Monts station, towards the township of Howard, in the county of Argenteuil, passing near Lake St. Joseph and St. Mary, in a southerly direction, in lieu of the subsidy granted by chapter 63 of 1908, section 1, item 26; not exceeding 15 miles.

27. To the Ha Ha Bay Railway Company, for a line of railway from a point at or near Jonquières Village, to Baie des Ha ha, via Laterrière Village, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 24; not exceeding 24 miles.

28. To the St. Mary's and Western Ontario Railway Company, for a line of railway from Embro to Exeter, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 60; not exceeding 36 miles.

29. To the Manitoulin and North Shore Railway Company for the following lines of railway:—

(a) from a point on the said company's line of railway between Little Current and Sudbury, westerly towards the Algoma Central and Hudson Bay railway; not exceeding 76 miles;
(b) from Little Current thence crossing the Canadian Pacific railway, at or near Stanley, and thence to Sudbury; not exceeding 88 miles;
(c) from a point at or near Sudbury, northerly, not exceeding 30 miles;

the said subsidies being granted in lieu of the subsidies granted by chapter 63 of 1908, section 1, item 51, not exceeding in all 194 miles.

30. To the Algoma Central and Hudson Bay Railway Company, for the following lines of railway:—

(a) from Sault Ste. Marie to a point on the Canadian Pacific railway between White River and Dalton stations in the district of Algoma, not exceeding 200 miles;
(b) from Michipicoten Harbour, Lake Superior, towards the main line of the Canadian Pacific railway, not exceeding 25 miles;
(c) from a point on the Canadian Pacific railway, northerly towards the National Transcontinental railway, not exceeding 50 miles;

the said subsidies being granted in lieu of the subsidies granted by chapter 43 of 1906, section 1, item 2, and chapter 63, of 1908, section 1, item 61; not exceeding in all 275 miles.

31. To the Bracebridge and Trading Lake Railway Company, for a line of railway from Bracebridge, in Muskoka, to a point at or near Baysville, Ontario, in lieu of the subsidy granted by chapter 63 of 1908, section 1, item 8; not exceeding 16 miles.

32. To the Lac Seul, Rat Portage and Keewatin Railway Company, for a line of railway from a point at or near Kenora to the National Transcontinental railway, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 63, for 18 miles; not exceeding 22 miles.

33. To the Canadian Northern Quebec Railway Company, for a line of railway from Montreal to Hawkesbury, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 48; not exceeding 65 miles.

34. To the Nipigon Railway Company for the following lines of railway:

(a) from a point at or near Nipigon station on the line of the Canadian Pacific railway to Nipigon lake, not exceeding 30 miles;
(b) from a point on Nipigon bay of Lake Superior to a point on the west of Lake Helen on the line of the Nipigon railway, not exceeding 3½ miles;

(c) from a point on the line of the Nipigon railway at or near the Crossing of the French River to a point on Lake Jesse, by way of Cameron's Falls, not exceeding 1½ miles;

(d) from a point on the north shore of Lake Nipigon, northerly; not exceeding 45 miles.

the said subsidies being granted in lieu of the subsidies granted by chapter 63 of 1908, section 1, item 4; not exceeding in all 80 miles.

35. To the Ontario, Northern and Timagami Railway Company, for a line of railway from a point at or near Sturgeon Falls, in a northwesterly direction, to a point on the westerly shore of Lake Timagami, in the district of Nipissing, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 6; not exceeding 50 miles.

36. For a line of railway from Sharbot lake or Bathurst station, in the province of Ontario, or between these points, via Lanark village, to Carleton Place, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 3; not exceeding 41 miles.

37. To the Erie, London and Tilsonburg Railway Company, for a line of railway from Port Burwell to London, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 29; not exceeding 35 miles.

38. To the Toronto, Lindsay and Pembroke Railway Company, for a line of railway from Golden lake to Bancroft, in lieu of the subsidy granted by chapter 43 of 1906, section 1, item 41; not exceeding 51 miles.

39. To the Kingston, Smith's Falls and Ottawa Railway Company, for a line of railway from Kingston to Ottawa, in lieu of the subsidy granted by chapter 43 of 1906, section 1, item 19; not exceeding 101 miles.

40. To the Pacific, Northern and Omineca Railway Company, for a line of railway from Edmonton, northwesterly, to or towards the Peace river, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 51; not exceeding 110 miles.

41. To the Southern Central Pacific Railway Company, for the following lines of railway:—

(a) from a point two miles of Pincher Station on the Crowsnest Pass branch of the Canadian Pacific railway, northeasterly, not exceeding 10 miles;

(b) from a point two miles west of Pincher station on the Crowsnest Pass branch of the Canadian Pacific railway, southwesterly, not exceeding 40 miles.

the said subsidies being granted in lieu of the subsidy granted by chapter 63 of 1908, section 1, item 37; not exceeding in all 50 miles.

42. To the Kettle River Valley Railway Company, for the following lines of railway:—

(a) from Midway to a junction near Merritt with the Nicola, Kamloops and Similkameen railway, not exceeding 250 miles;

(b) from a point on the company's line of railway near Coldwater river to a point on the Fraser river, not exceeding 50 miles.

the said subsidies being granted in lieu of the subsidies granted by chapter 40 of 1907, section 1, item 18, and chapter 63 of 1908, section 1, items 59 and 59, respectively; not exceeding in all 300 miles.

43. To the Kootenay Central Railway Company, for a line of railway from Golden towards the International boundary line via Windermere and Fort Steele, thence crossing the Crowsnest Pass railway, at or near Elko, in lieu of subsidy granted by chapter 43 of 1906, section 1, item 31; not exceeding 186 miles.

44. To the Esquimalt and Nanaimo Railway Company, for a line of railway from a point on its main line of railway, at or near Duncans to Cowichan lake, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 67; not exceeding 24 miles.

2. Unless the context otherwise requires, the expression 'cost' means the actual, necessary and reasonable cost, and shall include the amount expended upon any bridge, up to and not exceeding $25,000, forming part of the line of railway subsidized not otherwise receiving any bonus, but shall not include the cost of equipping the railway nor the cost of terminals nor the cost of the right of way of the railway in any city or incorporated town; and such actual necessary and reasonable cost shall be determined by the Governor in Council, upon the recommendation of the Minister of Railways and Canals, and upon the report of the chief engineer of the Department of Railways and Canals, certifying that he has made or caused to be made an inspection of the line of railway for which payment of subsidy is asked, and careful inquiry into the cost thereof, and that in his opinion the amount upon which the subsidy is claimed is reasonable, and does not exceed the true, actual and proper cost of the construction of such railway.

3. The subsidies hereby authorized towards the construction of any railway shall be paid out of the Consolidated Revenue Fund of Canada, and may, unless otherwise expressly provided in this Act, at the option of the Governor in Council, on the report of the Minister of Railways and Canals, be paid as follows:

(a) upon the completion of the work subsidized; or

(b) by instalments, on the completion of each ten-mile section of the railway, in the proportion which the cost of such completed section bears to that of the whole work undertaken; or

(c) upon the progress estimates on the certificate of the chief engineer of the Department of Railways and Canals that in his opinion, having regard to the whole work undertaken and the aid granted, the progress made justifies the payment of a sum not less than thirty thousand dollars; or

(d) with respect to (b) and (c), part one way, part the other.

4. The subsidies hereinbefore authorized to be granted to companies named shall, if granted by the Governor in Council, be granted to such companies respectively; the other subsidies may be granted to such companies as establish to the satisfaction of the Governor in Council their ability to construct and complete the said railways, respectively; all the lines for the construction of which subsidies are granted, unless they are already commenced, shall be commenced within two years from the first day of August, 1910, and completed within a reasonable time, not to exceed four years from the said first day of

August, to be fixed by the Governor in Council, and shall also be constructed according to descriptions, conditions and specifications approved by the Governor in Council on the report of the Minister of Railways and Canals, and specified in each case in a contract between the company and the said minister, which contract the minister, with the approval of the Governor in Council, is hereby empowered to make. The location also of such subsidized lines shall be subject to the approval of the Governor in Council.

5. The granting of such subsidies and the receipt thereof by the respective companies shall be subject to the condition that the Board of Railway Commissioners for Canada may at all times provide and secure to other companies such running powers, traffic arrangements and other rights as will afford to all railways connected with the railway so subsidized reasonable and proper facilities in exercising such running power, fair and reasonable traffic arrangements with connecting companies, and equal mileage rates between all such connecting railways; and the said board shall have absolute control, at all times, over the rates and tolls to be levied and taken by any of the companies, or upon any of the railways and bridges hereby subsidized: Provided always that any decision of the said board made under this section may be at any time varied, changed or rescinded by the Governor in Council, as he deems just and proper.

6. Every company so receiving a subsidy, its successors and assigns, and any person or company controlling or operating the railway or portion of railway subsidized under this Act, shall each year furnish to the government of Canada transportation for men, supplies, materials and mails over the portion of the lines in respect of which it has received such subsidy, and, whenever required, shall furnish mail cars properly equipped for such mail service; and such transportation and service shall be performed at such rates as are agreed upon between the minister of the department of the government for which such service is being performed, and the company performing it, and, in case of disagreement, then at such rates as are approved by the Board of Railway Commissioners for Canada; and in or towards payment for such charges the government of Canada shall be credited by the Company with a sum equal to three per cent per annum on the amount of the subsidy received by the company under this Act.

7. As respects all railways for which subsidies are granted by this Act, the company at any time owning or operating any of the railways shall, when required, produce and exhibit to the Minister of Railways and Canals, or any person appointed by him, all books, accounts and vouchers showing the cost of constructing the railway, the cost of operating it, and the earnings thereof.

8. The Governor in Council may make it a condition of the grant of the subsidies herein provided that the company shall lay the railway with new steel rails and fastenings made in Canada and shall purchase all materials and supplies required for the construction of the railway and bridges, and the rolling stock for the first equipment of the railway, from Canadian producers, if such rails, fastenings, materials, supplies and equipment are procurable in Canada of suitable quality and upon terms as favourable as elsewhere, of which the Minister of Railways and Canals shall be the judge.

9. Whenever a contract has been duly entered into with a company for the construction of any line of railway hereby subsidized, the Minister of Railways and Canals, at the request of the company and upon the report of the chief engineer of the Department of Railways and Canals, and his certificate that he has made careful examination of the surveys, plans and profile of the whole line so contracted for, and has duly considered the physical characteristics of the country to be traversed and the means of transport available for construction, naming the reasonable and probable cost of such construction, may, with the authorization of the Governor in Council, enter into a supplementary agreement, fixing definitely the maximum amount of the subsidy to be paid, based upon the said certificate of the chief engineer, and providing that the company shall be entitled to be paid, as the minimum, the ordinary subsidy of $3,200 per mile, together with sixty per cent of the difference between the amount so fixed and the said $3,200 per mile, if any; and the balance, forty per cent, shall be paid only on completion of the whole of the work subsidized, and in so far as the actual cost, as finally determined by the Governor in Council upon the recommendation of the Minister of Railways and Canals, and upon the report and certificate of the said chief engineer, entitles the company thereto: Provided always—

(a) that the estimated cost, as certified, is not less on the average than $18,000 per mile for the whole mileage subsidized;

(b) that no payment shall be made except upon a certificate of the chief engineer that the work done is up to the standard specified in the company's contract;

(c) that in no case shall the subsidy exceed the sum of $6,400 per mile.

Motion agreed to.

OMISSIONS FROM 'HANSARD.'

Mr. ARMSTRONG. Before the orders of the day are called, I wish to draw the attention of the Postmaster General (Mr. Lemieux), also of the Speaker, to the fact that on Friday last several questions were asked by me of the Postmaster General and answered by him, which are not recorded in the 'Hansard.' I personally asked a question in regard to the establishment of a post office box at Watford, and the minister was good enough to give me an assurance that it would be allowed to be placed there. My hon. friend from Macdonald (Mr. Staples) also put several questions that seem to be omitted from 'Hansard.' I do not say this in any harsh spirit, because I know the reporters are most efficient and this is the first time that I have ever noticed an omission.

Mr. LEMIEUX. Whatever I stated to my hon. friend (Mr. Armstrong) or to the

hon. member for Macdonald (Mr. Staples) will be carried out. As to 'Hansard' I am not responsible.

Mr. STAPLES. While in committee on Friday night, now that the hon. member for East Lambton (Mr. Armstrong) has brought the matter to your attention, I asked the hon. Postmaster General (Mr. Lemieux) across the floor of the House if he would establish postal boxes at Holland and Treherne. He assured me that he would. While he was on his feet he also stated to the House that he would make my heart glad when he advised me that he was going to give a post office to the constituency of the hon. member himself. I looked in 'Hansard' on the following morning and I must say that my gratification was somewhat blighted when I failed to find that statement. I have no doubt that it was an oversight of the reporters, but I still have hope, in fact, I feel confident that the minister still intends to give that post office.

Mr. LEMIEUX. I am just looking at 'Hansard.' I am sure that I stated what my hon. friend has just said, so much so, that orders were given in the department Saturday morning. I am surprised if it is not in 'Hansard.'

COMBINES INVESTIGATION ACT.

House again in committee on Bill (No. 101) to provide for the investigation of combines, monopolies, trusts and mergers which may enhance prices or restrict competition to the detriment of consumers.

On section 5; order for investigation.

Hon. MACKENZIE KING (Minister of Labour). Mr. Chairman, I have some amendments to this section. It was pointed out that the wording 'six or more persons' without further definition might make investigation in some particulars too accessible, and I suggest to add after the words 'six or more persons' the words 'British subjects resident in Canada and of full age.' In subsection 4 it is provided that the application shall be accompanied by a statutory declaration from each applicant declaring that the combine alleged, exists. I propose to add the words 'and which operates to the detriment of the declarant as a consumer.' Therefore, the six persons who make the application must be British subjects resident in Canada, and each person must take his declaration that the facts set out in the statement which accompanies his application and which allege a combine operating to the detriment of the public generally are correct and must also make the declaration that the alleged combine is operating as a detriment to the declarant as a consumer.

Mr. J. A. CURRIE. Put the word 'producer' in as well as consumer.

Mr. KING. The main purpose of this measure is the protection of the consumer. Doubtless features of this measure may be applicable to a wider range of conditions, but as it is experimental legislation it might be as well to begin with one class, and in the event of our finding it the success that it is expected it will be, in another year we may include the word which is suggested.

Mr. MACDONALD. Has section 2 been considered as passed?

Mr. KING. No.

Mr. MACDONALD. It seems to me that if we dealt with section 2 first, an amendment such as that suggested by the minister would be very much more intelligible and we could discuss it more satisfactorily.

Mr. KING. We might go back to section 2.

On section 2; interpretation.

Mr. MACDONALD. Section 2 is, to some extent, the keynote of the whole Bill in that the definition of the word 'combine' is there set forth and the basis of the subsequent provisions is laid down. I pointed out in the remarks I made on this Bill at a previous stage that the wording of subsection (c) of section 2 was so wide that it would cover every arrangement or understanding of a friendly character between men who were engaged in business whether it operated to the detriment of the public or not. I felt that parliament should not in any way provide the definition of the word 'combine' so as to include combinations or understandings which were eminently proper and in the public interest. I would like to suggest to the minister the wisdom of amending the section by inserting after the word 'thereof,' in the 17th line the words 'to the detriment of the consumers of such article of trade or commerce.' If these words were inserted there the definition 'combine' would be amended so as to cover only such organization agreements or arrangements as resulted from the increasing or fixing of prices to the detriment of consumers. I think it is only combinations of that kind that parliament ought to do with, and the definition should not be made any wider than is necessary to cover it. I would ask the minister to consider the advisability of such an amendment.

Mr. KING. I think the point raised by the hon. member is a good one. The purpose of this measure as he has rightly stated is to legislate in regard to such combines only as may be to the detriment of the consumers. I have no objection whatever to adding the words he has suggested to subsection (c). I would

move an amendment that after the word 'thereof' in line 18 the words 'to the detriment of consumers, of such articles of trade or commerce' be inserted.

Mr. J. D. TAYLOR. Am I to understand from the minister that the insertion of these words will make it impossible to apply this Act to any class of persons who may be affected by combines except consumers?

Mr. KING. I have already pointed out that the measure is intended primarily for the protection of consumers against the possible advantage which may be taken of them by combines. It is not intended to go further than that at the present time.

Mr. J. D. TAYLOR. May I ask the minister if he has given any attention to the case of the natural producers? It seems to me that the producers, whose livelihood is menaced by those combines are even more entitled to protection than are the persons who get their livelihood from that source and who will simply be called upon to pay a little more for the necessaries of life. As between the two, certain producing classes are in my opinion much more entitled to protection, and it is much more vital that they should receive protection than that we should confine ourselves to making an experiment to protect consumers.

Mr. KING. Producers may be affected as consumers, and to the extent to which a producer may be a consumer he is receiving protection under this Act. As I pointed out a moment ago to the member for Simcoe (Mr. Currie) this measure is experimental in its nature, and I think it desirable that we should confine it at the outset primarily to the protection of consumers. It practically covers every person in the country from one point of view, and if it is found after the statute has been on the books for a year or so that the producers are in the same need of protection, and that such protection is not given by the measure, then I think it would be a simple matter for parliament to amend the measure and add words which would have that effect. It might be pointed out that producers at the present time, a very large number of them, all those engaged in industries protected by the tariff, do receive from the state special protection. In consequence of that protection, some of the consumers have thought that they are in need of special protection to protect them against the possible advantages which producers who are now protected by the tariff may take to the disadvantage of the consumers. For that reason, for the present, I think it is well to confine the measure to the protection of consumers as consumers, and to leave for further consideration at a later date the inclusion of other classes.

Mr. J. D. TAYLOR. I think the hon. minister who has this Bill in charge has not given consideration to it in all its bearings. It seems to me he has altogether failed to consider the cases of certain producers on the Pacific coast who are being oppressed now by a combine created by the hon. gentleman himself, and that we are having a repetition of what we saw in the House the other day, namely, the government being exempted from the operation of a very benign law. I do not see why we should pass a Bill here interfering with private citizens in the conduct of their business and expressly exempting a combine fostered and maintained by the government of Canada.

Mr. KING. Where is the combine?

Mr. J. D. TAYLOR. The combine is the fishery combine.

Mr. KING. How does it operate?

Mr. J. D. TAYLOR. I have very much pleasure in explaining to the minister how it operates, and I am sure the story will excite his compassion, and cause him to make an amendment such as I have suggested. We have, as the minister knows, on the Pacific coast the sole source of supply for the sockeye salmon, that is the salmon that is canned. We have a regulation of the Fisheries Department whereby no persons who are not already in the business of canning salmon are able to obtain salmon canning licenses, the theory upon which that prohibition is based being that there are already a sufficient number of persons engaged in that industry, and that to increase the number would affect the supply. We have the natural result that all persons in that industry have formed themselves into an absolutely tight combine, a combine ranging not only through Canada, but extending to the adjoining portions of the United States, where they catch the salmon in very considerable quantities. This government protects that combine so far as Canada is concerned by further enacting that no Canadian fisherman catching fish in Canada shall be allowed to export those fish. His market is restricted to the market offered by the canners in the combine on the Canadian side. He must sell to them. If he does not sell to them, he must destroy his fish. The operation of that last year, for instance, brought about this condition of affairs, that whilst the canners on the Canadian side and on the American side are buying the identical fish, canning by the same process, at even cost, selling in the same market, under their combination which fixes the selling price both in Canada and the United States, our Canadian canners combined to make the price of fish in Canada 10 cents per fish, while a few miles away on the American

side, fish were selling at 20 cents a fish. Therefore, this combine operated to deprive the Canadian fishermen of half the earnings last summer to which they were entitled.

Mr. KING. Did I understand the hon. gentleman to want a law put through which would compel the fishermen to sell the fish at double the price they are selling at the present time, a law to make fish dearer to every one who wants to purchase fish in British Columbia?

Mr. J. D. TAYLOR. The minister asks a question worthy of a tyro in public affairs. I do not think I am called upon to answer any question of that kind.

Mr. KING. Do not misunderstand my question. I understood the hon. gentleman to state that the effect of this combine in British Columbia was to keep down the price at which fish were sold.

Mr. HUGHES. The price at which the poor fishermen are obliged to sell them.

Mr. J. D. TAYLOR. I may explain to the minister that this combine which he as a member of the government has assisted to create and is assisting to maintain, and which he could wipe out in five minutes by altering one or two orders in council, has the effect of cutting down the price at which the fish caught in the Fraser river would otherwise be saleable.

Mr. KING. Is not that an advantage to the consumer?

Mr. J. D. TAYLOR. No, it is not, because the consumer in eastern Canada pays the price fixed in conjunction with the American canners, who on their side of the line pay 20 cents per fish as against 10 cents on our side; so that the consumer is paying on the 20 cent basis.

Mr. KING. If a certain combine is fixing the price on this side of the line detrimental to the consumer, that combine can be proceeded against under this Bill.

Mr. J. D. TAYLOR. I think the hon. gentleman does not understand the working of his own combine. If he did, I think he would cause it to cease to exist. My complaint in this case is not on behalf of the consumer, although I think the consumer has a just cause of complaint. I am speaking as the member for New Westminster, where the producers of the fish work who are deprived of half the revenue to which they are entitled from the sale of those fish because of the operation of the canning combine, and I am asking the minister to include in this Bill a provision whereby we can set the machinery of the department in operation and prove beyond the possibility of cavil that the effect of the combine of the salmon canners is to reduce the price to the producers of fish to one-half of what they would otherwise get, while it does not benefit the consumers in any way. On the contrary, the consumers are charged as much for these fish as they are for the American fish for which double the price is paid. The minister can afford us relief in any one of three ways: he can give us a chance to come under the operation of this Act and allow any fishermen detrimentally affected to make application for investigation just as consumers can; or he can persuade his colleagues to remove the prohibition of the export of fish; or he can persuade them to remove the prohibition of persons not now engaged in the canning industry to go into it, so that we may at least have competition on the part of capital. Not only are these fishermen deprived of half their livelihood on the fish they sell, but they are deprived of the right to sell a large portion of the fish they catch when the run is large; because when they go to the Canadian canneries after a night when they have caught say 400 fish to the boat, they find a notice put up by the canners that on account of the large run the canners will take only say 200 fish per boat. The result is that a man who has 400 fish to sell can sell only 200 of them, because this government prohibits him exporting them across the line, where the American canners would be glad to take them at a higher price; so that he is obliged either to dump them into the river, which also is against the law, or to go ashore and dig a great hole and bury them, which of course no one would do. If the minister is sincere in his effort to deal with combines in a way to bring undoubted benefit to the people of Canada, he will not tell these poor fishermen that they must wait for another year or perhaps two years before he will give them relief.

Mr. TEMPLEMAN. If my hon. friend had stated the whole case, my hon. colleague and the House would appreciate the situation better. To some extent it is true that the fishery regulations on the Pacific coast, as on the Atlantic coast, have created more or less of a combine; that is, the number of canners is limited and the number of fishing licenses is limited. The provincial government at the present moment is limiting the number of boats which may be licensed to fish, a certain number to each cannery. All this is done for the purpose of conserving the fish in the waters of British Columbia. The particular point to which my hon. friend refers is that the fishing on the bays or rivers of British Columbia is carried on by individual fishermen. Probably as many as 4,000 boats have licenses to fish in the Fraser river and estuary. Immediately south of the boundary line, not more than about 30 miles away are hundreds of American

traps for the supply of the American canners. There is very little gill netting as compared with trap fishing. Some years ago the cannery men on the Fraser river, when short of fish completed their packing operations for the day or the week by bringing fish taken in traps south of the boundary line, and I can remember very well that the Canadian fishermen licensed to catch fish on the Fraser river objected to the free importation of fish from Washington State 30 or 40 miles away from the supply of the British Columbia canners. I do not know whether a duty was then put on fish or not. I am not sure about that, but the department some years ago prohibited the bringing in of fish to be canned in the canneries. What for? In the interests of the cannery men? Not at all, but in the interests of the fishermen of the Fraser river. Necessarily that regulation had to be reciprocal, and fish for the purpose of being canned were prohibited.

Now, if it were possible for the Canadian fishermen to sell their fish, not to the cannery men for whom they are catching, but to the United States cannery men, when the prices south of the line may be a little more than those north of the line, it would be the proper thing for the canners on the Fraser river to go down and buy fish taken in the American traps. But this has been prohibited, and I think it is in the interests of the fishermen of the Fraser river. The arrangement, I think, has worked fairly satisfactorily. I do not think the prices that my hon. friend speaks about are fairly stated. Ten cents a fish on the Fraser river, my hon. friend knows perfectly well, has been exceeded time and again; it goes up as high as 20 cents and 25 cents a fish, particularly when there is a scarcity. When there is a big run, which sometimes happens, when a fisherman may come in with 400 or 500 fish, and it is impossible for the canneries to take care of all the fish for the next twenty-four hours, half of them have to be thrown away. That seldom happens now, but it has happened, and as a result the price drops, and it might come down to even 10 cents. But to state to this House that the price paid by the Fraser river canneries is 10 cents a fish, and on the other side of the line 20 cents a fish, is not stating the case fairly or accurately. It is a reciprocal arrangement, initiated because the fishermen protested against the cannery men buying fish south of the line. It must be remembered also, as I stated a moment ago, that all the fish caught in the Fraser river, are caught by individual fishermen. There are no traps in the Fraser river. We have four or five times the number of fishermen engaged in catching fish that they have in the state of Washington, although the state of Washington puts up more fish than we do. I believe this is not a matter for the Bill regulating combines. It is matter for the fishery regulations of the Marine and Fisheries Department. Any regulation made for the limitation of the number of canneries that may be erected must necessarily create more or less of a combine, a combine in the sense that the number is limited, that is all. The cannery men on the Fraser river, when fixing the price to be paid for fish during the season get together and agree as to how much they are going to pay, but as soon as the fish gets scarce, they have to increase their price. There is that arrangement I have referred to in regard to the importation or exportation of fish, and it seems to me impossible to do anything in connection with that under this Bill.

Mr. J. D. TAYLOR. I think the acting Minister of Marine and Fisheries, like the Minister of Labour, is speaking without knowledge of the subject. I would like to ask him in what form is the prohibition of the importation of fish, whether it is under the Customs Act or is part of the Fisheries regulations?

Mr. TEMPLEMAN. My recollection is that it is part of the Fisheries regulations, but I am not certain. It has been in force for some years, the issuing of licenses, for instance, to cannery men, has, I think, the stipulation that the fish caught under the license must be canned in Canada.

Mr. J. D TAYLOR. I had a copy of the regulations here with which I think I could very easily confound the minister, but unfortunately I have mislaid it, and in the absence of the copy, I will not say anything as to a point on which I have at the moment no positive information. But I wish to say to the minister that he totally misunderstands the situation created by this combine. It is not a matter of chance, whether the fish shall be dear to-day or cheap to-morrow. As he ought to know, the cannery men at the beginning of the season, some weeks in advance of the opening, get together and lay down a definite price as they did last year. I do not like the minister to stand up in this chirpy manner and tell the House that I have made a statement which is not correct. If there is one subject on which I am informed, having reference to the interests of my constituency, it is that of the salmon fishery, and when I made the statement as to that fishery, I made a statement that is absolutely and entirely correct, which conceals nothing, and upon the correctness of which I am prepared to stake my reputation. Now, I say that last year our Canadian canners met and fixed the prices at 10 cents per fish up to a certain time,

and a price of 12½ cents per fish up to a certain time later.

Mr. TEMPLEMAN. I don't dispute that fact at all.

Mr. J. D. TAYLOR. That arrangement was not made casually, but was the result of long discussion, creating a great deal of heart-burning among the Canadian fishermen. As to the price on the American side, I have equally precise information, that while our men had to sell at 10 cents, the price to the same combine buying on the American side was 20 cents, and that while the Canadian fishermen had to sell at 12½ cents, the combine on the other side was paying 25 cents. I do not wish to take up the time of the House, but I have a statement from an American source showing those prices, paid for the enormous catch made on the American side. I am sure that the fishermen on the Fraser river will be greatly surprised and disappointed when they find that the minister, whom they regard as their special custodian, is opposed to the suggestion I have made here, or has advised his colleague not to do something in this Act to enable the fishermen on the Fraser river to get the prices they are entitled to.

Mr. TEMPLEMAN. It is absolutely unnecessary to suggest an amendment to this Act. If it is an improper thing to have this prohibition of Canadian fish from being canned on the other side, and the prohibition of the importation of American trap-caught salmon, to be canned on the Fraser river, it can be amended by repealing the regulation. I am not speaking by the book when I say that it is part of the fisheries regulations. I tried to explain the matter as I understood it from the knowledge I gained some six years ago. It has not been under discussion for some time, and I cannot even say I ever read the regulation. But I heard it explained at the time, and I think the prohibition referred to is part of the regulation. However, there is a prohibition of that kind, and there is no disputing the fact as to the price. I quite agree that the cannery men do get together and they do fix the price they are going to pay, it may be from 10 cents upwards, and they do negotiate with the fishermen, the fishermen, of course, wanting a higher price. A fair price so much depends on the run of fish, which nobody knows anything about until the fish actually come. Prices have sometimes started high and dropped, and they have started low and risen.

Mr. BURRELL. Will the hon. minister permit me a question?

Mr. TEMPLEMAN. There can be no controversy as to this matter——

Mr. BURRELL. If the hon. minister will permit me, I would like to ask him how the price can depend on the run of fish, if the canners fix it ahead of the coming of the fish?

Mr. TEMPLEMAN. That is one of the problematical things they must take into account in fixing the price—it is one of the uncertainties of the trade. The hon. member (Mr. Burrell) knows that we have about an average run of fish. When we used to have every fourth year a big year, the price was low.

Mr. R. L. BORDEN. I understood my hon. friend from New Westminster to say that the price was not regulated by an antecedent act of a combine, but regulated from time to time actually by the run of the fish.

Mr. SEALEY. In connection with the suggestion of the hon. member for Pictou (Mr. MacDonald) to allow this Act to apply only to combines against consumers, and not against producers, I think the hon. member omits a very large class of the community—in fact, I think a larger class is affected by combines than the other, especially in agricultural produce. There is scarcely an agricultural product that must not be sold to a combine—in practice only a combine buys it. A combine of wheat buyers buys the wheat; a combine of fruit buyers, buys the fruit; the dairy products are bought by a combine; and the same is true of beef, pork, mutton, and other meats. I have looked forward to this Bill as being a very useful one for our community at all events. I think, therefore, that, in the general interest, the hon. member for Pictou should withdraw his suggestion and allow the Bill to apply to combines against the producers as well as to combines against consumers.

Mr. KING. I think that, possibly, the hon. gentleman (Mr. Sealey) does not follow the effect of a combine quite far enough. If I understood him rightly, his contention is that certain products are bought by combines who buy at a low figure, that they may control the market. Surely, the resultant effect would be shown upon those who purchase from the combine. It certainly would affect the consumer of the article, and if it did, the Bill would apply. I think, that if the hon. member looks carefully at the law, he will see that, in the last analysis, the purchaser of the article in question must be affected, and if it affects the purchaser then this measure will apply.

Mr. SEALEY. In connection with that, it does not seem that it will quite apply, or that it has applied in the past.

Mr. KING. We had not the law in the past.

Mr. SEALEY. But we have had the evil, although the law to remedy it has not been in existence. Take the matter of pork, for instance. On March 16, 1908, pork was sold at $4.90 per hundred weight, or practically five cents per pound, on foot, and the retail price of bacon here in the Ottawa stores was 22 cents. To-day, pork is $9.50 to $10 per hundred weight, on foot, and bacon is offered right here at 22 cents per pound. At present, the consumer is, perhaps, getting it at about a proper proportion to the price that the producer receives. But, two years ago, the producer was getting only half the money and the consumer did not get the product any cheaper. The producers in our country did make an effort to get the provincial government to act in order to prevent the combine paying an unfair price to the producer. But the matter was not even effectually started, because the provincial law seemed so difficult and complicated, and the officers in charge did not appear to be very persistent in pushing the matter. Therefore, as I have said, I have looked forward to this law as being of great assistance to the agricultural producers. If the consumer had then appealed against the unfair price he was being charged, he could have succeeded to some extent, but he could not have completely succeeded as against the combines that were forcing prices down. At that time, they were working on this basis: Everybody knows that our neighbours to the south have a very large production of food products, and they have, on the exchange in Chicago, what they call a bull day and a bear day. The market is bulled up for twenty-five days in the month, and the other day the bears are on top. In that way, the packers' combine were able to buy at an average of about three cents less than the average market value. They could pay the two cents duty charged by the Canadian customs, sell in Canada and still be one cent ahead of the game. And everybody knows that, looking at it from the point of view of the producer when the hog is brought to about 200 pounds, he must be sold irrespective of price. So, they were able to keep the farmers down to hard pan, or even below, and still make a high charge to the consumer. As against the contention of the minister, the fact that the price of bacon to the consumer is the same as it was when the packers were allowing the producer only half the price seems to me to be conclusive. Many other instances might be given of agricultural products that are handled in the same way as pork. I think that it will be a great gain to Canada as a whole to pursue the combines from the producer's as well as from the consumer's standpoint. However, it will be a great benefit and advantage to have them prevented from wrongfully taking advantage of either class.

Mr. NESBITT. Under this section, 'Combine' means any contract, &c., which has or is designed to have the effect of increasing or fixing the price or rental of any article of trade, cost of storage, &c., 'to the detriment of consumers'. Of course, any increase, reasonable or unreasonable, may be said to be to the detriment of consumers. I would suggest that the minister put in words to make it read 'which has or is designed to have the effect of unreasonably increasing or fixing the price', and, in the fifth line, 'or of unduly restricting competition'—insert the words 'unreasonably' and 'unduly'.

Mr. KING. I would point out to the hon. member (Mr. Nesbitt) that this is simply a definition. The law itself applies rather to the effects of combines than to combines as such. I think it very desirable that the definition should be as broad as possible, so that all classes of combinations may be brought under the operation of the law. I quite agree that it would not be proper to have any one rendered liable simply for taking part in the formation of a combine as such. But, if when the combine formed unduly or unreasonably enhances prices, it is quite proper that the parties interested should be proceeded against under this measure. If the hon. member (Mr. Nesbitt) will look at section 7, he will find that, before an examination can be ordered, the judge must be satisfied that it is in the public interest that that investigation should take place, and that the combination that exists is injurious to trade or has operated to the detriment of consumers generally. I think it would be hardly wise to include debatable words in the definition. For that reason I would not care to add the words suggested to the definition. I have no objection to having the Act safeguard any applications to the judge so as to prevent parties being harassed in an unfair manner; but I do not think it would be wise to put debatable words into the definition.

Mr. ARMSTRONG. Would the minister tell us why he does not include the farmers as well as the consumers, in accordance with the suggestions made by my hon. friend from Wentworth (Mr. Sealey), so that it may apply to combines which stand between the farmers and the consumers?

Mr. KING. I have carefully considered that point. I think I have mentioned that any combination, if it is going to be a vital factor in the process at all, will in the last analysis reveal its effect in the prices

of the article as sold in the market, and in that way consumers would be affected by a combine. Further, I may point out that, as I have already said, this legislation is in some particulars a departure, and I think it is desirable that we should proceed perhaps not too rapidly at the outset. If, after the law has been on the statutes for a year, it is found that it works well to the extent to which it does apply, and that producers have a grievance which cannot be remedied under it as it stands at present, it would be easy to make the necessary amendments and to enlarge the scope of the Act. But I think it would be wise to see whether, in the first instance, the law as it is now framed is not broad enough to meet the case which has been suggested.

Mr. ARMSTRONG. What kind of a position would the farmer be in? He is a producer, and he would not be able to make any complaints, he would have to wait until the consumer made the complaints.

Mr. KING. The representations that have come to the government so far from different sources, have been almost wholly in regard to combines against consumers. The question of the effect of combines on producers is being raised now for the first time, that is to say, to any extent. I think all the communications that have been received and the representations that have been made to the government, have been in respect to consumers, not as respects producers. But, as my hon. friend will see while every farmer is a producer of one article, he is a consumer of a thousand or more. Looking at the matter from the point of view of his being a consumer of articles of food and clothing, and everything needed for his household and his farm generally, to all of which classes of articles this law applies particularly, it will be apparent that the farmer would be the man of all men who will reap great advantage from this legislation. I might further point out that in the letter from the Master of the Grange, which I read on the second reading of the Bill, the writer stated the the Grange had carefully considered this Bill and that members of the Grange were enthusiastically in favour of the measure, and wished it to pass at the present session. But nothing was said in that communication in regard to enlarging the scope of the Bill in the manner which has been suggested.

Mr. ARMSTRONG. The minister understands the position of the farmer. The farmer may sell his products to a combine in that line, and yet he has no recourse under this Act.

Mr. CROSBY. After reading this Act and listening to the discussions upon it, I do not think it will have the desired effect, either upon the consumer or the producer. The Minister of Labour said a few moments ago that there was some protection given to the producer by way of a special tariff, but if the tariff is only a revenue tariff, I do not see how it can protect any one. I do not see how the tariff is going to protect the man who raises pigs on a farm or the man who raises beef, and I do not understand how it will protect the man who catches fish on the Atlantic coast. The Minister of Inland Revenue said a moment ago that the lessening of the number of licenses issued to canners would be a protection to the fishery. Did anybody ever hear that lessening the number of canning licenses was going to protect the fish in the sea, when you let the same number of people go out to catch them?

Mr. TEMPLEMAN. Surely the hon. gentleman understands that if you lessen the number of licensees who are authorized to catch fish, you are thereby lessening the number of fishermen?

Mr. CROSBY. If I didn't know any more about fishing then the Minister of Inland Revenue, I wouldn't attempt to say anything about it. From what he has said, I have come to the conclusion that he knows very little about the fishing industry on the Atlantic coast, and probably on the Pacific coast either. In the east the only licenses we have are licenses to can lobsters, and those licenses have been limited. But the methods of catching lobsters have not been limited, nor has the number of men going into lobster fishing been limited either. The number of boats has not been limited, but the number of canning licenses has been unduly limited. But the Fisheries Committee have taken that matter up, and have shown that they do not desire any such combination as that. But in all these matters we are speaking only of the consumers of the articles and not of the producers. Take my own province of Nova Scotia. We have there a large fresh fish industry, but by virtue of the cold storage system which has been established by the government, the fishermen are not getting fair play. The fisherman goes out and catches fresh fish, and in consequence of the cold storage system the price of fish has been greatly reduced. People engaged in the cold storage business make an arrangement by which they buy so much fish, and I am sorry to say, at a very small price, running from half a cent a pound to two cents a pound. You cannot buy fresh fish anywhere in the eastern part of Canada of the same class of fish for less than about 10 cents a pound. Now, who gets the difference, where does it go to? There should be some method by which these fishermen may call for an investigation to see whether they are getting a fair and reasonable price for their fish

that they have to sell from half a cent up to two cents a pound. Half a cent to two cents a pound is not a fair price for fresh fish retailing in the vicinity of ten cents a pound and upwards. I can understand the Minister of Labour saying that we will try this Act for one year, and if it works well, we will enlarge it next year. This is something which has been going on for a long time, and if it is possible we should make some effort to deal with it. The minister says that everybody is a consumer and that consequently this Bill will help everybody. If a man cannot produce, he cannot consume, because he cannot find the money to buy. He has to produce first in order to get the wherewithal to buy. I would be very glad to have a law placed upon the statute-book that would provide a fair means of regulation as between the producer and the consumer. I am speaking more particularly on behalf of the men who produce the raw material. The man in the coal mines is not protected. He has no opportunity of saying how much per ton he shall get for the coal he mines, while the coal company is getting so much per ton at the pit head. I notice that under the Bill as it is proposed to be amended, the six persons who make application——

Mr. DEPUTY SPEAKER. I think I will have to ask the hon. gentleman to confine himself to what is before the committee. It is the definition of the word 'combine.' The section that the hon. gentleman wishes to enter upon is section 5.

Mr. CROSBY. If you rule that I cannot discuss that part of the clause I will defer what I have to say.

Mr. DEPUTY SPEAKER. I do not wish to be arbitrary, but for the sake of regularity I think the hon. gentleman might wait until we go back to section 5.

Mr. SPROULE. I understood the minister to make the statement that he had received no representations from producers that certain combines were injuring them. In answer to that I might draw his attention to the fact that the small tanners, who are producers, applied to the government to intercede or do something which would enable them to sell their product without restraint. It was not from the consumers that the application came, but from the producers, the small tanners all over the country who were either compelled to enter into an agreement, that they would buy their supplies from certain firms or otherwise they could not sell any leather to these firms. The product which they had was thereby reduced in value, and the sale circumscribed very much on account of that arrangement.

Mr. KING. In answer to the hon. gentleman I would point out that the complaint was that the combination of certain tanners was in restraint of trade, and that it was operating to the detriment of the consumers. If it was really a combine maintained for the purpose of preventing people from buying their goods outside it would be covered by this Bill. Similarly, my hon. friend from Halifax (Mr. Crosby) has been speaking of a combination in regard to fish. A 'combine,' as defined in this Bill, means a combination for restricting competition in or controlling the production of certain articles. The definition is pretty broad. If a combine controls the production of or restricts competition in any article by any kind of an agreement it will come within the definition of the word 'combine' as herein set forth.

Mr. CROSBY. Will the minister tell me how fishermen, who have been selling their fish to those who have cold storage facilities can bring about an investigation into the question of the price that they sell their fish at, as well as the price at which the purchasers resell the fish?

Mr. KING. If the persons interested in cold storage were restricting the supply of fish in any way that would be a combine, and the effect of the restriction would be to the detriment of the consumer. If it were shown that there was a combination amongst cold storage men, or any other group who were operating in a manner to restrict trade, an investigation could be had under this Act. If it were shown that there was no such combination I do not see that the question of fixing the price on the part of the men who were selling the fish would actually come in because there would be absolute freedom of competition, and they could sell to whomsoever they wished as a result of that competition and freedom.

Mr. CROSBY. There are a number of cold storage men who handle fresh fish. These men get together and say they will pay so much for fish to-day, and so much during the season. They do not restrict the production of fish at all; they take all the fish that the fishermen give them. When the fishermen get sufficient fish, and bring it into Canso, where there are two or three concerns who buy fish, they give them a certain price—from half a cent to two cents a pound—very seldom going to two cents a pound—and they resell that fish in Nova Scotia at not less than ten cents a pound. There should be some method by which the fishermen could show that they were not being treated fairly or reasonably, that these people pay a certain price and then resell to the consumer at a much higher price.

Mr. KING. I do not think we have any need to go any farther than the hon. gentleman's own statement. He alleges that this combination of cold storage dealers arrange prices, and that after paying a certain price they sell at another price in virtue of the combine which the hon. gentleman says exists.

Mr. CROSBY. I am not worrying particularly about the price at which they sell to the public, but what I am particularly worried about is the price that the fishermen get from the purchasers who have the cold storage facilities. These men have been assisted in providing these facilities by grants from the public treasury, and they have been put in a position to enable them to handle this fresh fish business. I have no doubt that the government intended also when assisting to provide these facilities that the fisherman should be helped. But help is not given to the fisherman because he simply has to sell his fish at the price offered him. The buyers take all the fish they can get; they do not curtail production at all. I do not know whether I have made myself clear to the minister.

Mr. SINCLAIR. I quite understand the contention of the hon. member (Mr. Crosby) although I have not heard very much complaint in that direction. His complaint appears to be that this is a combine to keep down prices.

Mr. CROSBY. I am speaking of keeping down the price as far as purchasing from the fisherman is concerned, but when the fish goes into the hands of the merchant immediately the price goes up. I desire the fisherman to get a much better price or a chance to regulate it.

Mr. SINCLAIR. It is a combine to prevent the fishermen from getting a better price for his goods. If there is a combine of that kind and it can be prevented it would be a very proper thing to do. The fishermen in the district that I am best acquainted with have not made very many complaints of that kind to me. There are always a large number of buyers on the coast and if one will not buy another will. As the hon. gentleman has said that the cold storage places may have been to some extent oppressive, I think that would be a very proper subject of investigation when we are giving them a subsidy. There is no reason why a cold storage concern which obtains a subsidy from this government should be allowed to oppress the fishermen with whom they deal. I do not say they have done so. There ought to be some way for the government to investigate a matter of that kind so as to see that the seller to these cold storage concerns subsidized by the government should get fair play. I understand that the hon. gentleman from Halifax (Mr. Crosby) has complained about the recommendations made by the commission which inquired into the lobster industry.

Mr. CROSBY. My only reference was to the limitation of canneries.

Mr. SINCLAIR. It has been stated that there was a certain combination among the canners along the coast of the maritime provinces in this way: That the number of licenses were limited, and the licenses were in the hands of a few companies, and in that way they could control the industry to a certain extent. It has been a grievance on the coast of the maritime provinces for some time past that the government have refused to grant any more licenses to new canneries, and that in that way they threw the industry into the hands of the people who had previously held licenses. That matter has been investigated by the Fisheries Committee, which has arrived at the conclusion that this policy was not a good policy, and that any person who can qualify himself to carry on a fish cannery in a proper way with the proper equipment should be given a license, and that the so called monopoly should be done away with.

Mr. CROSBY. That is exactly what I said, only I did not say it as well as the hon. member for Guysboro has said it.

Mr. R. L. BORDEN. I realize that the minister has bestowed a great deal of time and attention on this subject, but he has not made perfectly clear and plain to me what his position is in respect to certain matters brought to the attention of the House by the hon. member for Wentworth (Mr. Blain) and others. From my limited investigation into such matters, I understand that the injurious effects of a combine may be roughly speaking divided into two classes; in the first place, an undue increase in the price to the consumer; and in the second place, an undue decrease of the price to the persons who produce the raw material, and which the combine works up into the finished article and places on sale. I understand the minister to say that this Bill has relation purely to the operations of the first-class, and that under the Bill as at present framed he did not purpose affording any remedy as respects the operations of the second-class. I also understood the minister to state, in a somewhat indefinite way, that possibly the operations of the second-class may be by some means brought within the scope of this Bill. I ask for information as to that. It seems to me perfectly clear that the operations of those who decrease the price to the purchaser may have no effect whatever on the price to the consumer. It has been suggested that decreasing by means

of a combination, the price to the purchaser, is really an advantage to the whole community as it will inevitably result in decreasing the price to the consumer. I do not understand it in that way. It is perfectly possible for a combine to decrease unduly the price to the purchaser and at the same time maintain a reasonable price to consumers, and I have no doubt that has been done.

Mr. NESBITT. If it did unduly increase the price to the consumer, would not the Act apply?

Mr. R. L. BORDEN. You could investigate the matter so far as there was an undue increase of price to the consumer, but apparently the producers who are obliged under certain conditions to sell their product for too low a price to that same combine have no opportunity for relief under this Bill.

Mr. NESBITT. I wanted to know if this Bill would not cover that?

Mr. R. L. BORDEN. That is what I want to know also. I understand from the minister that that was not at present within the scope of the Bill, but that after the Bill had been in operation for a year and tested by experience, he might propose to amend it in that direction. Afterwards I understand the minister to intimate, though perhaps not very definitely, that there might be some remedy under the Bill, and I would like to know from him now under what terms of the Bill can operations of the second class to which I have referred be brought within the purview of the Act.

Mr. KING. The price is either the result of free competition or the result of some monopolistic factor. If there is absolutely free competition in an article, neither purchaser nor consumer will be affected so far as this measure is concerned—

Mr. R. L. BORDEN. The minister is not answering my point and perhaps I have not made myself clear. Take a case where the price charged to the consumer is a perfectly fair and reasonable price and where the consumer has absolutely nothing to complain of. But, although the price charged to the consumer is perfectly fair, there exists a combine by which the price paid to the purchaser of the raw material is unreasonably restricted, so that while the combine itself makes an enormous profit—out of fresh fish for example—the producer of the raw material in the first instance merely obtains the bare cost or perhaps less than the cost of production. Take that case, where the price to the consumer does not come in question at all, is that case covered by this Bill or is it not?

Mr. KING. The price is either the result of the play of the law of supply and demand under free competition, or the result of the supply being restricted by some element of a monopolistic nature.

Mr. HUGHES. Or the demand being restricted, as in this case.

Mr. KING. Any kind of restriction that interferes with the free play of the law of supply and demand in the market may affect the price. Any combination which would be sufficiently strong to control the price that could be offered to all producers of a particular article would be a complete monopoly. We cannot imagine such a combination the effect of which would not be reflected in the price the consumers would have to pay for the article. If you have a combination which controls the purchase of all the raw material, you have a combination which stands between the producer and the consumer, not for the benefit of either but, primarily for the benefit of its own. If you have a combination strong enough to keep down the price at which a commodity can be purchased in the open market, it seems to me that you have a prima facie case of a combination standing between the producer and the consumer, and operating to the detriment of the consumer, and therefore coming under the operation of this Act.

Mr. R. L. BORDEN. I would rather have from the hon. minister a direct answer to my question than a lecture on political economy. I could imagine a case where the price paid to the producer is cut down, while the price charged to the consumer is not increased.

Mr. KING. Can the hon. gentleman give such a case?

Mr. R. L. BORDEN. I am not called upon to give one, but I could point to an instance of that in the most gigantic trust known in modern times, the Standard Oil Company. My view is that if such a case should arise, the producer whose price is cut down will have no remedy under this Bill. It may be that the hon. minister's great experience of the complexity of human affairs tells him that no such case could arise; but, with all deference to him, I would hardly be inclined to accept his view on that point. We know that in the complexity of modern conditions a great many things do arise which are not foreseen, and it is not beyond the scope of my limited imagination to realize that there might be a case where the price is kept down to the consumer for the very good reason that the price of the raw material to the producer is also kept down to an unreasonable limit, so that the combination makes a very great profit, while the man who produces the raw mate-

rial makes little or no profit, and works very hard for the barest livelihood.

Mr. KING. I may say frankly to my hon. friend that in introducing this legislation the government had not in view the meeting of every possible evil that might grow out of combinations. The objection which we rather expected to be raised against this measure was that it was going too far. I am very glad to find hon. gentlemen opposite apparently sharing the view that it is a step in the right direction, and that if it has any limitations at all they are that it does not go quite far enough. I think it meets all the apparent cases which have come to the attention of the government up to the present time. If there are other cases which it does not cover, time will reveal them, and when it does, I think we can deal with them more to the advantage of the country than we could by making this measure too wide at the outset.

Mr. J. A. CURRIE. I refrained from making any remarks on this Bill at the beginning of the discussion, though I take considerable interest in it. Perhaps I am not deeply enough versed in political economy to size up the situation fully, but I have some idea of how such matters work out in practice. There are three categories into which trade naturally divides itself: there is first the producer; second, the manufacturer or dealer; and, third, the consumer. Combinations may exist in any of the three categories, and if I wished to delay the House, I could give well-known examples of each class of combination. The hon. member for Westworth (Mr. Sealey), the hon. member for Westminster (Mr. Taylor), spoke truly when they said that this Bill might not cover combinations that would restrict the prices paid to producers. If the minister inserted the word 'producer,' I think he would perhaps make the Bill cover the case exactly. There are combinations of farmers as well as combinations of dealers. For instance, the milk producers and the fruit producers have their little associations by which they endeavour to fix prices. It seems that the first operation of a combination or trust of this kind is to seek to control the sources of production, because unless a trust can do so it is impossible for it to control the price to the consumer. There might be a combination of dealers or drovers that would reduce the price of hogs to the farmer, and the farmer under this Bill would have no redress. Three or four drovers might form such a combination among themselves and agree to pay only a certain price for hogs in a certain district. There is nothing in the Bill dealing with a case of that kind.

Mr. KING. I admit that there is nothing in the Bill to prevent one or two drovers in a particular locality from fixing the prices they would pay. But if there were half a dozen or more who combined to control a particular area, and the farmers of that area were put in such a position that they could not sell their hogs, except at the price the combination fixed, I think you would have a combination that would be obviously detrimental to the consumer, because it would limit the supply.

Mr. J. A. CURRIE. It might not limit the supply. The sale of bacon and pork in this country is controlled broadly by two firms of retail dealers. They might not care a fig so far as that is concerned, and that is one point in which the Bill is lacking. For example, there is nothing to prevent a combination of grain buyers in the west fixing the price of grain in the west irrespective of the foreign market value of it. Everybody knows that the tendency is to form combinations so as to make prices stable, in order that a man in any line of business will know what profit he is likely to make. If prices fluctuate such as they did in the old oil days—one day a barrel of oil would only be worth 10 cents, and the next day it would be worth $10—these fluctuations would give rise to gambling, and cause great injury to the consumer, and the producer, and everybody else. There is no doubt that combinations have tended to maintain prices at a set level. Suppose the grain dealers form a combination, and fix the price of wheat in the Northwest, what means would the Northwest farmer have to bring about an investigation? I am quite in sympathy with the Bill, but I think the insertion of the word 'producer' would help out the situation, and make it better for all concerned.

Mr. STAPLES. The minister stated that he had made provision under this Bill to deal with all classes of monopoly that have been brought to the attention of the government. I quite understand that the minister is young in the cabinet, but surely he knows that for many years the farming community of the west have come down here delegation after delegation, asking for the passage of legislation which would burst the grain combine. The agricultural organizations in Saskatchewan, Alberta and Manitoba have been sending their representatives to Ottawa for years asking the government to deal with that question. They are producers, and if there is no provision under this Bill whereby they can break up that monopoly which they have strong evidence does exist, then the Bill falls very far short of what it should be. Can a combine of that kind be investigated?

Mr. KING. Unquestionably, any combination of the kind mentioned by the hon. gentleman could be investigated. If you look at the definition of the word combine, the last sentence says:

And shall include what is known as a trust, monopoly or merger.

All the cases that have been cited affecting producers have been in the nature of monopolies. I think that is admitted. That being so they would come under that definition, and all such cases would be covered by the measure as it stands.

Mr. MIDDLEBRO. Yes, but the minister has excluded himself from contending that when he accepted the amendment of the hon. member for Pictou which says:

To the detriment of the consumers in such articles of trade and commerce.

The applicant has to show that he is injured as the consumer of the article.

Mr. KING. The first part of the definition is limited by the words the hon. gentleman has suggested, but in addition to that there are added the words:

And also includes 'a trust, monopoly and merger.'

The word 'also' is sufficient to show that if these last words are not in the definition itself there can be no doubt the definition was intended to bring them within the measure.

Mr. MIDDLEBRO. Would it not read:

And also includes what is known as a trust, monopoly or merger, which operates to the detriment of the consumers of such articles of trade and commerce.

Mr. KING. Not at all, I would object to adding these words to the last part of the definition.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

Mr. W. H. SHARPE. The Minister of Labour. (Mr. King) did not make it very clear to me what effect this interpretation would have. We have combinations in the west in connection with wheat, in connection with beef, in connection with pork. What I would like to know is whether the producer in any of these lines in western Canada could have an investigation under this Bill?

Mr. KING. That certainly was the intention, where the combination would have an effect upon prices. To make it perfectly clear, in view of the discussion that has taken place, I propose to make the definition include producers as well as consumers. Then there can be no mistake. I would point out to the committee that the discussion really arose on the suggested amendment of 'combine' made by the hon. member from Pictou (Mr. Macdonald) whose object, as I understood it, was not to restrict the definition, but to make it clear that the combines affected by this law, must be detrimental to some one. Under the amendment already made, the words added are 'to the detriment of consumers,' there is a desire that it should be made with equal clearness to apply to producers. My own feeling is that the kind of combinations affected by the law is sufficiently indicated by the final words of this section, 'trust, monopoly or merger,' whether such affect producers or consumers. But I would move that the section be amended so as to read, 'to the detriment of consumers or producers of such article of trade or commerce.'

Mr. J. HAGGART. Is not the point sufficiently covered by the definition contained in the clause as printed?

Mr. KING. Some hon. members thought that, possibly, combinations that were not detrimental to any class might be brought under the law by the definition as it is in the printed Bill. If we add 'to the detriment of consumers or producers' that makes it clear that what we want to reach are only such combinations as are detrimental to some one.

Mr. J. HAGGART. But it says 'fixing the price or rental of any article of trade or commerce, or the cost of the storage or transportation thereof,' and so on. That is the offence, and you limit considerably by the provision concerning its being detrimental to parties.

Mr. KING. I would not say that is the offence. The offence lies in a combination of the kind enhancing the price to consumers or lowering them to producers. A combine that does not operate to the detriment of either consumers or producers, what would be the necessity of including it?

Mr. J. HAGGART. But is not what the minister proposes to add—that it is detrimental to some one—implied in the very words of the section?

Mr. KING. I think that what the hon. member (Mr. J. Haggart) says as to the definition as printed is quite right. The definition, as printed to my mind, is sufficient. But some hon. members are inclined to be sensitive as to the words, and wish to make it clear that it is only a combine that is operating detrimentally to others that is to be dealt with by this legislation. The words do not take away anything or add anything, it seems to me. But they do no harm, and they meet the objection raised.

Mr. M. Y. McLEAN. It seems to me the addition of these words does not make a single bit of difference in the working of the Bill. The whole object is to prevent the operation of injurious combines. I do not see any great objection to the words, but I do not see that they add anything to the effect of the Bill.

Mr. KING. They are desired by some hon. members of the House.

Mr. J. HAGGART. That is no reason. The minister must be able to give some reasonable explanation.

Mr. KING. The reason seems to be quite clear. Some hon. members have desired these words to be inserted because they fear that otherwise the definition may be misread. A man might be afraid to enter into some agreement with his neighbour, fearing that, under this definition, the law would apply to him. By adding the words 'to the detriment of consumers or producers' you make clear, in the opinion of the hon. members who have spoken, the purpose which it is intended to serve by the definition of 'combine.' If it helps to remove doubts, that is a good reason.

Mr. J. HAGGART. But we are guided by fixed principles. What is meant by 'detrimental to the consumer?' If the judgment is left to the parties appointed under the Act, and no fixed principle is laid down for their guidance, it gives to these parties the power of constituting a crime. There is the objection to legislation of this sort; you make it a crime—

Mr. KING. No.

Mr. J. HAGGART. Yes, you do. For, if within a certain time after publication in the 'Canada Gazette,' those whose conduct is investigated, do not cease to do what these parties have held is wrong for them to do, they may be fined $1,000 a day.

Mr. KING. That is after it has been shown that an offence has been committed, namely, that prices have been unduly enhanced; and that, at common law, is crime to-day.

Mr. BLAIN. Does the minister say that there are combines in existence that do not reduce the price of the raw material to the producer, or unduly advance the price of the article to the consumer?

Mr. KING. There may be such. I would not like to say that any combine does enhance the prices unduly or restrict competition unduly, until I had had a chance of looking into it.

Mr. J. HAGGART I object to any such legislation as this. If we are to have crimes on the statute-book we want to define what the crime is. Under this section, a party is accused of being guilty of a crime because he detrimentally enhances prices. What does enhancing prices mean? Surely we are entitled to a description or designation of 'enhancing prices,' to know whether we are guilty of a crime or not. But the minister takes the extraordinary position of leaving to a court of arbitration to decide what is meant by enhancing prices. After they come to a decision and publish it in the 'Canada Gazette,' then, after a certain time, it becomes a crime, and you are punished for it. Such a way of designating a crime I never heard of before.

Mr. KING. With all due deference, I would like to point out that so far as this legislation puts any class of actions in the category of crimes, my hon. friend will find that in the Criminal Code already, precisely the same thing. If the hon. gentleman will look at section 498 of the Criminal Code, he will find that.

> Every one is guilty of an indictable offence and liable to a penalty not exceeding $4,000 and not less than $200, or to two years' imprisonment, or, if a corporation, is liable to a penalty not exceeding ten thousand dollars, and not less than one thousand dollars, who conspires, combines, agrees or arranges with any other person, or with any railway, steamship, steamboat or transportation company,—
>
> (a) To unduly limit the facilities for transporting, producing, manufacturing, supplying, storing or dealing in any article or commodity which may be a subject of trade or commerce; or,
>
> (b) To restrain or injure trade or commerce in relation to any such article or commodity; or,
>
> (c) To unduly prevent, limit, or lessen the manufacture or production of any such article or commodity, or to unreasonably enhance the price thereof.

If I am not mistaken, the hon. member himself voted for that legislation.

Mr. J. HAGGART. Are you sure of it?

Mr. KING. I think so. I think the hon. member supported this legislation when it was introduced by the late Clarke Wallace.

Mr. J. HAGGART. An amendment was introduced to the Criminal Code founded on the Bill that was introduced by Clarke Wallace.

Mr. KING. This is the Bill that was introduced by Clarke Wallace.

Mr. J. HAGGART. If I remember rightly, the provisions of that Bill were embodied in the criminal law, and I remember Sir John Thompson saying that it did not alter the law, it made no changes in it.

Mr. KING. But did not the hon. gentleman support it?

Mr. J. HAGGART. It made no change in the law, it was a harmless amendment. Is this amendment going to leave the law in the same position it was before?

Mr. KING. That is not the point we are discussing. The hon. gentleman is taking exception to my putting on the statutes legislation making a certain set of conditions a crime, when he himself has voted for legislation which does that very thing.

Mr. J. HAGGART. You state that I voted for it, you must have authority for saying so. The possibilities are, as I was a member of the government when it was embodied in the Criminal Code, that I supported it. But I do not suppose there was a vote on the question at all, I suppose it was unanimously adopted by the House. The hon. gentleman has found out that the Act has just the effect that Sir John Thompson said it had, that it did not alter the law in any respect, that it was perfectly harmless, like a chip in the porridge. The hon. gentleman intends to make the Act something different from what it was before, and that is what I am criticising. The hon. gentleman says it is the same. If it is the same, there is no use in introducing it; if it is different, I have a right to give my opinion on the difference.

Mr. SPROULE. It is not the same Bill. The first time the Act passed this House it did not contain the words 'unduly' or 'unreasonably.' Those words were put in by the Senate, and when the Bill came back here, because of the lateness of the session, and because we knew that the Bill must drop entirely if this House did not accept the amendment made by the Senate, we accepted it. But afterwards, in 1899, I moved an amendment to strike those words out and did get them struck out in this House. The Bill then went to the Senate, and they introduced them again. The following year I introduced the Bill again, and got it through this House, and through the Senate, without those words 'unduly' or 'unreasonably'. But the following year it was amended by the present government, those words were put back again, and I believe now, and always did believe that it was amended for that specific purpose, because when the original Bill was on the statutes, and it was submitted to Sir Oliver Mowat, who, as Attorney General of Ontario, would be obliged to enforce the law, he said it was utterly useless, that no person could go before a court, and get a court to say what was 'unduly' or 'unreasonably' enhancing prices; but if these words were left out, then the Bill would be useful. The very next year the government amended the Criminal Code, and put these words back again, and I always believed that they put them back so as to make the Bill practically worthless.

Mr. KING.

Mr. HERRON. I want to say now that I am in favour of this legislation, if it will have the effect aimed at. There is a suspicion in our country that there is a restraint of trade to the extent that the farmers generally do not get full value for what they produce, and also that they pay more than they should pay, in many cases for what they consume. I hope the Bill is right, but as I am not a lawyer, I am not able to judge of the effect of certain sections.

Mr. RALPH SMITH. I want to say a word upon this amendment. I understood that the minister's object was to benefit the consumer. But my opinion is that when the minister has amended the interpretation clause by including the word 'producer,' he entirely neutralizes the benefit of the Act to the consumer. If you have a combine, or a monopoly that increases the cost to the consumer by an investigation under this Act, you are not likely to benefit the producer. The one is adverse to the other. The producer of a certain article that is sold under a monopoly, shares in the benefit of that monopoly. In my opinion this section is decidedly better as it is. The object of the Bill is to benefit the consumer, and to the extent that you are benefiting the consumer by destroying monopoly you cannot at the same time benefit a particular producer who produces the article in question. You are very likely to reduce the return he gets from the production of that article. I certainly think that the interpretation section would be better without the word 'producer'. You do not help the consumer by trying to benefit the producer at the same time.

Section as amended agreed to.

On section 5, order for investigation.

Mr. SPROULE. Would you not amend this to conform to the amendments made before?

Mr. KING. Yes, the words 'or producer,' should be added after the words 'consumers,' where they appear in lines 24, 34 and 44. I therefore, beg to move:

That the words 'or producers' be inserted after the word 'consumers' in lines 24, 35 and 45.

Amendment agreed to.

Mr. KING. I propose that the section be amended by adding, after the word 'persons,' in the first line the words 'British subjects resident in Canada, and of full age.'

Amendment agreed to.

Mr. KING. I also propose that after the word 'that' in line 42 paragraph 4, there be inserted the words 'the alleged combine operates to the detriment of the declarant as a consumer or producer.'

Mr. SPROULE. What would be the effect if an application were received under that section, and an investigation took place, and if three of the six were trying to prove that the producer was affected, and the other three were trying to prove that the consumer was affected?

Mr. KING. I think if they succeeded in proving that, there would be a double reason for going ahead.

Mr. J. A. CURRIE. What is the meaning of the phrase 'injurious to trade?' There have been a great many decisions defining the meaning of the phrase 'in restraint of trade.' A great many things are decided to be in restraint of trade, and there are a great many decisions as to what the expression means. But perhaps the meaning that the minister wishes to convey is a little different.

Mr. KING. I think the meaning is clear.

Mr. SPROULE. Would you not under this Bill attack labour unions as well as combinations?

Mr. KING. When I moved the second reading of the measure I stated that it was my intention to move in committee to add a clause to make it quite clear that this measure would not take away from trades organizations the rights secured to them under the existing law. I intend to move an amendment to this effect before the committee rises.

Mr. MACDONALD. It seems to me that the point taken by the hon. member for North Simcoe (Mr. Currie) is worthy of consideration. The phrase 'injurious to trade,' is a novel one in legislation of this character. I do not think it has been defined at all. I do not recollect any definition of any such phrase in decisions regarding legislation of this kind. I think that if the words 'in restraint of trade,' were used you would be going along a path where you had well recognized conditions, and where the bodies having to do with the operation of this statute would understand clearly where they were working, and with quite as good results. I think that the suggestion of the hon. member for North Simcoe as to what the word 'injurious' means is very pertinent to the discussion. What it does mean, from a legal standpoint, in working out this Bill, is something that I do not think anybody could venture a very strong opinion on with a view of arriving at exactitude with reference to it; whereas, the words 'in restraint of trade,' have had a usage, and definition for centuries. Their significance is well understood. I think that the language is more apt apart from the legal standpoint.

Mr. J. A. CURRIE. The idea of the minister is to express the same thing, and that is why I thought that using the old word would make it more clear instead of having the courts give a definition of what 'injurious' is. The courts have decided hundreds of times what 'restraint of trade' is.

Mr. KING. In my opinion the words are quite plain, and I think they had better be left as they are.

On section 11—members of board.

Mr. MACDONALD. You have here the words: 'Being one of the parties to the investigation.' Would that be taken to mean that the party to be appointed should be one of the persons who had applied?

Mr. KING. There can only be two parties to the investigation, the party complaining and the party complained against.

Mr. J. A. CURRIE. These words were evidently inserted parenthetically to make it clear what the effect is. They would seem to infer that one of the parties who should be on the board would be one of the applicants, while it was evidently the intention of the minister that the parties who asked for the investigation and the parties who were named in the complaint should each select a representative.

Mr. KING. What would the hon. gentleman suggest?

Mr. J. A. CURRIE. This drafting in the Bill is according to the usual phraseology, but I should prefer that the statement should be more direct, so that nobody could mistake it. Why not say: The parties who have applied for this investigation shall name one of the members of the board; the parties complained against shall name another member, and these two members of the board shall appoint a third?

Mr. M. Y. McLEAN. I do not know much about the legal effect of this language, but I think I know what words mean, and I do not see how any words could make it more clear than those used in the Bill. It states that one member of the board shall be appointed on the recommendation of the persons on whose application the order is granted.

Mr. J. A. CURRIE. Read on.

Mr. M. Y. McLEAN. Then it says: Being one of the parties to the investigation. Well, I do not see why these words should be there at all.

Mr. KING. If these words obscure the meaning we can strike them out. I am quite agreeable to have that done.

(The words 'being one of the parties to the investigation' were stricken from the Bill.)

On section 13,

No person shall act as a member of the board who has any direct pecuniary interest in the alleged combine that is the subject of investigation by such board, or who is not a British subject.

Mr. MACDONALD. It seems to me that no person should be a member of the board who is one of the applicants for the investigation. If there is to be a public advantage derived from the Bill, it will be only had if the board is absolutely impartial and unprejudiced, as far as that is possible. I would like to suggest to the minister the advisability of inserting after the word 'who' in the first line the words 'is one of the applicants for the board.'

Mr. KING. I will be very glad to accept the suggestion of the hon. member for Pictou.

Mr. J. A. CURRIE. I would also suggest after the word 'direct' the addition of the words 'or indirect.' I may say that I am very much disappointed that the hon. Minister of Labour has not the Minister of Justice sitting beside him while this Bill is being considered. It is a very important measure, liable to affect the interests of a great many people, we are all trying to make it as perfect as possible, and I think it is a matter worthy of comment that the Minister of Justice is not in his place in the House to assist the Minister of Labour in the phraseology of the Bill, because he will be concerned to a large extent in carrying it out.

Mr. KING. I may say that the Minister of Justice has already gone over the Bill, as it was drafted by the Department of Justice.

Mr. M. Y. McLEAN. It seems to me that we are all indirectly interested in these investigations, and consequently the insertion of the words 'or indirectly' would defeat the whole object of the Bill.

Amendment suggested by Mr. E. M. Macdonald agreed to, and section as amended agreed to.

On section 15—oath of office—

Mr. MACDONALD. It seems to me that this section should be amended to provide that the members of the board shall make an affidavit negativing any interest in the application or the result of the investigation. Otherwise you might have the parties who have applied for an investigation choosing as their representative on the board, somebody who is as much interested in the application or in the result of the investigation as they are. The result of the working out of this Act can only be ascertained by having it worked out by a board that is absolutely impartial and that has no interest in the result of the investigation.

Mr. KING.

Mr. PARDEE. That is hardly possible, because the one thing provided for is the interest of the whole public in the result of the investigation.

Mr. KING. I think the point raised is covered by the first clause of the oath: 'I will truly, faithfully and impartially perform my duties as a member of the board.'

Mr. MACDONALD. I am afraid the minister's logic is hardly good enough in regard to that, because if so we should omit the third clause as to whether they are interested pecuniarily. Language like this might be used, and I think it is only fair that it should be used, that the investigating member should be prepared to make an affidavit that 'I am not injuriously or otherwise affected by the alleged combine.'

Mr. KING. If it is a combine adversely affecting the public, he could not take such an affidavit.

Mr. MACDONALD. I think I could show you readily how he could. In the first place, combines that form the subject of investigation are not merely combines that have ramifications all over the Dominion of Canada.

Mr. KING. They might have.

Mr. MACDONALD. They might have, but at the same time if they might have, there is just as much room for saying that there are numbers of people who are not directly pecuniarily affected. Cases in which you have combinations with wide ramifications are very few. The majority of instances in which this Act will have to be applied will be cases affecting particular localities. Thus in western Ontario you might have combinations there that injuriously affect certain consumers in that locality. Well, there is no reason why you should be compelled to accept as one of the investigators some one who lives in that locality and who would be undoubtedly chosen by the parties making the application, because they would think he was in sympathy with them. But go to the central portion of Ontario, and you would get a man absolutely independent and who would not be affected by the results in any way whatever. It seems to me that this business of having investigating boards composed of men who are interested in the result is only going to have consequences that will have no value to us. That a party who is going to act as judge should not be in a position to say that he is entirely disinterested would be an anomalous position of affairs, and I do think that any man who sits on a board of this kind ought to be so disinterested that he should be able to say he is or is not injuriously or otherwise affected by the alleged combine.

Mr. PARDEE. With all deference to my hon. friend, I do not agree with him. He

is endeavouring to make fish of one and flesh of another. There may be combines that only affect certain individuals. On the other hand, there may be combines that affect the country generally. Now, you cannot possibly have a man take an affidavit in one case and not in another. We must make the whole Act apply in a general way, otherwise the Act will be absolutely nullified. Even supposing you were to endeavour to do something in that way in the case of smaller combines which do not affect every person, I do not see how a man in that case could take it, because there can be no question about it that any great production in respect to which an inquiry is asked by reason of an alleged combine, must in some way or other directly or indirectly affect the applicants. I cannot possibly see how you could do that. In passing legislation of this kind, you must have simply a general oath such as this and let it work out the best way. I cannot see any other way possible.

Mr. SPROULE. We provide as well that the parties who sign the application should make a declaration. That affects themselves, and if it affects themselves to any extent, they must have some pecuniary interest in it.

Mr. M. Y. McLEAN. Suppose it is a sugar combine, every man in the country would be interested in that, every person who uses sugar would be. Or suppose we had a grocers' combine, as we were supposed to have a short time ago, everybody in the country is interested pecuniary in that. Consequently the contention of my hon. friend from Pictou (Mr. Macdonald) is hardly sound.

Mr. J. A. CURRIE. I think the common, ordinary criminal procedure is that a juryman has to take a pretty stiff oath. In several countries the man who enters the jury box to decide between a criminal and the law has virtually to swear that he knows nothing about the case that he has heard nothing about the case that he is not interested in it, and that he has not made up his mind on it one way or the other. There is no doubt that this Act partakes of a similar character. I think the sentence proposed is: 'I am not injuriously affected', but a man could be affected without being injuriously affected. For instance a man might be affected by a sugar combine, but he might be a rich man, and it would not matter to him perhaps five cents a year.

Mr. M. Y. McLEAN. It would affect him all the same.

Mr. J. A. CURRIE. There is no doubt that this law as it stands is going to make criminal prosecutions, and these arbitrators will stand in the same position as jurymen at an ordinary inquest. I do not see why they should not be compelled to take the same oath, so as to prevent any miscarriage of justice one way or the other. I think it is the only fair way, and I think the minister should consider the redrafting of this declaration so as to cover all the points raised. It would be very unfair for a man to take an oath that he is not interested in the combine, when he might be a purchaser from that combine and therefore very strongly interested in soaking the combine. There are two sides to it, and I think we should meet the case thoroughly.

Mr. BLAIN. This Bill, I understand, from the hon. minister has been submitted to the Justice Department, and has been the subject of consideration on the part of the present government for a great many months, if not years. The government, as the minister has pointed out, has been aware and is still aware of combines existing in this country, that at least affect the consumer, and I have no doubt, particularly in the west the beef combine affects the producer as well. I do not know that it is important that all those details should be looked into. I believe the minister and the department should take the full responsibility. After a year goes by, we will expect that the minister will be able to come forward and state to this House and to the country that these great evils have been driven out by this legislation. I hope we will not be disappointed. If we are, the minister will have to answer to parliament and to the country for the disappointment. It seems to me the government after giving this careful consideration has presented this perfected Bill. Whether it is perfect or not I cannot say. I do not know whether the minister himself would say that it is a perfect Bill. It was rather suggested that after a year had passed by it would be found that some people in Canada had not been reached by this Bill and that there might be an opportunity to amend it. I have my own opinion as to whether it will be effective legislation or not, but it is not my business to say whether it is or is not. I think the minister having taken the full responsibility, having by the introduction of this Bill told the people of Canada that there are evils in the shape of combines affecting the country generally, the producer and the consumer in some cases, I think the minister should take the full responsibility. For myself, I am willing to leave it on the shoulders of the minister and on the shoulders of the government. They have been thirteen or fourteen years looking this matter up, and the delays have greatly disappointed the people of Canada. These gentlemen, before they came into power, talked of combinations, particularly my good friend the Minister of

Customs (Mr. Paterson). He saw combines everywhere when he was in opposition, but he has sat quietly by while in government and has contented himself with spending enormous amounts of money. Now, after all these years have passed, he comes forward, with his new friend the Minister of Labour (Mr. King), and proposes legislation to check the evils that have been going on all this time. I think we ought to give these hon. gentlemen an opportunity to deal with these questions, and, for my part, I propose to give them that opportunity. After a year goes by, we may have something to say as to their legislation, and the way it has been carried out.

Mr. NESBITT. My suggestion is that no person should act on the board who is prejudiced. Those who are prejudiced should be barred as much as those who are interested. I have not thought out the wording, but some words should be added to cover that idea.

Mr. KING. Every man of the board must swear that he will perform his duties 'truly, faithfully and impartially.' If he cannot be bound by an oath of that kind. I do not know that any form of words will help particularly.

Mr. MACDONALD. I feel very strongly with regard to this matter. No tribunal should be constituted by this or any other legislature, the effect of whose decision is to fix criminal liability upon individuals unless the impartiality of the tribunal by whom the facts are to be investigated is ensured. To that proposition, I think, no one will raise objection. Under the Act, as it stands, you prevent any person who initiates the proceedings from being a member of the board. At the same time there is no reason why you should not have the partner of one of these applicants sitting as a member of the board and deciding the result. The business competitors of a man might initiate these procedings and then have a friendly business associate interested in the same matter, sitting on the board and using all the powers given by the Act to secure information, not for the benefit of the public, but to gratify some feeling or benefit a competitor in the business.

Mr. BLAIN. Does not my hon. friend (Mr. Macdonald), who is making valuable suggestions, believe that the Minister of Labour and the Minister of Justice have considered all these matters?

Mr. MACDONALD. I am one of those who do not yield my judgment and conscience to the Minister of Labour, or the Minister of Justice, or anybody else. The hon. member for Peel (Mr. Blain) may be prepared to do that in the case of the leaders of his party, but I am not. I hold myself free to discuss freely any matter that comes before this House. And I have an opinion of my own in legal matters which I do not yield to anybody, while I respect the opinion of others. My contention is that there should be a clause providing that those who sit on this board shall not be interested in the application, connected with the trade or business directly affected by the application. Under the Conciliation Act, we have had cases where it has brought about a very satisfactory result, and where its intent and theory have been worked out. But we have had other cases where members of the board have had their opinion absolutely fixed and settled before the investigation was begun, should be constituted by this or any result. Why should we give a black eye to this Bill at its very inception by permitting parties who are directly interested in the business directly affected, to sit in judgment on these matters? There should be as complete a guarantee as possible of impartiality in these important matters.

Mr. PARDEE. Suppose an application were made by six farmers relating to a matter of which the Grange and farmers associations had made a particular study, and one that affects their industry, would my hon friend (Mr. Macdonald) provide that no farmer should be a member of the boards to investigate the matter? Every farmer would be interested to some slight degree in the business directly affected. To make such a provision would be to nullify the whole Act.

Mr. MACDONALD. I can suppose a great many cases in which you would have a board which would include persons directly interested in learning the business of the parties charged with forming a combine. The prosecution might be a mere effort to wreak vengeance or spite or to obtain business secrets, and not an effort for the good of the country. If the case my hon. friend (Mr. Pardee) speaks of arose in Lambton, the farmers of that county, who have been accustomed to look to my hon. friend to guard their interests in legal matters, could well ask to have him as their representative on the board, and he would do the work as well as one of themselves.

Mr. PARDEE. I would be getting votes, and so would be directly interested.

Mr. MACDONALD. No, I am sure my hon. friend would not do that. All I contend is that the Bill should be so amended as to cover the principle that interested parties shall not be members of the board so that the impartiality of the board should be assured.

Mr. KING. Those against whom the charge is made under this Bill might well prefer that some person having knowledge

of the business should be a member of the board. Suppose that a certain line of manufacture is alleged to be under a combine. The people concerned would feel it decidedly in their interest to have a manufacturer on the board who would understand the conditions of their business. It seems to me that the provision of the Bill that no person shall act as a member of the board who has a direct pecuniary interest in the alleged combine is as far as we ought to go.

Mr. NESBITT. It is quite correct to say that there is nobody so capable of judging these matters as one who has some knowledge of the business affected, but, as I understand the hon. member for Pictou (Mr. Macdonald) he seeks to prevent the rivals of a business concern from using this law to pry into the affairs of that concern. It would be very easy to get six men to swear out affidavits and start an investigation for the very purpose of prying into a rival's business.

Mr. KING. A man of that sort would have a pecuniary interest in the combine —he would be interested in getting hold of the business of the combine—and, as such, he could not swear that he was not interested.

Mr. SCHAFFNER. I do not see how it would be possible to carry out the suggestion of the hon. member for Pictou (Mr. Macdonald). I think the hon. member for West Lambton (Mr. Pardee) put the case correctly. For instance, suppose that six farmers in the west believe that there is a combine among the grain buyers to keep down the price of wheat, and they apply for an investigation. When those six have made application it seems to me the suggestion of the member for Pictou would prevent any farmer in the west from being on the board of arbitration. I do not see how it would be possible to carry out the suggestion of my learned friend, who certainly understands the law better than I do. But looking at it in that practical way, there would have to be some farmer on that arbitration board in order that there may not be any increase in the price of wheat.

Mr. MACDONALD. Will the minister be good enough to let that clause stand till we can consider it more fully?

On section 20, publication of reports.

Mr. J. A. CURRIE. I do not wish to oppose this Bill in any way, but since three members are provided for on this commission, why should there be a minority report? What effect will a minority report have? If a certain trade or interest is represented, then this confirms the idea of the member for Pictou, that there is some one person on the board to represent a certain specific interest, and when the other two have decided what is to be done, the third shall have the privilege of filing in any kind of report he wishes. I hold there should be only one report. You put a prejudiced man on this board, and he will send in a minority report that may be untruthful, and very damaging to the party investigated, and that minority report is given just as much currency as the majority report. I would ask the minister to consider whether it would not be better to take that clause out.

Mr. KING. The reason for permitting a minority report is precisely the same as the reason for permitting a dissenting judgment where you have several judges sitting on a case. When one judge dissents from the other, it is customary to give the same publicity to his dissenting judgment as to the judgment of the majority of the court.

Mr. J. A. CURRIE. There are some members in this House who do not hold that there should be any minority judgment. I think there should be only one judgment, and we would have far fewer appeals if only one judgment were published.

On section 21, reduction of customs duties to secure reasonable competition.

Mr. BLAIN. Is there not legislation of this kind already?

Mr. KING. This section is already on the statutes, with the difference that the present section includes the finding of the board. This section should be read along with section 47 which repeals section 12 of the Customs Act.

On section 22, revocation of patent in certain cases.

Mr. J. A. CURRIE. That is in the Patent Act also, is it not?

Mr. KING. No. The Patent Act relates to the selling of the patented article at a reasonable price, but it does not cover the cases of persons holding a patented article, and, before selling it, requiring the purchaser to enter into an agreement to purchase other things as well from the patent owner, and from him to the exclusion of all others. This section is intended to prevent cases of that kind.

Mr. J. HAGGART. The use of a patented article is unduly to enhance or lessen competition. Supposing a patented article is used in another article that is being manufactured, the effect of it is to lessen competition, or increase the price to a larger extent than the value of the patent itself.

Mr. KING. The law specially refers to that particular form of monopoly and does so for reasons of public policy, and to

that extent patents are perhaps more favoured by the general law with reference to enhancing prices than they otherwise would be.

Mr. J. HAGGART. The general law affects them, but I think the effect of this clause is to alter the general law to the extent that it gives jurisdiction to the Exchequer Court, on the recommendation of this board, to cancel a patent.

Mr. KING. As I think I pointed out, the present law in regard to patents sets forth the conditions on which a patented article can be sold as to the matter of price. Section 22 does not affect the existing law in that particular in one way or the other. What it relates to is the seller of a patented article making use of the patent to enforce upon persons desiring to use the patented article some contract which limits his power to purchase articles elsewhere than from the patentee himself. That is a different thing altogether.

Mr. BLAIN. May I be permitted to ask a question with respect to that clause of the Customs law that allows the government to reduce or strike off the duty if it finds that a combine exists in Canada which is unduly enhancing the price to the consumer? Has that clause been applied against any combine other than the news print paper combine?

Mr. KING. As I understand that is the only case that has been investigated.

Mr. BLAIN. How long has it been on the statute-book?

Mr. KING. I think the Act was passed in 1897, but apparently there have not been many representations to the government as to the necessity for conducting investigations under that section.

Mr. BLAIN. This has been on the statute-book since 1897, and there has only been one case. If the government were aware that combines existed in Canada to unduly enhance the price of articles, and if they were empowered to strike off or reduce the duty, one would think that, if there were a necessity for legislation of this kind, the government would have put into operation the legislation that they have on the statute-book at the present time.

Mr. KING. The government would hardly be justified in removing duties or commencing investigations unless very full representations were made in the first instance, as to the need of such investigation, and I understand that such representations have not been made under the law as it stands at the present time. One of the reasons given, I believe, in certain quarters, is that the fear of expense in the matter of an inquiry under the existing law has deterred many persons who believe that combines were existing, from putting in any representations under that section. This measure is doing away with the cost on the part of consumers who ask for an inquiry.

Mr. BLAIN. I would have thought that a department, such as that upon which my hon. friend has been spending a large amount of money, which has been gathering information of this kind, and which has taken the opportunity from time to time of impressing upon the Canadian people that there are combines in Canada that are unduly enhancing prices to the consumer, would have suggested that it would be a good thing to put into force some of the legislation the government have rather than introduce further legislation.

Mr. KING. I may say that this legislation is in part the result of investigations which have been made by the Department of Labour. I mentioned these investigations on the second reading of the Bill, investigations which go to show that the cost of living has very materially increased the last few years and which have pointed directly to the need of such legislation as this.

Mr. J. A. CURRIE. This clause, I understand, covers the case of shoe machinery largely. It is intended, I take it, to meet the United Shoe Machinery Company's case. They are manufacturers of a complete line of machinery, but they will not sell; they will simply lease. There are other manufacturers of shoe machinery, but they do not make a full line, and if you want to make shoes, you have to get the United Shoe Machinery Company's full line or otherwise you cannot get a complete line at all. This clause will meet such a case, will it not?

Mr. KING. Yes, it is hoped that this section will meet possible combinations of that sort.

On section 23, combines restricting manufacture, trade or competition.

Mr. SPROULE. If you cannot go before a court and establish the meaning of the words 'unduly and unreasonably,' how are you going to do it before this board?

Mr. KING. The board will have opportunities of getting very full information from a variety of sources and of making comparisons. I would think that the board will not have much difficulty in making up its mind as to the meaning of the word 'unreasonably.'

Mr. SPROULE. So have the courts such opportunities. Each side will take good care that all information that will sustain one side or the other will be brought before the court. If the court cannot decide what the word 'unduly' means—and this

board becomes in reality a court for the time being—I do not understand how this board is going to do it.

Mr. KING. The courts have in some cases decided that the enhancement has been unreasonable and undue.

Mr. SPROULE. I do not remember any case.

Mr. KING. There was the Brantford coal combine case, and there was also the case of the lumber combine at Edmonton.

Mr. SPROULE. There was a prosecution?

Mr. KING. Yes, a prosecution in which the parties were convicted of an undue enhancement of the price.

Mr. SPROULE. Was not that very trouble the cause of the failure in a grocer's case? There was one case entered at Brantford; it is a good while since, but my memory of it is that it was dropped because of the impossibility of successfully proving that prices were unduly enhanced.

Mr. KING. As I remember the judgment in the grocer's case, it did not relate to the question of undue or unreasonable enhancement. It found rather that the Grocers' Guild was not a combination in restraint of trade at all. The question of the undue enhancement or unreasonableness of the price was not mentioned in the judgment.

Mr. R. L. BORDEN. What are you going to do in this trial? What will be necessary in order to convict a person upon such a trial?

Mr. KING. If a person is found guilty ' of unduly limiting the facilities for transportation, producing, manufacturing, supplying, storing, or——

Mr. R. L. BORDEN. I know what the words of the Bill are; I can read them, but I was asking whether the whole investigation will have to be gone through with again, or whether you will put in the proceedings of the board and convict the person in question upon the report of the board.

Mr. KING. As to criminal proceedings, I should think it would be necessary to prove the parties guilty under the criminal law and to give them all the rights in the matter of protection which criminal procedure would secure to them. The procedure before the board is not necessarily the procedure to be adopted in a criminal court, and much evidence may be admitted in the general investigation before the board which would not be admitted in a criminal court. For that reason, I think the parties before they are convicted criminally should receive such protection as the criminal procedure and rules of evidence afford.

Mr. R. L. BORDEN. Then, according to what the minister says, when a party is interested in the criminal court it will be necessary to make out a case against him exactly as if there had been no investigation before the board.

Mr. KING. With this difference between that situation and the law as it stands at the present time, that the evidence already before the board would be available. It could not be submitted of course as prima facie evidence, but the facts gathered in that way could be used before the criminal court.

Mr. R. L. BORDEN. Does the minister mean that the evidence taken before the board could be put in as evidence under the indictment?

Mr. KING. No, but the examination before the board would reveal certain facts which any one would be at liberty to use.

Mr. R. L. BORDEN. The minister means that the evidence would be a sort of brief in the hands of the prosecuting counsel.

Mr. KING. It might serve as that.

Mr. R. L. BORDEN. That is the extent to which it would be useful?

Mr. KING. At present it is plain that the Criminal Code is really of little value in these cases, because of the difficulty of obtaining data upon which to proceed. These examining boards would disclose the fact whether there was a combination or not that should be proceeded against under the Criminal Code.

Mr. J. HAGGART. I thought at first that the Bill was a sort of guillotine, and that when the party accused had passed through the investigating board he would have his toilet made and his boots cleaned ready for the criminal court to award the punishment. It seems now that all this investigation before the board amounts to nothing and that if you are to punish the party found guilty you must have a retrial in the criminal court.

Mr. KING. The hon. gentleman allows nothing for the effect of publicity and the influence which public opinion is likely to have. If the result of the investigation was a report that a combination existed injurious to trade and harmful to the consumer there would be very strong reason to suspect that that combination if it were to continue a course of conduct reported as detrimental to the public would be proceeded against criminally.

Mr. SPROULE. If public opinion has anything to do with this Bill it will have a very poor opinion of it. I fancy that a prosecution launched in this way would run on for generations like the celebrated case of Jarndyce and Jarndyce.

Mr. J. A. CURRIE. The minister evidently does not know his own Bill. It says: 'any person reported by this board to have been guilty,' etc.—then on line 40: 'is guilty of an indictable offence and shall be liable to a penalty not exceeding $1,000,' etc. I take it that after the board has found a man guilty of an indictable offence all you have to do is to take him before a judge to have him sentenced. If the evidence says he is found guilty of an indictable offence, why, the jury would not leave the box; they would say: Yes, he has been tried and found guilty of an indictable offence. Can a man be indicted twice for the same offence?

Mr. R. SMITH. It says that he must continue to offend.

Mr. J. A. CURRIE. It does not, I understand the English language as well as the hon. member.

Mr. R. SMITH. I don't profess to know very much about the English language, but I think that is the meaning of the clause.

Mr. KING. He may be found guilty of the offence by the board, but he does not become liable to any penalty unless he continues to so offend.

Mr. J. A. CURRIE. I cannot see it that way. I think you had better amend the Bill so as to make this one Act do the whole business instead of holding a double-barrelled shot gun over everybody.

Mr. R. L. BORDEN. I think the meaning of it perhaps is that you have to prove that he was guilty at some time in the past and that he is also guilty at the present time. You have to prove that he is guilty twice.

Mr. KING. You certainly would have to prove that he continued to offend. If after the board reported the conditions changed, as probably in nine case out of ten they would, through the force of public opinion, there would be no necessity for seeking to recover a penalty. If the party continued to offend he would be liable to a penalty.

Mr. R. L. BORDEN. If public opinion does not get in its work then it is necessary to show that he has been guilty at some particular period in the past and that he has continued and is guilty at the present time.

Mr. MIDDLEBRO. If the board finds he has been guilty, how are you going to determine that he has continued to offend?

Mr. KING. At that point the criminal law comes into play and he becomes criminally liable and would be proceeded against in the criminal courts in the regular manner.

Mr. SPROULE. The question is: what is the real effect of the finding of the board so far as the crime is concerned? Apparently the first element of the proof, once the criminal proceeding was initiated, would be to prove that there was a report of the board that the person had been guilty of these different offences, or some one of them, and with that report counsel trying the case would take the first step. Is that report prima facie evidence of the fact that the party has been guilty or has it any value whatever except as being just an elementary proposition in the course of the case. The fact that the report has been made may be evidence of the guilt of the party accused so far as the past transaction is concerned, or it may not. It may be that the absence of the words: 'such report shall be prima facie evidence of the fact that a combination had existed at a certain time,' renders it necessary for the prosecutor to go all through the thing again and to show the facts which the board deemed sufficient to found the report upon. If the report is to have the effect and it is to be of itself evidence of a combination having existed at a certain time, then there ought to be some procedure by which that report can be set aside if it was erroneous, so that the party found guilty could get to an appellate tribunal. It may be that certiorari would apply. If it does not, there ought to be an appeal from the decision of the board. It seems to me it ought to be made fairly clear what the value of that report is. The finding of a tribunal constituted as this tribunal is, ought not to be taken as absolute or conclusive proof of the guilt of anybody without the party having the right to appeal from it. I am aware that this clause is open to the construction that a party prosecuting would need to show three things: first, the fact that a report had been made; secondly, that over and above the report, the accused was guilty of combining to the detriment of consumers or producers as the case may be, within the meaning of the Act; thirdly, that after the report of the board finding him guilty of combining to the detriment of consumers, he still continues to offend. If a certificate of the report is to be taken as ample evidence to warrant the conviction of the accused, it ought to be open to the parties to have an appeal, or to have the report reviewed even before it forms prima facie evidence against them in a criminal proceding.

Mr. KING. The view of the Minister of Justice on this section is that if the parties were indicted criminally it would be necessary to prove their guilt in the regular manner. The evidence taken before one of these boards would undoubtedly be of service to the prosecuting counsel in the case, but the report itself would not be prima

facie evidence. The guilt of the parties would have to be proven in the regular way, allowing them the benefits of such procedure as the criminal law provides.

Mr. J. HAGGART. The hon. member for Pictou must observe that the hon. minister intends to make the procedure as simple as possible, and not to play into the hands of legal gentlemen in Nova Scotia or elsewhere, and thus burden the affair with costs.

Mr. MACDONALD. My hon. friend from Lanark will agree with me in one thing, that the gentlemen accused of combinations will have to come to the legal profession to get the affair properly worked out. I take it that the opinion of the Minister of Justice, as given us by the hon. Minister of Labour, is practically this, that the production of the certificate of the report of the board before the court dealing with the criminal charge is only evidence of the fact that the report was made, and that it is necessary for the prosecutor to show, entirely apart from the report, that the accused is guilty of a criminal combination against the Act, and that he continues to offend.

Mr. KING. Yes, that is the opinion of the Minister of Justice.

Mr. MACDONALD. I would like the minister to consider the advisability of inserting in this section an amendment which would give the parties charged the same right that is now given under section 498 of the Criminal Code to parties charged with unduly limiting competition or unreasonably increasing the price. They have a right after the preliminary investigation to have their case determined by a judge of a Superior Court or a judge of the Supreme Court, as the case may be, without a jury. It seems to me that this principle applied in the Criminal Code to a case of a much greater offence ought to be applied to this case.

Mr. KING. That point has been raised in one or two communications that I have received, and it has been considered. The hon. member will notice that in the proceedings under the Criminal Code there had not been any prior investigation, any finding against the parties, and they have not had an opportunity of changing their course of conduct before any further action is taken. In view of the fact that the parties are specially protected in that way, and that they are given ten days in which to change their course of conduct which is deemed detrimental to the public interest, the necessity of taking the precaution which the hon. gentleman has suggested is removed.

Mr. MACDONALD. Let us see how that will work out. It is presumed that public opinion is against everything in the nature of combines. Proceedings have been initiated, and a case has got to the final trial before a judge and jury. The prosecutor may show that evidence taken before the investigation established the fact that at some time there was a combination which is an offence against this Act. Suppose he goes along so far, and he has very little evidence. In fact the weight of evidence may be the other way; he may have very little evidence that the accused has continued to offend. Now there might be some evidence with which to go to a jury, and the result would be that recognizing the existence of this public opinion, though the parties had if not absolutely, the weight of evidence in their favour to show that they had ceased to offend, that conviction would be had against them, whereas I do not think that it would be had so readily if you had a judge to weigh the evidence. I do not think that men engaged in business, and committing those novel crimes that my hon. friend from Lanark (Mr. Haggart), thinks are so peculiar, should be treated so arbitrarily. It seems to me that the question of determining whether or not there has been a continuation of the offence, should be determined by a judge, because it is a matter of weighing evidence which a judge can do far better than a jury. In that way I think it is extending this legislation to an unwarrantable extent to take away from the parties in business who happen to have an arrangement, but who have ceased operating under it, those rights now accorded to them under the Criminal Code.

Mr. J. HAGGART. If those proceedings are to be worth anything at all they must be as simple as possible. What does my hon. friend (Mr. Macdonald) intend to do? There is an investigation in the first place by a judge as to whether there is a prima facie case or not; then there is a referendum to this board of arbitration to find out whether the prices have been unduly enhanced or not, and still before this finding can take any effect it is suggested that the party have a right to an investigation or a retrial befor a judge. A case of this kind would put the celebrated Jarndyce into oblivion in the number of courts and appeals and trials for the purpose of finding out whether a party is guilty of unduly enhancing prices or not. Now, in the interests I represent, the farming interests, what is wanted is simplicity in our legislation. One beauty of this court is that it is not going to cost the litigants anything; the country is to pay the costs. That may be something of an argument in favour of the proposition of the hon. member for Pictou (Mr. Macdonald) but on the general principle I think we ought to limit

the appeals from the different courts. We are legislating in the interests of the country, and as we are paying the expenses of all this inquiry it should be as short as possible. I am in favour of the minister's principle, that instead of lengthening those inquiries they should be shortened as much as possible.

Mr. PARDEE. There is one thing I would like to suggest. It might be that ten days would be rather a short time to enable some of those concerns to so rearrange matters as to come within the order of the board. I would make the suggestion to the committee that perhaps after the word 'day' you might add these words, or words with the same meaning: 'Or such further extension of time as in the opinion of the board may be necessary'. I think it should be in the option of the board to make a longer period if they think fit.

Mr. R. L. BORDEN. What line would that be in?

Mr. PARDEE. In the forty-third line after the word 'day'.

Mr. MIDDLEBRO. What penalty is now imposed under the Criminal Code for a combine?

Mr. KING. Not exceeding $4,000 and not less than $200, or two years imprisonment. In the case of a corporation it is not exceeding $10,000, and not less than $1,000.

Mr. MIDDLEBRO. Is it intended that these penalties should be cumulative, that you shall also impose that $10,000 in addition to the penalty in the Act?

Mr. KING. For each day that they continue.

Mr. MIDDLEBRO. If they are found guilty of continuing then the penalty under the Code would not only be exacted, but the penalty under this Act as well; otherwise this clause is meaningless.

Mr. KING. The parties would state, I presume, under which section they were bringing their action, and if they brought their action under this section, the penalties provided here would be applicable.

Mr. MIDDLEBRO. But the minister said there is no provision exacting any penalty unless there is a continuation of the offence, and in order to insure that you will have to have recourse to the Criminal Code. In that case would the party be liable to the penalties under the Criminal Code only, or also to the penalties in this Act?

Mr. KING. This clause would constitute an addition to the Criminal law. You are making a new offence here which becomes part of the Criminal law.

Mr. J. A. CURRIE. I believe with the hon. member for Lanark (Mr. Haggart) that in legislation of this kind we should have simplicity. As I understand it, after a man has gone through this investigation, and has been found guilty, it does not end with his ceasing to be a party to a combine. Any person, those who originally entered the prosecution against him, could turn round and indict him for a previous offence, and indict him under the Code. Or does this legislation block any indictment under the Code?

Mr. KING. Certainly not.

Mr. J. A. CURRIE. Then this is a double barrelled gun?

Mr. KING. Why should it not be?

Mr. J. A. CURRIE. I think the minister should simply add some clause that when parties are found guilty of combining under this section, the board should inflict a fine not exceeding a certain amount of money, and let it go at that. Then if the party continued for a certain length of time, he could be indicted under the Code. I think that would be the sensible way. As it is it subjects the parties to three distinct separate and parallel prosecutions for the same Act.

Mr. KING. The general opinion to-day in regard to combines that violate the law is that the present penalties are not severe or numerous enough. I am glad that my hon. friends think that this legislation is making the penalties more severe and adding to the number, because some other hon. members on the same side rather indicated that this law did not go far enough.

Mr. R. L. BORDEN. Does this section cover the case of a combine which has resulted in unduly increasing the price to the producer?

Mr. KING. The hon. member was not in the House, I think, when I added to the definition of the word 'combine' the words 'or producer' in order to meet what I think was the wish of the hon. member, and other members of the House, that it should be made quite clear the law would be applicable to that kind of a case.

Mr. R. L. BORDEN. I think I was in the House then, but the particular offences within the scope of this section seemed to be set out here in distinct terms, and not by a reference to the interpretation clause. Therefore, the interpretation clause, even although it has been amended by the hon. minister, does not seem to be of very much assistance in that regard.

Mr. KING. Possibly I can explain how the difficulty arose. The clause as originally drafted did not contain——

Mr. R. L. BORDEN. I understand that. I am not talking about that, but about this section. Is there any reference here to the interpretation clause? Perhaps I have overlooked that.

Mr. KING. This section, as it stands, is broad enough to cover any kind of an agreement in restraint of trade. It would include restraint against producers as well as against consumers.

Mr. SINCLAIR. It struck me that it did not cover the case of fixing prices which were not enhanced. For example, the millers might say: We will give the farmers 70 cents a bushel for their wheat this season. That would be fixing the price, and, according to the interpretation clause as I understand it, it would be against the law. But it would not be enhancing the price, and this section provides, as to prices, only against unreasonably enhancing them.

Mr. KING. It provides against 'unduly restraining or injuring trade or commerce in relation to any such article.' That covers the fixing of prices if fixing has that effect.

Mr. MIDDLEBRO. I think the minister has not understood my question. I understand him to say that under this section there is no liability to a fine unless the party has been found guilty by the board and subsequently convicted under the Criminal Code.

Mr. KING. I do not know what I could have said to convey that impression. Parties are liable, if found guilty under this section, and if they continue to offend, to a penalty not exceeding $1,000 a day and costs. The Criminal Code stands as at present. As soon as there has been an investigation into an alleged combine and a board has reported that a combine exists, parties may, if they wish, proceed under this section to recover the penalty of so much a day for the length of time the combine continues to operate in a way detrimental to the public, or they may take proceedings for conspiracy in restraint of trade under the Criminal Code.

Mr. MIDDLEBRO. Is there anything to prevent them taking both proceedings?

Mr. KING. No.

Mr. SPROULE. In the event of the board finding the parties guilty and the parties continuing in business, if they are indicted under the Criminal Code and convicted, would there be an appeal from that conviction?

Mr. KING. I am not familiar with the matter of appeals under the Criminal Code. But whatever the provisions of the criminal law may be as to appeals, they would continue to apply.

Mr. SPROULE. One would have thought that the Minister of Justice or some one else would have been at hand to instruct us on such a point as that, for it is very important. If a case has to run all the ordinary appeals of the courts up to the Supreme Court, how long would it take to get a conviction and reach a finality? It would be a long process.

On section 25,

The proceedings of the board shall be conducted in public, but the board may order that any portion of the proceedings shall be conducted in private.

Mr. J. A. CURRIE. I think that clause should be eliminated. If you are going to have a public body examining evidence in the public interest, that examination should be held in public.

Mr. KING. The board does sit in public.

Mr. J. A. CURRIE. But it may order that any portion of the proceedings shall be conducted in private. I think that ought to be amended.

Mr. KING. It is apparent that it will require two members of the board to give that decision. There may be cases where it is desirable to examine certain books, the contents of which it is not advisable to make public. I think that the board should be allowed some discretion in that matter. It is complained that possibly this legislation may open the door to people prying into the business of others. I think that the chairman and one member of the board should have the power to order part of the inquiry to be made in private if they think necessary.

Mr. J. A. CURRIE. The answer may seem very apropos. But I do not think this country is Russia yet. We cannot advance the public interest by having secret trials. If there is to be a sweat-box, if manufacturers are to be given the third degree, let it be done in public. It shows very bad faith on the part of the department to wish to hold an investigation of this kind, at any stage, in private. Public trials, from the time of Magna Charta, I understand, have been held in public. And I think that is a good rule to hold by.

Mr. NESBITT. I would point out that this is a board of inquiry. After a party is found guilty, it might be right to give the evidence to the public, but, suppose that there is no guilt, why should a man who has done no wrong have the facts of his business made public? I do not think the hon. member (Mr. J. A. Currie) should apply any fine theories to this question. It seems to me that the minister is quite fair in this matter. Until the parties are

found guilty, there are many things that should be kept quiet.

Mr. J. A. CURRIE. The hon. member (Mr. Nesbitt) may think so, but I do not think so, and I believe the public will agree with me rather than with him. I believe that the public will say that if a trial of a public character is to be held, it should be held openly. I think the day has gone by when we can adopt Russian methods, hold courts in camera, hold a gun to the head of people to gain information from them unfairly—in other words, third degree, the thumbscrew and the boot; the use of methods that dare not be used in public. The interest of parties on trial are far more secure in a public court than in a private inquiry.

Mr. KING. I think the hon. member (Mr. J. A. Currie) is giving an interpretation to the section that it hardly deserves. Precisely the same section exists in the Industrial Disputes Investigation Act.

Mr. J. A. CURRIE. And it is wrong.

Mr. KING Boards of investigation are appointed similar to those under this Act, and it is found advantageous in many cases to allow the board to make private inquiry. I do not think it is to be presumed, particularly when the chairman of the board is a judge of the court, one who is accustomed to administer the law, that he will, by his own volition, go out of his way to see that a part of the proceedings are conducted in private unless it is very much in the public interest that they should be so conducted.

Mr. J. A. CURRIE. I did not know that the chairman of the board should be a judge.

Mr. KING. Then the hon. gentleman has not read the Act. That is in section 12, that we have already enacted.

Mr. J. A. CURRIE. I still hold that the provision is unjust and unfair, and gives the minister and his department a weapon, and a screw, and a means of squeezing everybody in this country that is in any kind of business. The thing is unjust, unfair and unBritish. If you are going to hold an inquest of any kind, hold it in public; don't be afraid, don't go into a hole and corner with it. The farming community will want to know what is at the bottom of these things; so don't let us adopt any of these Russian methods. For my part I don't approve of them.

Mr. M. Y. McLEAN. It seems to me the remarks of the hon. gentleman (Mr. Currie) are entirely uncalled for. I do not think there is anything Russian in the proposed investigation. On the whole, I think the methods proposed will be in the interest of the combinations of which the hon. gentleman seems to be the chief guardian here to-day. If there is any combination whose affairs are being inquired into, it might be necessary to look into their books in order to find whether a combination existed, and it would not be just, or fair, or right to have their private affairs spread broadcast throughout the country. But if the investigation were allowed to take place in private, then the officials of the company or interest, with the books of the firm could be brought before the judge. There is no court in this land but permits a private investigation of that kind, and the results are not published. Why should it not be so in this case?

Mr. J. A. CURRIE. The hon. gentleman knows that under the Industrial Disputes Act there has never been any inquiry of this kind held.

Mr. KING. Yes, out of the eighty inquiries several of them have been held in private.

Mr. J. A. CURRIE. I object to this clause as distinctly unBritish. It just shows the intent of this whole thing, which is to pry into private affairs, in the dark, to get down into the cellar, to dig things up, and make inquiries that the men on this board would not have courage to make in an open court. If you want justice you can always get it in open court, there is the place to get it. A court in camera as here proposed, an investigation in secret of this kind, to my mind, savors of Russian methods, I have no hesitation in stating that to the minister. If this is a just provision, if any man can stand up and defend this Act, he should be able to defend it openly, as a machine that will work in the open, as an Act that can be defended at any stage, that this court is to be an open and just court, instead of a court held in the darkness, where the screws can be applied to people, and questions asked by the judges that they would not dare to ask in open court, and as I said before, apply detective methods to the accused, in other words, what is known as the third degree. That is what this Act intends, and unless the minister withdraws that provision I do not think he will receive very much credit from the public.

Mr. KING. The remarks of the hon. gentleman are primarily a reflection upon the judiciary of this country——

Mr. J. A. CURRIE. I fail to see it.

Mr. KING——because in each case two members of the board must request that part of the proceedings should be held in private. Now the judge has to be a consenting party. As long as the judge is not a consenting party, the only alterna-

tive is that both the representative of the combine and the representative of the people who are preferring the complaint, must agree that part of the proceedings shall be in private. If they mutually agree that the public interest can be best served by carrying on part of the proceedings in private, then those proceedings would be held in private; if otherwise, the party desiring privacy would have to get the consent of the judge before that privacy could be observed; consequently the onus falls upon the judge, and hence the remarks of the hon. gentleman with regard to Russian methods constitute a reflection on the judiciary of this country which he is not entitled to make.

Mr. J. A. CURRIE. I object to the hon. minister trying to argue that my criticism constitutes a reflection on the judiciary. The clause says in effect that two members can order the court to be held in private. Now the two members, of whom the judge is not one, can order that court to be held in private. Is that not so?

Mr. KING. I mentioned that.

Mr. J. A. CURRIE. Then why argue that I am insulting the judiciary when I am not? Two members who are not the judge can compel the court to be held in private against the will of the judge. So the argument of the minister falls completely to the ground. I have not cast any reflection on the judiciary, because the minister has acknowledged that any two members can order this court to be held in private without the consent of the judge. I claim there is no necessity for that whatever, and I will never sit silent and allow legislation to be passed here where any trial of any kind can be held in private. I think the more light there is thrown on any investigation of this kind, the better for the public, and the better for the people under control.

Mr. SPROULE. The hon. minister, in explaining this Bill said that one of its important features was publicity. But the very first sentence of this clause says:

The proceedings of the board should be conducted in public.

Mr. KING. That clearly is the intention of the measure. But authority is given to the board to conduct a portion of the proceedings in private; that does not mean the whole proceedings, it simply gives discretion to the board to hold a certain part of the proceedings in private. There can be only the alternatives for such privacy, either both the parties complaining and the party complained against must agree that it is best to conduct part of the investigation in private, and surely in that case it would be proper to have that part of the inquiry private. The other alternative is when one or both the representatives agree with the judge that part ought to be in private. It seems to me that in view of the nature of the questions that are being investigated, this provision in the Act is not open to criticism.

Mr. SPROULE. When the minister was explaining his Bill to the House, he said that one of the important features was publicity. Now he does not pretend to secure publicity when the case is being tried.

Mr. KING. I might point out that, supposing you had the whole proceedings absolutely private, the finding of the board is always made public, and that is what will affect public opinion. The thing the public are interested in is to know whether certain men are combining, and whether they have done anytihng which affects the public interest detrimentally. The particular parts of the evidence upon which they base their judgment would certainly be given; the details of a man's business are a secondary consideration with the public.

Mr. SPROULE. The hon. member for Huron (Mr. McLean) said it was necessary to hold the inquiry in private in order that the books of the firm might be examined. I see that section 37 provides that the board may employ competent experts to examine books or official reports, but the information obtained therefrom should not be made public. Therefore there could be no object in holding this investigation in private when the board have already the right to use the information which they get from these experts.

Mr. KING. Section 37 relates to an investigation made through experts, not to the investigation made by the board.

Mr. SPROULE. I am referring to the argument of the hon. member for Huron (Mr. M. Y. McLean), that it would be necessary that that should be done in private, because it would involve the examination of books and records.

Mr. KING. But the members of a board themselves might wish to examine those records. The section that he quotes refers to the examination by experts. That is a different thing. The board themselves may wish to examine some of the books, and they might wish to do that in private. If they wish to do it in private I think they should have the right to do so.

Mr. J. A. CURRIE. It is within the recollection of people who are not very old, that there was a charge made of a combination amongst school-book manufacturers in Ontario, and a royal commission was appointed to investigate. It was permitted to hold its meetings in private. It held its meetings in private and reported that there was no combine amongst the manu-

facturers of school-books. There was a change of government, another commission was appointed to investigate, it made its investigation in public and reported that there was a combination. I am strongly of the opinion that these investigations should be made in public. The minister cannot show any reason why there should be a dark lantern tribunal to carry on investigations of this kind.

On section 34, party may be compelled to give evidence.

Mr. NESBITT. Is not the word 'compelled,' a little strong?

Mr. KING. If you take it out it may be impossible to get evidence from parties. That section is already a part of the Industrial Disputes Act, and it has not been found to work any injustice. A man might say: I will refuse to answer any questions, and you could not proceed with the investigation.

On section 44, allowances determined by minister.

Mr. J. HAGGART. The clerk and others employed by the board will not be permanent? They will only be for the investigation?

Mr. KING. Yes.

Mr. BEST. Will this provision with respect to allowances include the six persons making the complaint? They would certainly be at a loss of time and expense, and I think they should be remunerated in some way.

Mr. KING. There is a section which allows the judge power to make disbursements, and under that section he would have the power to reimburse the six persons if he thought they were put to expense.

On section 48,

Mr. KING. I wish to move as section 48 the following:

This Act shall not be construed to repeal or amend or in any way affect the Trades Union Act, chapter 125, Revised Statutes of Canada, 1906.

To make plain the purpose of this section, I shall read the following letter which I have received from the Dominion Trades and Labour Congress:

Office of Secretary Treasurer,
Trades and Labour Congress of Canada.
Ottawa, Ont., March 14, 1910.

Hon. W. L. Mackenzie King, C.M.G.,
Minister of Labour,
House of Commons, Ottawa.

Dear Sir,—Regarding Bill (No. 101) of this session, the Combines Investigation Act, introduced by you on January 18, we, the Executive Council of the Trades and Labour Congress of Canada, representing various trade and labour organizations throughout Canada in re legislative enactments, have had the said Bill under careful consideration.

From the title of the Bill we gather that it is intended to apply only to such combines, monopolies and mergers as may enhance prices or restrict competition to the detriment of consumers. As the working classes compose the largest body of consumers we believe that they more than any other class in the community are likely to suffer the most through the enhancement of prices or anything that may prove of general detriment to consumers, and consequently they may be expected to view with favour any legislation which may result in the betterment of their conditions.

We realize that trusts and monopolies may become not merely a serious menace to consumers through the methods which they have sometimes employed to enhance prices, but that these powerful aggregations of capital may also become a serious menace to labour by their power where they have control of industrial establishments, to force unfavourable conditions upon workingmen, as well as producers and consumers, through the closing up of establishments or by other arbitrary methods of procedure, and we therefore feel that any measure which will secure publicity where such unfair methods are resorted to, cannot be other than of service to all classes in the community.

We are most anxious, therefore, that any legislation calculated to improve the condition of the working classes of this country should receive the support of parliament. At the same time we feel it most important that care should be taken to see that any rights and privileges secured to the working classes by past legislation should in no way be impaired. The Trades Union Act of 1872 which forms chapter 125 of the Revised Statutes of Canada was passed to secure to workingmen certain rights as members of trade unions. We do not think it is the intention of your Bill to, in any way, take away any rights already secured to labour by legislation. As, however, some doubt has been expressed on the possible effect of the measure in this respect, we think the intention of parliament in this particular should be made plain, and would, therefore, suggest the insertion of the following clause:—

This Act shall not be construed to repeal, amend, or in any way affect chapter 125 of the Revised Statutes, 1906, intituled: 'An Act respecting Trade Unions.'

You will see that the insertion of such a clause gives to trade unions no new rights or privileges, but merely guarantees to them the enjoyment of rights which they have had by statute for some thirty-eight years.

Similarly, we will say that we do not think your Bill contemplates depriving organizations of capital of any rights which they may enjoy by statute, at the present time, nor do we think it should. Labour does not ask more than it is prepared to give.

Should, therefore, parliament see well to insert the safeguard herein suggested, we do not hesitate to say that the Bill would have the hearty endorsation of the organizations which we represent, and which are some 628

in number, and have a total membership of 40,738.

Yours very respectfully,
(Sgd.) WM. GLOCKLING,
" GUS. FRANCQ,
" P. M. DRAPER,
Executive Council,
Trades and Labour Congress of Canada.

The request seems to be a perfectly reasonable one, and I, therefore, beg to have the section I have moved added as one of the sections of the Bill.

Mr. SPROULE. Referring for a moment to a clause which has been passed already, I see you are proposing to amend the Tariff Act by this Bill. Can we properly amend the Tariff Act without the House being in Committee of Ways and Means?

Mr. KING. All we are doing here is transferring one section of the Tariff Act from an existing Act to this legislation. We are not adding to it one way or the other.

Mr. SPROULE. You say in this Bill that one section of the Tariff Act is repealed, and in doing so you amend the Tariff Act. Can that be done without the House being in Committee of Ways and Means?

Mr. KING. You cannot impose taxes without the House being in Committee of Ways and Means, but I suppose the House is at liberty to repeal taxes without that procedure. Is not the significance of the House going into Committee of Ways and Means that you are imposing taxes.

Mr. SPROULE. If that contention is right, then you could put a clause in this Bill repealing the whole of the Tariff Act, and no one would seriously pretend you could do that.

Mr. KING. The point of the hon. gentleman might be of some importance in the matter of procedure providing we were attempting by this legislation to change materially the existing tariff in any part. We are not doing that at all. We are repealing one section of the tariff and inserting it in another part of this measure with the net result that the tariff stands in precisely the same position that it does to-day.

Mr. SPROULE. The question I ask is whether we can repeal a portion of the Tariff Act without going into Committee of Ways and Means.

Sir WILFRID LAURIER. This section 12 which we are now repealing, though it is in the Tariff Act, might have been placed in any other Act. It is no part of the tariff; it is simply an adjunct of it. It does not levy any taxes or decrease any taxes.

Mr. SPROULE. Suppose it is found that there is a combination in restraint of trade with respect to an article on which there is a duty, and for that reason the duty is taken off, does not that affect the revenue?

Sir WILFRID LAURIER. It does not put any taxation on the people.

Mr. SPROULE. It takes taxation off.

Mr. BLAIN. The point is whether in a Bill introduced for the purpose of providing for the investigation of combines and monopolies, any clauses can be placed repealing a clause in another Act, the Tariff Act. I think it is a good point, and one that ought to be considered.

Section allowed to stand.

On section 15—oath of office,

Mr. MACDONALD. I have drawn an amendment which I think is eminently fair, and I hope it will meet with the approval of the minister. It is to add to the oath the following words:

That I am not associated in business with any of the parties applying for this investigation, and that I am not acting in collusion with any person herein.

The effect of that is to prevent any business associates of the parties applying for a hearing from acting as one of the judges, and to prevent collusion between the party selected as the representative of any class and those he may represent, in the interest of a fair and unprejudiced hearing, to which all men are entitled in an investigation.

Mr. SCHAFFNER. Does that mean men engaged in the same business?

Mr. MACDONALD. It means any person who is a business partner of the applicants, or who is interested in the same company in such a way as to prevent a fair judgment. All I want to obtain by this proposition is to have some reasonable guarantee that the board is not going to have on it some one who goes there prejudiced against a fair hearing.

Mr. SCHAFFNER. I quite understand what the hon. gentleman means; but if this Bill goes the length that we believe it does, and if a number of men in the west combine and say that they will pay only 90 cents a bushel for wheat, and six farmers request that an investigation be held, it seems to me that that amendment would prevent any farmer in the west being appointed on that board, because he would be engaged in the same business. If it would prevent any member of the Grain Growers' Association from being a member of that board, I do not see how the Act would be applicable to the west.

Mr. MACDONALD. I do not think the amendment is open to any such interpretation. I think it means that a man must have some business connection with the

applicants, and not that they are merely members of the same organization. I am willing to substitute the word 'connected' for the word 'associated'.

Mr. KING. The word 'associated' is a pretty broad term. 'Associated in business' might mean a good many things. I would suggest the words 'business partner'.

Mr. MACDONALD. The relations of men in businesss are not confined to partnerships. I would like the language to be broad enough to cover the disqualification of cases in which the men are interested, not merely as partners, but in some other relation recognized by law.

Mr. HUGHES. A man may be associated and not be a partner.

Mr. MACDONALD. Six men outside of the relation of partners could put their counsel on the board. There is no reason why six men could not be grouped together and put their lawyer on the board, and that is why I want the language to be broad enough to prevent that. If we are going to have any public opinion as the result of this Act, you must have a fair and impartial body, and I submit that the amendment is reasonable, that 'I am not connected in business with any of the parties applying for this investigation, and I am not acting in collusion with any person herein.'

Mr. CONMEE. I fear the amendment would go too far. The last sentence of clause 15 reads 'that I have not received, nor will I accept either directly or indirectly, any perquisite, gift, fee or gratuity, from any person in any way interested in any matter or thing to be investigated by the board.' That is pretty stringent as it stands. If the amendment of my hon. friend (Mr. Macdonald) is put in the Bill, and we could always have him to interpret it, no doubt it would be all right, but the courts and the judges, the regular tribunals would interpret the statute as a whole. It looks to me as if the amendment would exclude the grain growers association, and I do not think it ought to do so, because I think they are parties who would be if not directly, indirectly interested, and yet nevertheless they are engaged in an industry that requires to be protected which I assume is one of the objects of this very enactment. I do not think they should be precluded from acting on the board.

Mr. CROSBY. I am afraid that the amendment would interfere with the case I referred to this morning. We have in the province of Nova Scotia, fishermen's union. These men are all associated and we might find it very difficult to obtain men who are not connected with the fishermen's unions. They might be associated as partners and come under this amendment. I see no reason why section 15 should be altered at all. I have no legal training, but if we changed it and made it read as the hon. member for Pictou (Mr. Macdonald) suggests, it strikes me it would cut away from under our feet the very thing we put in the Act this morning. Therefore, I do not agree to have it put in that way. If the hon. member for Pictou (Mr. Macdonald) could show that it will not apply to men in the unions or associations, that would be a different thing.

Mr. KING. With the consent of the committee, I would suggest the introduction of the word 'immediately.' The amendment would then read 'that I am not immediately connected in business with any of the parties applying for this investigation and I am not acting in collusion with any person herein.'

Mr. HUGHES. Refer to the time.

Some hon. MEMBERS. No, no.

Mr. KING. I think the meaning of that is perfectly clear, and I am quite agreeable to introducing that clause. We all know what is meant by being immediately connected in business. That would certainly not refer to membership in an association or a union or anything of that kind.

Amendment agreed to.

Mr. KING. I have a schedule here based on the features of the Bill which I would like to have added. It is simply to make the procedure uniform under the Act.

Bill as amended, reported.

At six o'clock House took recess.

After Recess.

House resumed at eight o'clock.

THE INSURANCE ACT.

Hon. W. S. FIELDING (Minister of Finance) moved the second reading of Bill (No. 166) respecting insurance. He said: The House will remember that, at the last session of parliament, we had before us, and gave very much attention to, a Bill to revise and amend the Insurance Act. After the usual preliminary considerations, the Bill was referred to the Committee on Banking and Commerce, where public hearings were held and an opportunity afforded to all parties interested to present their views. Then, a sub-committee of the Banking and Commerce Committee was appointed, and the matter was taken up in detail and with great care by that sub-committee. The Bill in due course was reported to the committee and came before the House, where it was fully considered and then sent to the Senate. At that time,

the session was very far advanced, and the hon. gentlemen of the Senate, not unreasonably, thought that they ought to have further time for consideration of the measure, and so it was left over. In the present session the Bill was re-introduced in the Senate in substantially the form in which it had left the House of Commons last year. The Senate has given it very great consideration—I think it not too much to say more than ordinary consideration, the hon. members for the Banking and Commerce Committee of the Senate having taken great interest in it. The Bill was passed with some amendments and is now before this House. Inasmuch as the House gave the measure such full consideration last session, I think I shall be right in saying that there will be no desire to go through the matter in detail again. But, if there is any need, attention may be called to important amendments made by the Senate. Some of the amendments, though useful, are not very important, but several of them are important. There was a clause in the Bill last year as it left this House, providing for what is called a gain and loss exhibit to be included in the annual statements of the companies. The Senate has made an amendment the effect of which is that that gain and loss exhibit shall not be required in the annual statement, but the Superintendent of Insurance shall have power to call for such statement whenever he thinks the affairs of the company render it necessary. Another amendment was on the question of bonuses to agents. The effect of the Bill as it left this House was to prevent the granting of bonuses. The Senate has amended the Bill so as to provide that bonuses shall not be forbidden, but they must be a matter of agreement. If bonuses are not agreed on in advance as part of the remuneration of the agent they may not be allowed. Another amendment is with respect to the policyholders' directors. Certain companies already provided for their policy-holders, as well as their stock-holders, having votes. It was proposed in the Bill that policyholders generally should be permitted to vote, and by proxy. The Senate has made an amendment in which they have recognized the right of policy-holders to vote, but they have denied the proxy vote to policy-holders.

Mr. HENDERSON. Does that apply to fire insurance as well as life?

Mr. FIELDING. To life insurance. The changes are chiefly in the matter of life insurance. There was a provision respecting the annual election of directors, and it is proposed that a company may elect directors for one, two or three years, according to the by-laws of the company.

Perhaps the most important question that was considered by the Senate was with respect to fire insurance—the insurance of property in unlicensed companies. The general purpose of the Act, of course, was to require that the insurance business of the country should be done in companies licensed under the Insurance Act. But it was claimed that a too rigid adherence to that principle would operate harshly upon some of the great property owners of the country. It was alleged that the existing companies in Canada were not able to handle all the insurance offered to them, and that sometimes the volume of insurance desired could not be obtained, apart altogether from the question of rates. It was further alleged that our Canadian companies had not adapted themselves to some special forms of insurance which had been established in the United States. We compromised that matter in our Bill of a year ago by providing that insurance might be taken in unlicensed companies, provided that a record of such insurance was reported and a small tax paid on the business. There was a good deal of contention over that point, but I think that the Bill as it left the House was regarded, in that respect, as something of a compromise. However, that question was fully considered in the Senate. That House has made an amendment the substance of which is that business may be done with these unlicensed companies at the risk of the party who takes the insurance, but that the foreign companies which engage in that business, though they have the right to make these contracts abroad, shall not establish agencies in Canada, and shall not solicit the business. If a party in Canada desires to get insurance of that kind, he may send his order for it to the United States, may make his contract in the United States, at whatever risk is involved, but there shall be no penalty. But the company shall not be permitted to seek the insurance. If they send agents, or open agencies, or do anything to bring them into competition with the companies licensed in Canada, they will come under the provisions of the law which will forbid that business.

These are the chief amendments made by the Senate. So far as I am concerned, I am disposed to accept the position that the conclusions of the Senate in the matter have been reached after wise consideration. While I am willing to consider any amendment proposed by any hon. member, I am prepared to accept the Bill as it has come from the Senate.

Motion agreed to, Bill read the second time, and House went into committee thereon.

Mr. DANIEL. The Minister of Finance (Mr. Fielding) just now stated that these

unlicensed companies with head offices in the United States were not permitted to seek business in Canada by the use of agents. Is there anything to prevent them sending circulars for business all over this country?

Mr. FIELDING. I think there is no special reference to that. It is represented to us that these companies, as a rule, do not seek business. They are mutual companies that accept the business that comes to them, and I think their general practice is not to solicit business. It is not a business that is done for profit. It is a mutual affair in which the insurance is carried at what proves to be the ultimate cost. I think I am correct in saying that it is not their practice to seek business and that the business comes to them, but the question of circulars is not particularly mentioned in the Bill.

On section 1; short title.

Mr. BLAIN. Could the minister state the amount of insurance that is now in force in Canada of the kind he refers to?

Mr. FIELDING. I am advised by one of my officers that the fire insurance in Canada amounts to two thousand million dollars.

Mr. BLAIN. Is it increasing year by year?

Mr. FIELDING. Yes, the business is increasing and our companies are gradually adapting themselves to that special class of busines to which I refer, and I have no doubt that they will in the future do a larger share of it.

On section 2, interpretation.

Mr. R. L. BORDEN. What is the meaning of the italics throughout the Bill?

Mr. FIELDING. The Bill as it was passed by the Senate had some italics in it just as the Bill had last session to call attention to the proposed changes, but the Bill as finally passed and sent down to the House, I am advised, did not have the italics, because it had been before the House a year ago. But the explanation is that the italics were those portions which were new, and which this House considered at the last session.

Mr. BLAIN. Some hon. gentlemen are suggesting that there was some mistake in the answer that the Minister if Finance gave to my question. May I repeat it? My question was: What amount of insurance is in force in Canada now held by the American companies?

Mr. FIELDING. I did not understand my hon. friend's question. I thought it had reference to the volume of fire insurance in Canada. We have no records of the amount held by unlicensed companies, as there have hitherto been no records of insurance of that character.

Mr. BLAIN. Was there no estimate given?

Mr. FIELDING. In the course of the discussion it was stated that the amount was about a hundred million dollars, but we have no official records on that subject.

On section 2, paragraph (w); guarantee insurance.

Mr. FIELDING moved to amend the section by striking out the letter 'r' in the word 'officer' in the fourth line of paragraph (w).

Amendment agreed to.

On section 2, paragraph (bb); sickness insurance.

Mr. WORTHINGTON. I would like to ask the minister whether there is any provision in this Bill permitting companies to charge a war rate against members of the active militia in the event of their being called out on active service, and if so, whether there is a fixed rate in excess of the premium charged?

Mr. FIELDING. That is a matter left to the company. We do not attempt to regulate it.

Mr. WORTHINGTON. I asked the question because during the South African war I knew the case of a man who held a $3,000 insurance policy in the North American Insurance Company for 13 years, and he was charged $75 per thousand war rate in excess of the premium, which was far more than new insurance with the war rate included could have been had for. There should be some restriction in this Act so as to prevent excessive charges of that kind.

Mr. FIELDING. That would be a matter of contract between the companies and the policy-holders.

Mr. WORTHINGTON. Some companies charge a war rate of $75 per thousand, some charge $50 per thousand, and some charge no war rate at all. There should be some uniformity.

Mr. FIELDING. One would think that the insurance agents, who are very zealous, could easily explain that feature of a policy and that competition would regulate it.

Mr. WORTHINGTON. Yes, but if a man is insured for many years in a company, that company should be prevented from charging him an excessive war rate.

Mr. FIELDING. It is a matter of contract.

Mr. G. TAYLOR. They seem to be able to put on whatever war rate they like.

Mr. FIELDING. I suppose the policy contains a provision that they may do so

Mr. G. TAYLOR. In the case referred to the man was insured and on the eve of going to South Africa he was charged $75 per thousand war rate, whereas if he went to a new company he could get the war insurance practically for nothing.

Mr. FIELDING. I am afraid it would have to be left to the terms of the contract between the policy-holder and the company; I do not think it could be regulated by this Act.

Mr. J. A. CURRIE. You could regulate it by preventing undue discrimination. The contract with the company is so worded that in cases of emergency the rates can be increased by the company without the consent of the party insured. If a man has held an insurance policy for twenty years and is called on active service when that policy has been in force for eighteen years, and the policy has two years to run before it is paid up, he is, as it were, forced to pay an excessive war rate if it is demanded from him. These companies are under a certain amount of obligation to this country which gives them charters and protects them and they should make some return in the shape of a fair war rate to the men who go to serve their country in the field. I think these companies would raise no objection if the minister should say that all companies doing business in this country shall not increase the premium on civilians in the active militia who are called to serve their country.

Mr. FIELDING. I do not think it would be fair to say that a contract made with a man engaged in the arts of peace should be on the same terms as in the case of a man who goes to war. The risks of active service are of course greater. It is unfortunate that the man who is patriotic enough to serve his country in the field has to pay a larger premium, but it is a business transaction, and I do not think we can say to the companies that they should not charge anything for the extra risk.

Mr. J. A. CURRIE. The minister knows that he could make this amendment in the Act if he so desired.

Mr. FIELDING. Yes, but then——

Mr. J. A. CURRIE. If that is the case the Minister of Finance will find that the country will not support hi min his contention.

Mr. WORTHINGTON. I recognize that the life of a soldier is a more hazardous risk, but at the same time I think the company should be prevented from charging an excessive war rate. I will cite an instance. I know a man who had an insurance policy for $3,000 in the North American Life Insurance Company for thirteen years, and on the eve of going to South Africa he was charged a war rate of $75 a thousand, or $225 in all. This was far more than treble his premium, and it was practically prohibitive. He had to throw aside his policy, and thirteen years older than when he entered the other company he got a policy for $5,000 from the Sun Life, war risk included, for less than the $225 war rate alone that the North American Life wanted to charge him. Such a thing as that should not be allowed.

Mr. NESBITT. That man could have taken a paid-up policy in the North American Life, and he could have gone to any other company he liked which wanted to give him a cheaper rate. Competition will regulate the rate. The North American Life would lose far more business by such a case as the hon. gentleman cites than it would gain by the extra premium, because that fact would be advertised abroad. There is no doubt that competition will regulate this, and I do not see how the minister could set a fixed rate in the Bill.

Mr. GOODEVE. It appears to me that the objection raised by the hon. member could be met somewhat in this way. Under our new Act against usury, it is provided that the interest stipulated in a mortgage should be set forth in a certain sized type across the face of the mortgage, and could you not add a subclause here stipulating that every policy should set forth in large type across the face of the policies the premium rate of the war contract, so that immediately on a man making application for insurance and receiving his policy his attention would be called to the matter and he would know the rate. I agree with the Minister of Finance that it is impossible to interfere with private contracts of this kind. I believe that competition will regulate the rate. If every company was compelled to set forth in large type on the face of each policy the rate that would be charged in case of war, then the competition would do the rest, and the companies would be careful not to charge an exorbitant rate, because no company would want to get the name of charging more than the others. It seems to me you could get over the difficulty in that way.

Mr. FIELDING. That suggestion seems meritorious, but I would point out that although this Bill has been before both Houses of parliament for two years, no complaint has ever been made about an excessive rate being charged for war risks, so far as my memory goes. We will consider the matter before the Bill finally leaves committee, and meanwhile I will discuss the matter with the superintendent of insurance.

Mr. THOBURN. In the case of plate glass insurance, if you have plate glass broken by fire the plate glass insurance companies refuse to pay the insurance. I had a case of that kind myself last fall. If you put plate glass instead of ordinary glass in front of a store, the insurance company does not want to increase your insurance on account of the plate glass, and they tell you to go to the plate glass insurance company. Then, if you insure with the plate glass insurance company, and if your plate glass is lost on account of fire, neither company will pay.

Mr. FIELDING. If you lose it by fire, I suppose it is a fire risk.

Mr. THOBURN. It is not included in the fire risk. If it is broken by fire, why should not the plate glass company pay for it?

Mr. FIELDING. It is all a question of what is in the contract. I should think that a fire insurance company would insure damage to plate glass by fire. However, a man can only get what he contracts to have.

Mr. NESBITT. The fire insurance people will insure against damage caused by fire.

Mr. THOBURN. No.

Mr. NESBITT. They certainly do.

Mr. GOODEVE. All the contracts of the plate glass companies have a special clause clearly and distinctly setting forth that they will not insure your glass when broken by fire, but any insurance company doing a fire insurance business would insure the plate glass for you in the cost of your building. It is merely neglect that you do not have it inserted in your policy, and if you do not do so you fall between two stools, because you have made a faulty contract. It is not the fault of the company contracting.

Mr. HENDERSON. May I ask the minister if what are called New England mutual companies are really insurance companies? As I understand it they are a number of men mutuallly agreeing with each other that in the event of loss they will make good the loss. Are they incorporated?

Mr. FIELDING. I am informed they are incorporated.

On section 3, application of Act.

Mr. J. A. CURRIE. As I understand, there are two kinds of marine insurance—ocean marine, and inland marine. Why is ocean marine insurance struck out of this Bill?

Mr. FIELDING. This Act has not applied to ocean marine insurance, and it is now proposed that it shall not apply to inland marine insurance. It is found that there is not much business done by Canadian companies in this class of insurance.

Mr. J. A. CURRIE. The government, by the regulations it imposes on Canadian companies, is sending all the inland marine insurance business to companies of very indifferent character in the United States. These companies will take a risk of say $5,000 or $10,000 on a vessel on the lakes, and place the balance of the contract with Lloyds. Our government demands a very high guarantee from our companies that take marine risks, and this prevents them doing the same thing that the American companies are doing.

Mr. FIELDING. I am advised that we have had no complaints of that nature. The business has not been a profitable one, and our companies have not engaged in it.

Mr. J. A. CURRIE. I know that very small companies in Cleveland and New York do this business. They take a risk of say $5,000 on a vessel, and place the balance with Lloyds, and they get all the profit of the commission which Lloyds pay on these risks. Our companies say they do not wish to go into this business, because they will have to put up a large guarantee with the department in order to do a marine business.

Mr. FIELDING. In connection with ocean marine business, there has been no deposit. In connection with inland marine business there has been a deposit. I am advised that companies have not complained of the stringency of our regulations. That has not been the cause of the difficulty so far as we are informed.

Mr. J. A. CURRIE. The companies are not complaining, but the marine risks are complaining, because their business is now in the hands of a monopoly in the United States. American vessels on the inland lakes have an easier inspection than Canadian vessels. Our Marine Department exercises a very rigid inspection, and therefore a Canadian risk is very much better than an American; but our shipowners are compelled, through the working of the Act, to place their insurance with agencies in Cleveland and New York. These agencies control the marine insurance on the Great Lakes. They carry hardly any of it; it is nearly all carried in London, England, but they control the placing of it. The result is that our shipowners have to pay the same rates on the inland lakes as the Americans have to pay on poorer ships, and on a lower class of inspection.

Mr. FIELDING. Of course, if our companies are not doing the business, and do not wish to do it, I do not see how we are to help the matter. Surely if it is a profit-

able business, there will be companies found to do it.

On section 7, form of license.

Mr. DANIEL. This Act does not apply to any fraternal societies?

Mr. FIELDING. No.

Mr. DANIEL. Are they under any inspection at all?

Mr. FIELDING. Several of them are registered in the Insurance Department as assessment companies, and come under the observation of the department.

On section 8, license not granted for life and other insurance to same company.

Mr. J. A. CURRIE. I had an idea that the licensing power for any business done in the country was vested entirely in the provincial governments. There is a suit being carried on at the present time upon this very question. Has that suit come to trial or has it been decided?

Mr. FIELDING. No. There has been always more or less contention as to the relative powers of the federal and the provincial authorities in relation to this subject. We have merely acted on the best legal advice we could obtain. There is no present litigation in which the government is concerned, but my impression is that a reference will shortly be made to the Supreme Court in which that question will be included.

Mr. J. A. CURRIE. I understand that the Privy Council in the Scott Act or the McCarthy Act case, decided that the provinces alone had the power of licensing anybody or corporation to do business in the country.

Mr. FIELDING. I do not think the decision was as broad as that. I do not think there is any decision that the parliament of Canada cannot legislate with respect to licenses. We do issue licenses for various purposes, such as the export of electricity, to insurance companies, to ferries, to fishermen.

Mr. J. A. CURRIE. Would it not be better to call that registration? Then you might avoid a controversy.

Mr. FIELDING. There has never been any controversy on that point.

Mr. SPROULE. I understand that there is a suit now pending in Toronto in connection with the Canada Life, involving the question whether or not the federal government is the proper authority to incorporate these companies, and I am told that it will be carried to the Privy Council. I thought that probably for that reason the government would leave this Bill over for the present session, and in the meantime that question would be decided in the courts.

Mr. FIELDING. I think the action challenges the validity of a particular Act that was passed within a recent session of parliament. I do not think there is anything in this Bill that will affect it one way or another, and I think it would be a pity to delay the Bill on that account.

Mr. J. A. CURRIE. I have a communication from a man carrying on the suit that it does challenge the validity of this Act, and I understand he has written to other members of this House to the same effect.

Mr. FIELDING. I think it would be a pity after all the time that has been given to the Bill if we were not to press it to a conclusion. Whatever might be the results of that suit, we must abide by them, but I do not think there is anything in this Act that has particular reference to the suit. The question raised may be of the class of question which can be raised generally, but the House has given a great deal of attention to this matter, and I do not think it would be wise on such a flimsy ground not to press it to a conclusion—for no matter how the decision may go, we will still need an Insurance Act.

Mr. SPROULE. I am speaking from memory, but I think we provide for the division of profits.

Mr. FIELDING. The suit arises over a special Bill.

Mr. SPROULE. I know. The suit arises over the Canada Life, and I think in this Bill we deal with the same question, if I understand it rightly, and my understanding is that it gives authority to companies to do as the Canada Life has done. The contention is that the Canada Life has not the authority to do it because the right of contract is something that belongs to the provincial legislature, and not to the federal authorities. If the same question is dealt with in this Act, and the authority is given to companies generally to divide profits, in the way that the Canada Life divided them, the same question would arise.

Mr. FIELDING. That is correct. It is the same principle.

Mr. SPROULE. Yes, the same principle is in this Bill.

Mr. J. A. CURRIE. The courts have held that no matter what this Act says the provincial Act says that if a contract is in a certain way, the contract will be considered in that way.

Mr. FIELDING. I think the only decision which has been given along the line suggested by my hon. friend (Mr. Currie)

was given by an estimable judge in Montreal who, however, has not a very high jurisdiction.

Mr. J. A. CURRIE. It was an Act of the provincial legislature which decided that a certain thing had to be read a certain way, and then there was a lawsuit which went to the Supreme Court I think.

On section 9, license not granted where charter authorizes excess of classes.

Mr. BARKER. I think we all desire to know what sections have been altered in the Bill which we had before us last year.

Mr. FIELDING. Yes, I have called attention to several sections already. Subsection 2 of section 9 contains a provision to which I shall call attention. Its effect is that subsidiary companies of companies licensed in Canada and the contracts of which are guaranteed by a licensed company may receive a license. They are treated as virtually one company, that is to say, where one company guarantees the contracts of another, they are treated as one company.

Mr. SPROULE. If a company in Canada should reinsure, for instance, with some American company, what position would that American company be in? Would it be entitled to have an office in Canada?

Mr. FIELDING. Companies have always been free to reinsure in the manner described.

Mr. SPROULE. I was not aware of any insurance being done in that way, but I suppose it must be done, or this provision would not be made.

Mr. FIELDING. There are several companies which have carried on their business in that way, one company guaranteeing the other, and this clause is intended to cover a case of that kind. It is not very general, but there are several companies doing business in that way.

On section 10—deposit of assets to be in excess as fixed by treasury board; amount of excess.

Mr. J. A. CURRIE. I understand that a good many foreign companies deposit with the government here securities of foreign corporations, some of them of doubtful value. I think it would be wise to insert a clause here that any securities deposited with this government should be the securities of some Canadian corporation. You cannot go into the United States and deposit with them Canadian securities—they demand their own. A provision such as I speak of would make a better market for Canadian securities and would be only carrying out the principle adopted by other countries. I noticed, in looking over the list of the assets of the companies several years ago, that securities of San Francisco companies and others of that kind were deposited here as security for insurance.

Mr. FIELDING. I think that my hon. friend (Mr. J. A. Currie) is confusing the investments of the companies with the deposits. Companies may have such securities as investments, but it does not follow that these are deposited in Canada. The purpose of the deposit is to have reliable securities irrespective of their source, as they are to afford security for the policy-holders. The hon. gentleman may be right in saying that some of the companies deposit foreign securities, but he is hardly correct in saying that some of these securities are of doubtful value, for the department is exceedingly careful to see to it that they are of substantial and satisfactory value. I am inclined to think also that he is mistaken when he says that our securities would not be accepted in the United States. I am told that, in some cases, they do accept our securities. If we laid it down as a principle that we would not accept any but Canadian securities, we should not be giving additional guarantees to the policy-holders, in whose interests these deposits are made, and we might embarrass the insurance companies.

Mr. J. A. CURRIE. The insurance companies are the great market for bonds and the better class of securities. It is to the interest of the country that the securities demanded by this government should be of Canadian corporations. Municipal corporations, for instance, have bonds, the chief market, for which is the insurance companies. Why should we allow foreign companies to come in here, and by depositing foreign securities, help to make a market for these securities when, by the restriction that I propose, we should make a larger market for our own securities? In doing so we should only be carrying out the principle adopted by many states of the union as well as by other countries. For instance, my recollection is that Germany compelled the American companies to get rid of their American securities held for the safety of German policy-holders and buy German securities.

Mr. BARKER. I would suggest that when we come to section 15 which deals with the question of deposits, we should be better able to discuss the question.

On section 11, license to provincial companies.

Mr. SCHAFFNER. Is it the intention of the government to grant a license for two or more provinces, but not for the whole Dominion, and, for that purpose to accept a smaller deposit than for a license for the whole Dominion?

Mr. FIELDING. A clause of the Bill soon to be taken up touches on that point.

On section 14, deposits of securities with minister; in case of foreign company; in case of limited license.

Mr. MILLER. My attention has just been called, by one of the Toronto fire insurance companies, to this section, and, if the minister will allow it, I would like to have the section stand until I have an opportunity of speaking to him about it.

Mr. DEPUTY SPEAKER. Consideration of section 14, postponed.

On section 15, securities permissible; valuation.

Mr. FIELDING. There is no change in that, but it touches the point referred to by my hon. friend from North Simcoe (Mr. J. A. Currie).

Mr. J. A. CURRIE. This section provides that the deposits shall be

(a) in securities of or guaranteed by the Dominion of Canada, or in securities of or guaranteed by any province of Canada; or in securities of or guaranteed by the United Kingdom or any British colony.

I do not know that the other colonies offer us any privileges in this respect.

(b) If such company is incorporated in any foreign country in securities of or guaranteed by the government of such country.

I think that ought to be cut out. There is no reason why foreign government securities should be received as deposits. There are plenty of Canadian securities.

Mr. FIELDING. The hon. member may be mistaken in thinking that we have plenty of Canadian securities. There are times when the insurance companies have difficulty in obtaining satisfactory securities. To-day the whole tendency is to purchase government and municipal securities. They are very largely used. The percentage of foreign securities used is not great, but to provide that we shall not receive such securities would not be a wise step.

Mr. DANIEL. I notice that ordinary municipal debentures are not considered to be sufficiently safeguarded to be accepted as deposits.

Mr. FIELDING. If my hon. friend (Mr. Daniel) will read the next section he will see that there is provision for accepting other securities if the treasury board is satisfied of their value.

Mr. SPROULE. Subsection 2 of section 16 refers to a fall in the value of these securities. What means is there for determining their value from time to time?

Mr. FIELDING. The officials of the department keep track of the quotations of these securities and wherever there is depreciation they see that the amount is made good by calling for further deposits.

Mr. J. A. CURRIE. The hon. minister said that only these securities are to be used. But section 16 leaves the door wide open. The government may take the securities of the United States Steel Corporation as deposits if the treasury board say so. I am a good Canadian, and I believe that we should let charity begin at home in this matter. We have plenty of corporations growing up in the west with not too great a market for their securities. It is better for us to lend money to ourselves than to lend it to foreigners who come in here and hang up deposits of their security, and crowd us into the foreign market to sell ours. I think the point I have taken is a good Canadian point, and that we ought to stick to it.

Mr. FIELDING. The only foreign securities we accept are those of the highest value either government or national. The securities that are taken under that clause are all of the very highest character.

Mr. J. A. CURRIE. Have you a list of them here?

Mr. FIELDING. I can get them.

Mr. J. A. CURRIE. Better let that clause stand until we get the list.

Mr. SPROULE. While foreign securities might be accepted there are many other securities than those mentioned in this Act that would be regarded as valuable securities, and which might be accepted by the treasury board.

Mr. FIELDING. The bulk of the securities will be Canadian government or municipal securities, and provincial securities, when they are available. But there are not many of these. It is largely a question of British government securities, and Canadian municipal securities. I might bring down a list to my hon. friend, and he may be assured that this class of securities are of the very best.

Mr. J. A. CURRIE. It has been suggested to me that many of these companies refrain from purchasing Ontario government securities just because there happened to be a little excitement over the Hydro-Electric Commission. If these companies were compelled to buy only Canadian securities, and place only Canadian securities on deposit, there will always be a good market at home, and the interest will be paid into our own country. If our own securities are displaced by foreign securities the interest is paid into a foreign country to build up a foreign country at the expense of ours. I think that clause ought to stand until we have a little further explanation.

Mr. FIELDING. I will be glad at the next stage of the Bill to bring down a list of the class of securities we have accepted under this clause, and my hon. friend will find they are the best class of securities. With regard to Ontario government securities there is no question in our department; we have several deposits of Ontario government securities, and are very happy to receive them.

Mr. SPROULE. Would you receive municipal securities as well? Take a large and rich county where the securities are guaranteed by the council.

Mr. FIELDING. We do receive that class of securities, and have great quantities of them.

Mr. SPROULE. Subsection 2 would give you that power, but it does not include municipal securities.

Mr. FIELDING. Section 16 gives that power.

Mr. J. A. CURRIE. I may say for the information of my hon. friend (Mr. Sproule), that municipal securities are deposited. They are bought from municipalities by commission agents at 94 and 95, and they are hung up on deposit in this department at cost.

Mr. FIELDING. My hon. friend, I am advised, is mistaken. These securities are accepted by us at their fair market value, and as a rule with a safe margin. There is no such thing, as my hon. friend thinks, of our accepting securities at a higher value. The great trouble is that the companies think we are rather too severe in our valuation and do not give them a high enough quotation.

On section 25, duplicates to be filed in office of a superior court.

Mr. THOBURN. What do these agencies mean? I understood that foreign companies were not to have agencies for Canada.

Mr. FIELDING. Foreign companies on being duly licensed may have agencies in Canada. What I said has reference to these unlicensed companies which are permitted to do business under exceptional circumstances as previously mentioned; but ordinary foreigners taking out a license may do business like Canadian companies.

Mr. J. A. CURRIE. Supposing a company has its chief agency in Montreal, and a suit is brought in the province of Ontario: has the service to be made in Montreal, and would the suit have to be tried in Montreal or in the province of Ontario?

Mr. FIELDING. I am informed the suit might still be brought in Ontario and be subject to Ontario laws.

On section 28, notice of ceasing of business.

Mr. SPROULE. The giving of notice shall be a condition precedent to the release of a company's deposit, but you release the deposit before they have fulfilled their contracts.

Mr. FIELDING. No, provision is made further on. The company's deposit will not be released until its liabilities in Canada have been met.

On section 31, paragraph (9), form of statements during 1910.

Mr. FIELDING. There is a slight change. The Bill as passed before provided that certain changes made by the superintendent in the annual statement might be subject to alteration by the minister. That has been changed. The statements as prepared by the superintendent shall be final and the minister shall not alter them. I think it is the better form.

Mr. SPROULE. It says in subclause 8 of section 31 'the minister or superintendent' may make changes. Either may do it.

Mr. J. A. CURRIE. I think the minister should be responsible for those changes. He is the responsible party, and the superintendent acts under the minister. I do not see any necessity for the superintendent being empowered to make changes without consultation with the minister.

Mr. FIELDING. It is not important. These are really technical matters, and it means that the minister would only initial what is recommended by the superintendent. So that if you have the superintendent's signature in the matter you have all that is of real value. If you had the minister's initials added, it would not add much to the value.

Mr. J. A. CURRIE. If the minister does something wrong, he is responsible to the House.

Mr. FIELDING. I will have to promise that I will not.

Mr. BARKER. I understood from the minister that it was changed so as to place the responsibility entirely on the superintendent. That is not the alteration as it is printed here.

Mr. FIELDING. In the Bill as it passed the House it was provided that 'any such change made by the superintendent shall be subject to alteration or cancellation by the minister.' These last words have been stricken out; so that as it stands now it

is the superintendent's view and not the minister's which prevails.

Mr. BARKER. Either can do it.

Mr. FIELDING. Yes, but in the event of the superintendent doing it and the minister being dissatisfied he had the right to change it. The Senate have stricken that out. I do not think it makes much difference. It is a technical matter, and the superintendent is the qualified officer to deal with it.

On section 36, time up to which annual statements are made.

Mr. FIELDING. It was from section 36 that the provision with respect to gain and loss exhibit was stricken out, to which I have already called attention.

On section 37, superintendent and his duties.

Mr. FIELDING. We are not making any change here; we are simply filling in the salary of the superintendent as it exists under the law to-day. That could not be done in the Senate. We propose to fill the blank with the words 'five thousand dollars per annum,' so that it shall read 'not exceeding five thousand dollars per annum.'

Mr. J. A. CURRIE. That would come under the Civil Service Act?

Mr. FIELDING. Yes, deputy ministers, in a sense, do come under that in a special way. The superintendent of insurance has the rank of a deputy and is appointed under the same conditions.

Mr. J. A. CURRIE. I mean his retiring allowance and all that sort of thing; they would be considered under the Civil Service Act?

Mr. FIELDING. Yes.

Mr. SPROULE. Does not the Civil Service Act provide what the salary of a deputy is? You appear to have authority here to change that by order in council.

Mr. FIELDING. No, it says, 'not exceeding.'

Mr. SPROULE. But this gives you power to change that.

Mr. FIELDING. It has always been fixed in the Insurance Act, and the salary is that of a deputy. At the time this was fixed the deputies were paid a less sum. It is, in effect, the same thing; the superintendent is receiving the salary of a deputy.

Mr. SPROULE. Under the Civil Service Act?

Mr. FIELDING. It has always been fixed under the Insurance Act. Does my hon. friend mean that we can make it less than $5,000?

Mr. SPROULE. No, but either one or the other authority should prevail. If he comes under the Civil Service Act, and if the Civil Service Act provides that a deputy shall get a certain amount, why should you take authority to change that amount? I am not objecting to the amount.

Mr. FIELDING. It does not affect the present officer. If we were appointing a new officer and desired to do so we could give a less salary than $5,000, but he has by the Act the rank and position of a deputy.

Mr. SPROULE. How much does the Civil Service Act provide as the minimum amount that a deputy may receive?

Mr. FIELDING. $5,000.

Mr. SPROULE. Well, the Civil Service Act provides $5,000 as the minimum?

Mr. FIELDING. It is a fixed sum, not a minimum. The two Acts differ to this extent that we could appoint a superintendent of insurance at less than $5,000, and he could have a gradual rise to $5,000.

Mr. SPROULE. Does not the Civil Service Act cover all deputy heads under the government?

Mr. FIELDING. Yes.

Mr. SPROULE. Then if it does, and if it says that a deputy head shall get so much, I do not see how you can take authority by order in council to change the words of the statute, because it is a statute.

Mr. BARKER. This section gives them the authority.

Mr. J. A. CURRIE. I think the minister should allow the law with relation to the Civil Service to stand as it is and not take power to fix the salary at less than that provided for by the Civil Service Act. I do not think it is well for us to start, so soon after passing the Civil Service Act, to make changes. These things should work automatically.

Mr. FIELDING. We are not making changes. This is following the Insurance Act as it has always been.

Mr. J. A. CURRIE. But we have initiated a new system under the Civil Service Act, and this is not a special service. Why should there be any change? We establish a bad precedent, because whenever a Bill comes up there will be changes made in some way or somebody will be demanding changes.

Mr. FIELDING. There is an apparent clash between the two Acts. This permits us to appoint a superintendent of insurance

at a less sum than $5,000 and then to raise it to $5,000. On the other hand, the superintendent of insurance is a technical officer, and if the present officer were to retire, I do not think it would hurt very much to have the right to appoint another officer at a lower rate and let him go up in a year or two. At all events, it is on the side of economy.

On section 41, report when assets become insufficient; Governor in Council may suspend license of company; effect of suspension.

Mr. FIELDING. There is a change here providing that in the case of a company's license being cancelled a modified or additional license may be issued for the purpose of protecting the policy-holders of the company.

Mr. J. A. CURRIE. Should there not be a special arrangement whereby a special officer of the government should be put in charge to liquidate these assets; instead of sending it to the courts of big expense?

Mr. FIELDING. Oh, I don't think we want to take that upon ourselves.

Mr. PERLEY. Do I understand that the superintendent can grant this modified or additional license and not the minister?

Mr. FIELDING. Yes.

Mr. PERLEY. There must be a mistake there; I do not think the superintendent should have that power. It seems to me it is the minister who should grant the license.

Mr. FIELDING. That amendment was put in by the Senate, but I think the hon. gentleman (Mr. Perley) is right in saying that the minister should grant the license. We had better change that.

On section 42, basis of valuation—deduction from value of policies.

Mr. PERLEY. This is a highly technical matter, and I would like to know if the clause as it has passed the Senate is practically the same as that passed by the House last session?

Mr. FIELDING. Substantially it is. There has been some change in the wording, but it is not material.

Mr. J. A. CURRIE. I would like the minister to explain subsection 2 as to the basis of valuation.

Mr. FIELDING. I will have to let my hon. friend (Mr. Currie) take that on trust. That is a technical matter, and the only explanation I could give would be to read the clause and my hon. friend would not be any better off then.

Mr. J. A. CURRIE. The government through its officials fix the amount of the bonus or addition. under the British tables. Will these tables govern the companies apart altogether from the contract?

Mr. NESBITT. This simply deals with the guarantee each company has to put up and it is fixed in the British life tables.

Mr. HARTY. You mean the reserve.

Mr. NESBITT. Yes, the reserve or guarantee, that is absolute in the policy. The profits are estimated by the company and in this Act we do not deal with profits at all.

Mr. BARKER. Was this provision the outcome of a proposition by the insurance companies or is it the idea of the deputy minister for the protection of the public?

Mr. FIELDING. There has been a change in the tables accepted as the standard, but otherwise this is a continuation of what has been in the Insurance Act for years. The change in the tables has been suggested by the department because it is a more modern table and deemed to be a better basis of computation.

Mr. SPROULE. Do you provide that all policies after 1900 shall be on this basis and that policies before 1900 would be on whatever basis the company had followed previously?

Mr. FIELDING. The basis is the same, the variation is only in the rate of interest.

Mr. J. A. CURRIE. The minister and the hon. member for North Oxford (Mr. Nesbitt) have failed to catch the point. The superintendent of insurance goes into the office of the insurance company and says: You are charging too low a premium; you must charge a certain premium; and that becomes law—the company has to charge that. He goes to value the policies of the company, and he finds that it has been paying too much in the way of bonus or addition out of profits, and he says: That is contrary to this table; this is the amount you must fix as the amount of your bonus to policy-holders. By this clause it appears to me that the government is taking upon itself, through its superintendent, to fix the amount of bonus that the companies shall pay. I grant that it is a matter of contract, but the superintendent having such wide powers enabling him virtually to vary contracts so far as premiums are concerned, will this clause be construed as enabling him to vary the profits or bonuses payable to policy-holders?

Mr. FIELDING. No, the bonus is not determined by the superintendent. He has

to take what the company establishes as the bonus, but that becomes an element in the valuation. The superintendent has nothing to do with establishing what the bonus or the amount of the profits shall be.

Mr. SPROULE. I do not think the minister is right in saying that the rate of interest shall be the basis of the valuation. There are the two elements—the rate of interest at 3½ per cent and these tables; that is, in regard to all policies issued after 1900. Policies issued before that may have been on a different basis.

Mr. NESBITT. They were on a different interest basis. The British life table is simply an experience table, and the companies put up so much yearly of an absolute guarantee and add 3½ per cent of interest to that. Previous to 1900 it was 4 per cent.

Mr. SPROULE. Upon what basis was the valuation?

Mr. NESBITT. It may have been on the healthy male table. The guarantee is absolute.

Mr. SPROULE. Suppose a party were dropping out of the company. He must be settled with on some basis, and the company is earning profits. On what basis will these profits be declared? On the British offices life tables of 1893, or on what basis? I take it that this clause would disturb contracts which have been entered into with the Canada Life Company, and to that extent probably interfere with the litigation that is going on at the present time. Would or would not this clause interfere with the rights of policy-holders which might be determined under that litigation?

Mr. NESBITT. This would not interfere, because the higher the guarantee the less the profit. The Canada Life, like all other companies, was forced after 1900 to guarantee on a higher basis.

Mr. SPROULE. The profits the companies earned before that time were higher than they have been since, and they have robbed the policy-holders of those profits.

Mr. NESBITT. They did not rob them of anything; they gave them a higher guarantee.

On section 45, issue of unauthorized policy a violation.

Mr. SPROULE. I think the Act provides a standard policy.

Mr. FIELDING. There is a clause that every policy shall contain certain conditions but that comes later in the Bill.

Mr. SPROULE. I think that this subsection would mean that where there is any departure from the standard in issuing a policy it will be a violation.

On section 47, contributions of certain companies towards office expenses.

Mr. SPROULE. Suppose a company refuses to do what is provided for here, what can you do, except cancel its license?

Mr. FIELDING. That is all we can do, suspend its license to do business in Canada. There is no other penalty.

On section 52, change of head office and date of annual meeting.

Mr. FIELDING. This is a somewhat lengthy clause. It provides machinery for amalgamation and transfer. Some changes have been made. I will read the memorandum.

This section was originally drafted along the lines of the corresponding section in the English Companies Act. In the Act passed at the last session of the imperial parliament, however, a few changes were made, and these changes have also been made in this section.

The changes are to correspond with those made in the English Act.

Mr. NESBITT. What are the changes?

Mr. FIELDING. A few words here and there. Paragraph 3, subsection, as amended, requires that in a case of reinsurance or amalgamation, notice of the transfer shall be served on the shareholders and policy-holders of both companies, instead of on the shareholders and policy-holders of the re-insured company alone as originally provided.

Mr. SPROULE. Suppose that the treasury board do not agree to it, can the government compel that company to go into liquidation and use the money forwarded to them for distribution among the policy-holders.

Mr. FIELDING. The government would have to refuse the license and that would force the company into liquidation.

Mr. J. A. CURRIE. That would be a very grave step.

Mr. FIELDING. It would not be done unless there is a strong need for it.

On section 54, advances to agents.

Mr. NESBITT. Might I ask the minister whether they did not change that somewhat?

Mr. FIELDING. This section has been amended by removing the restriction of advances on first year's premiums and providing that advances may be made without restriction, but that such advances shall not be allowed as assets in the superintendent's report. In subsection 2, exempt-

ing industrial companies from the provision of the section, has also been struck out, as the amendment in subsection 1, rendered this exemption unnecessary.

On section 55, salaries of officers and agents.

Mr. PERLEY. Will the minister explain what change there is in this?

Mr. FIELDING. In substance I am told there is no change, though there has been redrafting. As the section, as amended, stands, it affects only contracts to be entered into hereafter.

On section 56, salary agreement, for not more than five years.

Mr. FIELDING. This has been changed to provide that the time for which an agreement between a company and its officers or trustees may be made shall not exceed five years instead of ten years, as in the old section.

Mr. J. A. CURRIE. Does that affect the contracts made with agents? I understand that a great many agents have contracts with the companies made years ago under which they were to receive a certain portion of the annual premium. These men worked hard for years and got a large business for their companies, and have retired expecting that these renewal commissions will be paid them. Does this affect them?

Mr. FIELDING. This Bill will not interfere with that.

On section 57—commissions to agents only: pension fund may be created.

Mr. J. A. CURRIE. Who gets that pension? It is spoken of as a 'staff pension fund.' Who are the 'staff'? Do they include the directors or the agents, or does this mean the office staff?

Mr. FIELDING. I would take it to mean the head office staff.

Mr. J. A. CURRIE. I am not raising objection, but I think that should be defined in such a way that there may be no misconstruction.

Mr. BARKER. It might include the president.

Mr. FIELDING. Yes, he would be the head of the office staff.

Mr. BARKER. Is that intended?

Mr. FIELDING. The scheme must be submitted to the general meeting of the members. If they approve it, I do not see why we should prevent it.

On section 59, investment of company's funds.

Mr. FIELDING. Several amendments have been made in the investments section. Under subsection (a) of section 1 is added 'or guarantee by any municipal corporation in Canada.' Paragraph 3 of subsection (b) has been amended so as to provide that the stocks of a company guaranteed by a company which has paid regular dividends upon its preferred or common stock for not less than five years will be accepted for investment. This puts the stock of the company that is guaranteed on the same footing as that of the guaranteeing company. It accepts the guarantee as equivalent to the original stock.

Mr. J. A. CURRIE. This opens a very wide door. A company with a capital stock of $10,000 on which it has paid dividends might guarantee the stock of a half million dollar company, and thus make that stock eligible.

Mr. FIELDING. That would be an abuse of the Act. I would ask that that section be allowed to stand for further consideration of paragraph 3—not the whole. We will think of the point raised by the hon. member for North Simcoe (Mr. J. A. Currie).

Mr. PERLEY. It is right to let it stand, but the minister ought to promise us that the matter shall be set right, for it might come up when we are not here and pass without being amended. A ten-thousand dollar company should not be allowed to guarantee a million dollars of another company's stock.

Mr. FIELDING. We will consider that. The hon. member (Mr. Perley) knows the spirit in which the Bill has been dealt with, and may feel sure that the matter will receive full consideration.

Mr. J. A. CURRIE. And the minister will improve it?

Mr. FIELDING. Either that or attention will be called to it in the House. Whatever decision we reach will be conveyed to the House. In paragraph 4 of subsection (b) the provision was that not more than twenty per cent of the common stocks and not more than twenty per cent of the total issue of the stock of any company shall be purchased by any life insurance company. That has been changed to thirty per cent. It was pointed out that, as the field of stock investment is very limited in Canada, the companies should not be so much restricted. It was pointed out that there is no danger of the control passing to the investing company when only thirty per cent of the stock is permitted to be purchased.

Subsection 3 is replaced with a new subsection, to enable a company to obtain the securities of a company for reorganiza-

tion if the securities of that company were previously owned by the insurance company.

Mr. BARKER. In connection with the matter of guarantee to which we have been alluding, the Minister of Finance might consider whether such investments might not be subject to the approval of the Treasury Board instead of being as large as they are.

Mr. FIELDING. I promise to look into that.

Mr. PERLEY. This subsection 3 allows the Treasury Board to authorize the acceptance by a company of securities not fulfilling the foregoing requirements of the section in payment or part payment for securities sold by the company. If the securities they receive are not such as are authorized by the Act, I suppose they would have to sell them within five years under the previous section.

Mr. FIELDING. Yes, if unauthorized, they would have to be sold within five years.

Mr. PERLEY. Even those that the Treasury Board allowed them to take under this subsection?

Mr. FIELDING. If we accept them they would become good.

Mr. PERLEY. That is exactly the point I am making. Under subsection 3, the Treasury Board may authorize the acceptance of these securities in payment or part payment for securities held by the company. That is, securities they are not allowed to take under this Act might be authorized by the Treasury Board. They ought to be obliged to sell them within a reasonable time. If the Treasury Board allowed them to take these securities which they could not get in any other way, that should not allow them to keep them for ever.

Mr. FIELDING. They would still be subject to the clause that they must be sold within a reasonable time.

On section 60, deposits outside of Canada.

Mr. FIELDING. In subsection 1 the words 'and securities' have been inserted after the word 'funds,' in order to make it clear that a company might deposit securities outside of Canada. It was considered that it would be unreasonable to refuse permission for the temporary removal of securities from Canada.

Mr. PERLEY. That is a proper change; but I object to the word 'person,' being used in the last line. It seems to me in these days when we have trust companies and banks, that a person should not be authorized to receive these securities for purposes of exchange.

Mr. FIELDING. A person would include a corporation.

Mr. PERLEY. I do not think any individual should be allowed to do it.

Mr. FIELDING. That is one of the Senate's new clauses, and that may also stand. Of course it would not prevent us using a bank or trust company for the purpose, but it would allow an individual. We will look into that.

Mr. SPROULE. Would the trust company not charge a commission, and an individual might do it without commission?

Mr. PERLEY. An insurance company would have to pay any charges of that kind. If the word 'person' were changed to a responsible bank or trust company, it would answer my objection.

Mr. NESBITT. Is it at all likely that the department would put them in with a person that is not responsible? It says 'a responsible person.' I think the clause is good as it stands.

On section 67, holding of real estate.

Mr. FIELDING. An amendment has been made to this section providing that a company may acquire and hold such real estate in the United Kingdom as is necessary for the maintenance of its branches there, provided that the consent of the treasury board to the acquisition has been obtained. This amendment was supported by the argument that it would increase the companies' standing in the eyes of the British insurance public.

On section 76, voting by proxy, companies other than life.

Mr. DANIEL. Is the Independent Order of Foresters counted an assessment company?

Mr. FIELDING. Yes. There is a change in section 76, as it passed this House, when subsection 4 provided that a proxy shall not be valid unless it is executed within three months prior to the meeting in which the same is to be used. I have a memorandum stating that subsection 4, requiring that a proxy of the mutual companies must be executed within three months, is struck out, since policy-holders' proxies have been abolished in section 98, and there seems no reason for imposing this limitation on mutual companies.

Mr. PERLEY. Then the proxy is good for ever?

Mr. FIELDING. It is good until revoked. The policy-holders have no proxy.

On section 77, investments, annual report.

Mr. FIELDING. This section has been amended. It empowers the superintendent to disallow such investments as he considers unauthorized by the Act, and provides for an appeal to the Exchequer Court against his decision. The companies claimed that pending the result of such appeal, the superintendent's ruling should be suspended, and an amendment has been made to subsection 4, providing that if the company gives notice of its intention to appeal within fifteen days of being notified of the superintendent's ruling, and within fifteen days thereafter files its appeal with the registrar of the Exchequer Court, the superintendent's ruling shall be suspended until the judgment of the Exchequer Court has been rendered. This will give the company thirty days within which to file its appeal. The section has also been amended to provide for its coming into force on January 1, 1911.

On section 79, reduction and subsequent increase of capital.

Mr. NESBITT. Is the provision with respect to the reduction of capital the same as in the old Bill?

Mr. FIELDING. Yes.

Mr. J. A. CURRIE. The question raised by the hon. member for Oxford (Mr. Nesbitt) is a pertinent one. Could a company whose capital is not all paid up, when trouble is apprehended, write off its stock and release its shareholders from liability?

Mr. FIELDING. No, the liability remains.

Mr. BARKER. It is paid up capital that it has power to reduce under section 79.

Mr. FIELDING. Read subsection 4.

On section 80, increase of capital.

Mr. FIELDING. The first line of section 80 has been amended by providing that only that portion of the profits of the company which belongs to the shareholders shall be used for increasing the capital stock.

Mr. J. A. CURRIE. Is there a clause which provides that the list of securities held by a company shall be at the Department of Finance?

Mr. FIELDING. That comes in the annual statement submitted by the company to the department.

On section 87, rebates, discrimination, etc., forbidden.

Mr. FIELDING. There is a change in 87, but it is not material.

Mr. PERLEY. 87 has been altered?

Mr. FIELDING. The alterations are only verbal.

Mr. NESBITT. I would like to ask the minister that subsection 2 of section 87, should stand.

Mr. FIELDING. All right.

Subsection 2 of section 87 allowed to stand.

Mr. SPROULE. Does the provision in section 85, that the agent of the company is not to be the agent of the insured apply to fraternal companies as well?

Mr. FIELDING. No.

On section 90, surplus under deferred dividend policies.

Mr. J. A. CURRIE. I notice that the figures are to be taken every fifth year with regard to a deferred policy. Would it not be better for each company to have a set time for reckoning the profits on such policies, having the company's year instead of the policy's year?

Mr. FIELDING. This is the clause as we passed it before, and I think no question was raised as to its suitability.

Mr. BARKER. On this question of the quinquennial payments, would it not be possible to have company periods. Could not it be worked out on a five years' computation. I think every company should have its quinquennial period to suit itself, with adjustments made for five years, and not to have each policy made up every five years.

Mr. FIELDING. All the policies would be valued at the same time?

Mr. BARKER. Yes, and to meet the intermediate policies there could be an adjustment.

Mr. NESBITT. That is done now.

Mr. SPROULE. My impression is that that is now done by the companies.

Mr. J. A. CURRIE. It is the net profit that is divided, and to my mind the only way to work that out from an actuarial standpoint would be to have a five year company period. The company has its great clearing house every five years and makes an adjustment on the policies accordingly.

Mr. NESBITT. That is what they do now.

Mr. FIELDING. I understand that what my hon. friend from Hamilton suggests is the rule of practice now.

Mr. BARKER. That is probably what the Act seems to contemplate.

Mr. J. A. CURRIE. But it is not so expressed.

Mr. NESBITT. Each company has its quinquennial period, and if any policy

falls in between the periods they give them their proportion.

Mr. J. A. CURRIE. This section does not contemplate that.

Mr. NESBITT. I think it does.

Mr. FIELDING. I think it means what the hon. gentleman desires.

Mr. J. A. CURRIE. Yes, but it does not set forth what it means.

On section 95, form of policy to be approved—days of grace for payment of premiums—incontestability after two years—policy and endorsement to be entire contract—age understated—lapsed policies—loan on policy—table of surrender and loan values—table of instalments—renewal of policy—exceptions.

Mr. PERLEY. Is there a change in this section?

Mr. FIELDING. Yes. In paragraph (g) the Bill as introduced provided that all loan agreements on policies must be made on a fixed form. Several of the companies pointed out this would cause great inconvenience to the companies, and it was decided that the company's own form should be allowed to be used, subject to the approval of the superintendent. An amendment has been made in accordance with this suggestion.

Mr. SPROULE. Why do you make it compulsory under clause 94 for the party to get the acquiescence of the superintendent to institute a suit?

Mr. FIELDING. His individual right to bring suit against the company would remain, but in the case of the Attorney General being applied to to bring a suit for some public interest, the superintendent should be applied to.

Mr. J. A. CURRIE. I cannot see that the companies can give any reasonable excuse why they should not use the government forms.

Mr. FIELDING. If an approved form is used, the public interest is protected.

Mr. NESBITT. I am glad to know these forms have to be submitted to the superintendent, because the companies have had a grievance with reference to these company forms.

Mr. BARKER. Colonel Worthington made a reference to the war risks on militiamen. What is to be done about that?

Mr. FIELDING. Deserving as the object is, I do not see how we can legislate in such a matter.

Mr. J. A. CURRIE. I think an amendment could be inserted in subclause (b) stating that the amount of that extra war payment should be printed on the contract.

Mr. FIELDING. There are big wars and little wars, and I think the company would desire to have an opportunity of varying the rates in accordance with the risks that may arise. We have not had any representation that there has been any difficulty under the existing law in that respect.

Mr. J. A. CURRIE. The hon. member for Kootenay (Mr. Goodeve) suggested an amendment to subsection (b) of section 95, which I would like the minister to take under advisement, holding this subsection over.

Mr. FIELDING. Very good.

Mr. NESBITT. The companies all have in their policies now the amount additional they charge for war risks.

Mr. PERLEY. If they have, it might as well be put in the Act.

Mr. FIELDING. I have the impression that war risks may vary in their quality and character.

On section 96, separate accounts of participating and non-participating business.

Mr. J. A. CURRIE. What is the idea of having separate accounts for participating and non-participating policies? The companies limit the profits for participating policy-holders to the participating business, while the profits on the non-participating business I suppose go to the shareholders. This is one of the grievances that were up before. A man who takes out a participating policy understands that he participates in all the profits of the company in a certain proportion along with the share-holders. Most of the companies as a matter of fact only allow to the participating policy-holder the profits that accrue from participating policies. The keeping of these two accounts separate makes it all the more easy for the companies to do this.

Mr. NESBITT. The companies issue non-participating policies at a very much lower premium than participating policies; and this clause has been inserted for the purpose of enabling the companies to withdraw from the participating policy-holders a sufficient amount to make up for the lack of premiums paid by the non-participating policy-holders.

On section 98, shareholders' and policy-holders' directors.

Mr. FIELDING. There have been some changes made in this section. It is one to which the committee of the Senate gave very much time. The decision of the committee with respect to the representation of policy-holders on the board of directors may be summarized as follows:

1. Policy-holder are to be allowed to have representation on the board.
2. The total number of directors is to be not less than nine nor more than fifteen (the original section had nine and sixteen).
3. The policy-holders' directors must be at least one-third of the board (last year's section had two-fifths).
4. The directors of both classes may be elected for one, two, or three years.
5. If elected for two or three years they may according as determined by the company's by-laws—
(a) hold office continuously for the full term, or
(b) a certain proportion retire annually.
6. Policy-holders are not allowed to vote by proxy.
7. The qualifications for policy-holders voting and acting as directors have been left the same as in last year's Bill.

An amendment has been made to subsection 7, providing that a policy-holder as a member of a company shall not in case of liquidation be liable to be placed on the list of contributories, or to share in the distribution of assets. Subsection 11 has been changed to provide that the date of the holding of the annual meeting shall be printed on every renewal receipt issued by the company, instead of the company being obliged to serve every policy-holder with a special notice of the annual meeting. Subsections 13 and 14 have been consolidated into a new subsection 13. These in general terms are the different proposals from the Senate.

Mr. BARKER. I would like to ask the minister whether a point which was much discussed last year has been dealt with, that is, whether a shareholder can sit as a policy-holder's director?

Mr. FIELDING. No, as proposed now, he cannot.

Mr. BARKER. The policy-holder's director must be interested simply as a policy-holder?

Mr. FIELDING. Yes.

Mr. BARKER. Why should not a policy-holder vote by proxy as well as a shareholder?

Mr. FIELDING. I was one of those who thought he should; but in this matter I am willing to accept the judgment of the Senate rather than delay the Bill.

Mr. J. A. CURRIE. I agree with the minister that the policy-holders should elect their own directors. I do not see why they should not have the same privilege in that respect as the shareholders. Apparently there is a clear line of cleavage between the director who represents the shareholders and the director who is to represent the policy-holders. The policy-holders should have the same freedom of electing their director as the shareholders.

Mr. FIELDING. I think the judgment of this House would sustain the minister on that point.

Mr. FIELDING. I believe that one of the arguments that influenced the Senate was the expense that would be involved. Of course, there are an immense number of policy-holders, and the cost of issuing proxies to those would be very large. However, rather than delay the Bill, I am willing to accept the Senate's compromise.

Mr. PERLEY. I do not see why the date of the annual meeting should not be put on the policy, unless it is left in this way because they might want to change the date.

Mr. FIELDING. They might want to change it.

On section 102, companies ceasing to do business.

Mr. J. A. CURRIE. There are some companies which formerly did business in this country and whose business is not yet wound up. Is there any change in this clause that would affect them?

Mr. FIELDING. This is the same clause as was in the Bill of last year. There is no change. It is the same as the existing law I am advised.

On section 102, companies ceasing to do business—winding up old business.

Mr. PERLEY. I would like to ask whether the public has the right to see the list of securities held by the government on deposit for these insurance companies?

Mr. FIELDING. You mean the deposits held by the department?

Mr. PERLEY. Yes.

Mr. FIELDING. There is no objection at any time to anybody obtaining that information who desires it.

Mr. J. A. CURRIE. A friend of mine is interested in this winding up, and he has been harshly dealt with, by the New York Mutual Company.

Mr. FIELDING. Mutual reserve, you mean?

Mr. J. A. CURRIE. Yes, the Mutual Reserve. The procedure in those cases is this: The government holds a certain amount of security and deposits. As I understand the securities held by the government in the case of insurance companies are for the benefit of the parties who hold the insurance and for the purpose of renewing their insurance, that is their unearned premiums. Now in the case of this company, the moment their trouble arose, a Canadian gentleman, who is very active in assignee work applied to the courts to be appointed the assignee. About the same time an American assignee applied to be

assignee of the company in New York, and there was a conflict between them. The Canadian issued notices asking the policy-holders to send their policies and payments to him and the American did likewise. Some of the Canadians paid their premiums to the Canadian official before he was finally appointed by the courts, and it appears that some of those who paid to this Canadian official before his final appointment, have been deprived of the benefits to which they are entitled under this Act. In the case of those who paid to the American liquidator, their payments held good and their policies were not cancelled, while one or two who paid to the Canadian liquidator were cast out and have no redress. I think the minister should take that matter under advisement. I would like to know from the minister before this Bill passes, what amount of money on deposit in the department has been used for the payment of legal expenses and assignees' expenses in this matter, because if I know anything about these assignees, and especially about the gentleman in question, about one-third of the money held by the government will be swallowed up in expenses before the matter is settled.

Mr. FIELDING. I have some reason for feeling interested in that company, but I am afraid the trouble was that my hon. friend's friend had a worthless policy, and was sad because he could not get something out of it.

Mr. J. A. CURRIE. You are absolutely wrong. It was nothing of the kind.

Mr. FIELDING. There were so many like that that I naturally thought my friend's case was in that position. However, we have no record of the amount that was expended for legal expenses, but no doubt that will come to us later. The department did not undertake to distribute this money at all. It is purely a matter for the courts, and whatever money was in the hands of the government has been paid over to the liquidator by order of the court.

Mr. J. A. CURRIE. How long ago?

Mr. FIELDING. In August, 1908.

Mr. J. A. CURRIE. And this liquidator has deliberately dragged the settlement of that company's affairs along all this time and the minister allows it. The liquidator will not report for three or four years until he has eaten up all the money. I think there should be a limit to these matters and I intend to bring up the question again.

Mr. FIELDING. That is a matter for the court, not for the department.

Mr. J. A. CURRIE. There ought to be something in this Act that would prevent anything of that kind. It should provide that when a company has to go into liquidation an inspector from the department should supervise it, the same as is done in connection with the banks in the United States, and the insurance companies there.

Mr. FIELDING. The department has enough to do without taking that on its shoulders. The hon. member's faith in the department is very acceptable to me, but I would rather trust the courts.

Mr. J. A. CURRIE. The liquidator would be an official of the court, but an outside man who has nothing to do with the company can now apply to a high court judge who is possibly also his friend and get the high court judge to say that he is to be the liquidator. He is appointed liquidator and he demands the money deposited with the government and applies it to his own private business as a trust fund or applies it as he likes. There should be some method whereby an official of the government could act as liquidator, of course, under the jurisdiction of the court; but an assignee who can get somebody to go on his bond has a right under this law to apply for a winding up order, to get all this money which the stockholders had deposited in the hands of the minister, have it paid to his own credit, and then his account is not settled for three or four years. I think it is time in the interests of the public and the policy-holders that something should be done in the way of appointing a supervisor.

Mr. FIELDING. This assignee cannot get this money out of the hands of the government; the only people who can get it is the court, and if an order of the court requires us to give the money to the assignee, then the court is responsible.

Mr. J. A. CURRIE. Well, the minister will ascertain what the figures are and let me know what the cost of this liquidation has been.

Mr. FIELDING. If there is any record of it.

Mr. J. A. CURRIE. The minister has the money.

Mr. FIELDING. The court has the money; we have not.

Mr. J. A. CURRIE. I thought the minister said that the court came to the minister and got it dollar by dollar as it was needed. As a matter of fact if the court gave an order this man could draw half a million dollars.

Mr. FIELDING. The court directed that whatever moneys were in the hands of the government should be paid over to the

assignee. The official was so paid and so far as we are concerned that was the end of it.

Mr. J. A. CURRIE. A moment ago the minister suggested that this money was paid out on the application of the assignee.

Mr. FIELDING. Nothing of the sort.

Mr. J. A. CURRIE. I say that an irresponsible assignee can come and get all the moneys here on deposit at the department, and hang up the settlement for four or five years.

Mr. FIELDING. The hon. member is mistaken. An irresponsible assignee cannot get a penny of the money. An order of the court only can get the money.

Mr. J. A. CURRIE. What is the use of begging the question? All the court does is to instruct the assignee to go and get the money.

Mr. FIELDING. If the court instructs the Minister of Finance to pay over the money, as we are good citizens and try to obey the orders of the court, we deliver the goods.

On section 109, reserves.

Mr. FIELDING. I would like to have that section stand, please.

On section 110, profits from participating policies to be kept distinct from other profits—rights of participating policy-holders to profits.

Mr. J. A. CURRIE. I would ask the minister to allow that section to stand.

Mr. FIELDING. Very good.

Mr. SPROULE. We have spent a long day, and I think it would be well that we should rise.

Mr. FIELDING. Very well.

Mr. PERLEY. Can the minister tell us when it is likely that this Insurance Bill will come up again?

Mr. FIELDING. Not to-morrow. I can hardly say more than that. I want the superintendent of insurance and his officers to look over the various suggestions that have been made before we take the Bill up again.

Progress reported.

FIRST READINGS.

Bill (No. 218) respecting the Guelph Junction Railway Company.—Mr. A. H. Clarke.

Bill (No. 219) to incorporate the Edmonton, Peace River and Eastern Railway Company.—W. M. Martin.

Mr. FIELDING moved the adjournment of the House.

Mr. SPROULE. What business will be taken up to-morrow?

Mr. FIELDING. First, the Bills on the order paper, those standing in the names of the Minister of the Interior, the Minister of Railways and Canals, and the Minister of Marine and Fisheries—in fact, almost any of these Bills we would like to take up as they may be reached.

Mr. SPROULE. Will the tariff be taken up?

Mr. FIELDING. No, it has not assumed the form of a Bill yet; it is in the form of a resolution. If we finish the Bill I have referred to, Supply will be taken up, when the Minister of Public Works and the Minister of the Interior will resume their estimates.

Motion agreed to, and the House adjourned at 11.15 p.m.

HOUSE OF COMMONS.

TUESDAY, April 26, 1910.

The SPEAKER took the Chair at Eleven o'clock.

TREATMENT OF IMMIGRANTS.

Mr. LENNOX. Before the orders of the day are proceeded with, I wish to call the attention of the Minister of the Interior (Mr. Oliver) to a communication that I have received from a prominent gentleman in my riding, and which I beg leave to read. It is dated 23rd of this month.

Dear Mr. Lennox,—My object in writing you is to lay before you certain facts in connection with the immigration department at St. John, N.B.

I came out from England on the Allan Line steamer 'Corsican' recently, landing at St. John, N.B., on Saturday evening, April 2nd. The vessel docked at 6 or a few minutes before 6 o'clock that evening, with about 600 passengers on board. The Allan Company had two special trains ready to take us to Montreal, had all the passengers' baggage on deck ready to land, had arranged to have the customs officials on hand to pass the baggage, when we were told that the immigration agent would not permit any passengers to land that night, and so far as I could learn from the captain of the 'Corsican,' without any special reason. We all had to remain on board that night, as not a passenger was permitted to land, and we did not get away from St. John until 3.30 on Sunday afternoon, causing much annoyance and inconvenience to all the passengers.

You would oblige me very much if you would lay this matter before the proper officials at Ottawa.

I lay this before the minister with the hope that he will make inquiries into the subject of the complaint as soon as convenient.

Mr. OLIVER. I will be glad to take up the matter of the letter my hon. friend has read. Of course, we desire to avoid delay and inconvenience as much as possible, but it may be that in the present rush when there are so many ships coming in and so many people to handle, the difficulty was not avoidable. I will be glad to go into the matter fully. Certainly I can assure my hon. friend that there is every desire on the part of the department to redress any grievances that may occur.

Mr. LENNOX. I will hand the letter over to the minister.

THE HOUSE OF COMMONS STAFF.

Mr. SPEAKER. I have the following communication to make to the House:

The Clerk of the House having requested, for the reasons set forth in his communication to me dated the 25th instant, copy of which is hereto appended, the withdrawal of my recommendation respecting a proposed reorganization of the staff of the House of Commons, laid upon the table of the House on the 6th instant. I hereby withdraw the same in order that the subject may be further considered.

COMBINES INVESTIGATION ACT.

Mr. KING moved the third reading of Bill (No. 101) to provide for the investigation of combines, monopolies, trusts and mergers which may enhance prices or restrict competition to the detriment of consumers.

Mr. SPROULE. I would like to say with regard to this Bill, that having looked over it somewhat carefully, I have reached the conclusion that it will prove to be a gold brick in so far as it will give any relief from combines under the law. This Bill contemplates, first, affidavits to be examined by a judge of six parties that they are affected by some combine injuriously. Then, provided the judge is satisfied that there is prima facie evidence, he grants permission to have a board of inquiry named. That board holds an inquiry, and provided the board reaches the conclusion that there are evidences to satisfy them that a combine exists, then, I take it, the case is allowed to stand for the time being. They decide that a combine exists, but if the parties interested continue to carry on their work, then the penalties under this Act may be imposed, but they are not imposed, I understand, until an inquiry is made before a judge, and an indictment is framed which has to be inquired into by some court. But it does not appear to me very evident what court it is, whether it is the Exchequer or any other court. But this indictment must take place before any other inquiry or trial can be proceeded with. Then that court may impose a fine, and I imagine that if the court imposes a fine the penalties of the Act can be enforced as well as penalties under the criminal law. But after that is done, I imagine that the individual or combine has a right to appeal. Now the natural course will be that they will make their appeal to the court of appeal, and a combine is not likely to give up its rights so easily where such large interests are involved. The case will continue before that court of appeal until the court disposes of it. Suppose that the conviction is sustained, then the combine may go to the Supreme Court and fight it out there; and suppose that the conviction is sustained by the Supreme Court, the combine may take it to the Privy Council. Now, after this is all done, justice may be meted out. But what will be the result? The case has got to traverse at least six courts before there is any infliction of a penalty that is collectable. Now, are there six men to be found in Canada who will be innocent enough to undertake a prosecution under these circumstances?

Another feature which attracted my attention is that when you come before the first court, the prosecution has got to take place under the same law that has been on the statute-books for years, and under which it has been declared that no prosecution can be successfully carried on with the object of getting a verdict. That statement has been made in this House, and also by the late Attorney General of the province of Ontario, Sir Oliver Mowat, a prosecution under this case has got to be made under exactly the same law. Then what is the remedy? The remedy is one or two things, or both. One is that if the article dealt with is an article upon which there is a customs duty, the Governor in Council may reduce the duty to whatever extent they see fit. Or, on the other hand, a penalty may be imposed that is provided under the criminal law. Now I say one or both things may be done. But we have had the same law on the statute-books since 1899, providing that the same thing might be done, and we have had no prosecution. Why? Because it has been said by eminent lawyers who have looked into it, and by that very high authority, Sir Oliver Mowat, that no prosecution can successfully be carried on under that law; and yet this is just exactly the same law that has been declared to be unworkable, and under which a prosecution could not successfully be sustained. If you look over the whole ground you can come to but one conclusion and that is that this Act is only a gold brick to the people, making them

believe that some new device has been introduced whereby they may get justice and whereby that which is a combine to the detriment of the consumer or the producer may be punished. I am sure that the law will remain on the statute-book for years to come and no prosecution practically will take place under it. I need not say anything with regard to the trouble, annoyance, delay and everything else that are going to result, or as to who will pay the expense, because it is so unworkable that it seems to me that it is little less than a straw. It reminds me very much of the story of the German who traded horses. When he was asked if he had any fault, to which he replied, no except some trifling ones of no account. After the deal was completed, the new owner said what are those trifling faults, to which he replied—one that the horse was hard to catch and the other that was no good when he was not caught. The people have got this Bill and it is no good when they have got it.

Mr. BRADBURY. Mr. Speaker, I want to draw the attention of the House for a moment or two to a paragraph that I find in the Winnipeg 'Tribune' on the cement merger.

Sir WILFRID LAURIER. Order.

Mr. SPEAKER. The question is on the third reading of this Bill.

Mr. FIELDING. Has my hon. friend reference to this Bill?

Mr. BRADBURY. Yes.

Mr. SPEAKER. I understood that the hon. gentleman wanted to put a question.

Mr. BRADBURY. No, it is in reference to combines that I want to speak. In the early part of the session I drew the attention of the hon. Minister of Finance (Mr. Fielding) to the effect that the cement merger was likely to have in increasing the cost of cement in the province of Manitoba and throughout the Dominion. I hold in my hand the Winnipeg 'Tribune' of the 23rd instant, a paper that hon. gentlemen on the opposite side used to swear by. It is as follows :

HIGH TARIFF AND COMBINES.

The advocates of high protective tariff would do well to consider the effect of high duty in the case of cement.

In the course of last year about 400,000 barrels of cement passed through Winnipeg, and roughly speaking, about half of this quantity was used in Winnipeg, or for Winnipeg works. In view of the inordinate amount of building in the city and such works as the new bridges and the power plant at Pointe du Bois, which will alone require at least sixty or seventy thousand barrels, it is more than fair to assume that at least the same quantity will be required by Winnipeg ratepayers this year, namely, 200,000 barrels.

How much more will this amount cost this year than last? At the present time contractors in the city are paying $2.40 a barrel for the same grade of cement as they were purchasing as low as $1.80 last year before the merger was formed, which was brought into existence by the high protective tariff—an advance of 60 cents. This means that if this rate is maintained—and there is no reason for supposing anything else—Winnipeg alone will pay $120,000 more for its cement than last year. At the present time the merger is selling cement at from 10 to 15 cents a barrel less than the price at which it can be brought in from the United States. They have protection of from 51 to 52 cents per barrel, which is prohibitive. A barrel of cement can be sold at the factory anywhere in Ontario, in round figures, at $1 a barrel. The duty is, therefore, over 50 per cent.

If the duty were reduced to 30 per cent, which is the average charge on manufactured goods, then it would be possible for the consumer of Manitoba to import their cement from the United States, if the Canadian merger did not make a fair price.

I would like to emphasize what I said in an earlier part of the session when I had the assurance of the Minister of Finance at that time that a Bill was under way which would deal with this matter. It is very important to the western country. I may say that in all our great structures today due perhaps to the increased cost of lumber, we are using cement very largely and while the 'Tribune' estimates that 400,000 barrels of cement will pass through Winnipeg this year over different lines, I think it would be safe to say that a far larger quantity of cement will have to pass through Winnipeg to supply the needs of that growing country. I would like to ask the minister in charge of this Bill if he intends to make an investigation and take such proceedings as to cause the merger to do what is fair with the people in the west. The suggestion of the 'Tribune' that the protection should be reduced on this article, I think, is a very fair and wise one. I think that when we find that mergers are causing an increase in the cost of commodities which they are producing which is unfair to the consumer, the government should reduce or take off the duty altogether if it is necessary to force the combines to give the people the product, whatever it may be, at reasonable price. There is no doubt about this cement merger being a serious drawback to the west. You could get cement at $1.80 last year; now it is $2.40 a barrel. That is brought about, I am satisfied, by the merger, and the government ought to take immediate action to protect the consumer in this matter.

Mr. SCHAFFNER. Mr. Speaker, before the Bill is read a third time I would like to ask the hon. Minister of Labour (Mr. King) a question in connection with clause 5. It says :

Where six or more persons are of opinion that a combine exists, and that prices have been enhanced or competition restricted by reason of such combine, to the detriment of consumers, such persons may make an application to a judge for an order directing an investigation into such alleged combine.

In connection with that application, made by such six persons, there will be considerable expense. There will have to be legal advice and quite a lot of expense in connection with it and the question I would like to ask the Minister of Labour is whether the government intend to assume that expense. I may say that if they do not the utility of the bill is entirely destroyed. I would like an answer to that question before the bill is read a third time.

Hon. MACKENZIE KING (Minister of Labour). Mr. Speaker, the hon member for East Grey (Mr. Sproule), in all his speaking on this Bill, has, I think, kept too largely in mind the enactments passed with which he has had to do. He seems to forget that in this measure particular stress is not laid on the prosecution side, but that it is rather to the investigation feature that the government look for the chief advantage to be derived. The hon. member for East Grey has pointed out that there may be half a dozen different stages through which persons adversely affected by a combine may have to go before they get the result which they would like to get in the way of a remedy. Let me say in the first place that there are certain classes of industrial evils in regard to which publicity is more effective than penalty and therefore it is not in the penalty side of this measure that the remedy will lie so much as in the fear and consequence of the publicity which will be given to the wrongful doings of particular combines.

Mr. SPROULE. If that is so how are you going to benefit from examinations in private ?

Mr. KING. The hon. gentleman mentions that owing to the fact that some preliminary examinations have to take place this feature in part is offset. If the government had brought in a measure which would permit of the examination of any business of this country at the request of any individual without some form of preliminary examination to ascertain whether or not there were prima facie grounds for saying that a combine did exist and was operating adversely to the public the government would have been open to censure for so doing. The extent of the preliminary examination is not considerable. It is simply to enable the judge who is accustomed to dealing with evidence and to sizing up situations to say whether or not sufficient evidence has been obtained to warrant a further examination taking place. Now, as to the opportunity which the measure affords for full investigation and as to the machinery of the measure, I doubt if it would be possible to devise a board better calculated to get at the facts with regard to industrial conditions than a board which is composed of a person appointed by those who feel that they have a grievance, a person appointed by those who are complained against and a judge who is accustomed to dealing with matters of inquiry and who will hold the balance evenly between those two.

That is the effective machinery for getting at the facts that this measure provides The hon. member would have us believe that after this investigation the only remedy would be through a criminal prosecution. But the hon. gentleman has failed to recognize the power which at present exists in the Governor in Council to remove customs duties when it appears that a combine has taken advantage of the protection which the tariff affords, to raise prices, and that whereas up to the present that power could only be exercised as the result of a judicial inquiry, carried on at the expense of private parties, under the present legislation that step can be taken as the result of the investigation by one of the boards. All expenses will now be met by the government instead of by the private parties as formerly, and it is because the expense has heretofore been on the private parties that the existing legislation has not achieved the results expected from it. Many a group of consumers have hesitated to set the existing law in motion, in the first place, because they were unwilling to charge another group of citizens with being criminals, and because, in the second place, they were unwilling to incur the large cost which such an investigation in the public interest would entail. This legislation will remove these objections. The purpose of the preliminary examination under this Bill is simply to put aside that class of actions which might be taken if it were left to any one on any ground whatever to start an inquiry against a particular concern, and to secure the limiting of examinations under this Bill to cases that really appear to be in the public interest.

Mr. SPROULE. How can you inflict the penalty?

Mr. KING. I will mention two or three different ways in which a penalty may be imposed.

Mr. SPROULE. I mean the penalty provided in the Bill.

Mr. KING. Assuming an inquiry has taken place into some alleged combine, and

during the course of the examination it is made plain to the general public that a group of men have taken advantage of the protection afforded by the tariff to unduly enhance prices, the government as a result of a finding by the board to that effect may remove the customs duty and thereby lower the price of that article to the whole body of consumers, and that brings about what is primarily desired, namely, relief to the consumers. The question as to whether the parties concerned in the combine shall be punished criminally is secondary in importance to the relief which the public needs.

Mr. SPROULE. Suppose it was an article on which there was no tariff?

Mr. KING. Let us assume that it is a patented article.

Mr. SPROULE. Suppose there is a combine by which the farmer, the producer, does not get a fair price for his produce?

Mr. KING. Perhaps the hon. member will allow me to take in their order the different forms of redress which the measure affords. A kind of combine under which the public to-day is suffering, judging by the representations made, is in the case of a patented article which is needed in manufacturing, and the concern owning it refuses to sell the patented article except on conditions which are in restraint of trade, such as binding the purchaser to purchase all other articles from the same concern that holds the patent. Here is a case of a person receiving a monopoly from the state, and having received that monopoly in the public interest taking advantage of the monopoly which the state has given him to use it against the general interest of consumers. If the board finds that such a thing exists, power is given under the Act to see that that patent is revoked. I might mention a case that came under my notice in my own riding. We have in the town of Berlin a first-class manufacturing concern which produces cabinets for phonographs at a price of something like $125 each. The producer of the cabinet has no records, and I am informed that the dealers all over the country are refusing to sell his cabinet because they are unable to get the records of other phonograph companies if they sell any other than the cabinets which these phonograph companies make, and I am told that their cabinets are sold at double the price which the Canadian cabinet is sold for. This firm's cabinets are manufactured in Canada and the others are manufactured in the United States. A case of that kind, if proven, would afford the strongest reason why the state would be justified in taking the patent on records away from the people who hold it if they undertake to use it as against the Canadian manufacturer who is producing another article.

Mr. W. F. MACLEAN. Is it proposed to regulate the record people by the Patent Act or by this legislation.

Mr. KING. This legislation will point the way to the form of redress which is necessary.

Mr. W. F. MACLEAN. Does the minister not think that the use of the Patent Act itself as in Germany and other European countries would be more effective than anything else in regulating these combines?

Mr. KING. In the present Bill some features of the Patent Act have been extended in the direction in which my hon. friend indicates. We are legislating by this measure to bring the patent law into accord with some of the features of the German Patent Act. Again, you may have cases such as you had a few years ago when it was shown that two of the tobacco companies operating in the United States were requiring the dealers in Canada to sell only the article they were putting on the market to the exclusion of all others. I think the American Tobacco company was one of these and there was another. The investigation showed that the producers and manufacturers of tobacco in this country were at a disadvantage in consequence of the monopolistic control which those two American concerns had over the business in this country. The present measure affords an opportunity of getting at the facts and letting in the light on whether a concern of that kind is acting in a monopolistic way here. If that were proven, then the government might cancel the license issued to such a firm by the Department of Inland Revenue for the sale of that commodity in Canada. Again, there might be a combine in the shipping business. If it were shown that a number of steamship companies receiving subsidies from this government were combining together to put up the ocean freight rates, and an investigation established this, it would be plain that the government would be justified in taking some action to see that the concerns which were receiving the subsidies did not take advantage of these subsidies to the detriment of the public as a whole, and that the public should receive its rightful share of benefit from the steamship companies in virtue of the subsidies they were obtaining from the government.

While there is no immediate provision in the measure for the removal of subsidies granted, if an investigation went to show that some subsidized company were operating in that manner, there would be a strong reason why parliament, when it met, having the facts before it, should take some action in the public interest.

Mr. SPROULE. I wish to get an answer to the question I put to the hon. minister. Where proceedings would be taken against the parties and you could impose the penalties of the law, upon what would those proceedings take place?

Mr. KING. I have not come to that point yet. I am dealing with the hon. gentleman's assertion that this Act was a gold brick, and that it would only have any effect where the parties were proceeded against under the Criminal Code. I am endeavouring to point out that that is only one and a very remote feature of the legislation, and that the remedies to which the government attach special importance in this measure are primarily those which are going to afford relief to the people suffering in virtue of these combines, and that secondarily attention will be paid to the penalizing of persons who persist in keeping up a combine against the public interest.

Mr. J. A. CURRIE. Will the Bill afford relief to the public against the insurance underwriters?

Mr. KING. Perhaps I had better take up the questions in the order in which they are given.

Mr. SPROULE. What I want to know is will these punishments take place without the preliminary inquiry before the board. Will the government institute an inquiry before they will take action say with regard to patents, with regard to duties, with regard to subsidies or anything else? Will action be taken on the information brought out by the board, or will the government continue the inquiry further before they will inflict the punishment?

Mr. KING. I am glad the hon. gentleman has asked that question because I think it will clear up the misunderstanding in his mind. It is on the finding of the board that the kind of action I have been mentioning will be taken. This could take place were there no penal clause at all. The portion of the measure to which my hon. friend is alluding is that which relates to combines which has been reported against as doing something contrary to the public interest, and which persist in doing that despite the findings of the board. In a case of that sort criminal proceedings may be taken. The findings of the board being before the public, there will be the strongest reason why the law should be set in motion against parties who are persisting in doing something against the public interest, and the facts which have been brought out in evidence in an investigation of this kind may be used against them in a criminal action. That is where the investigating feature gives some strength to the Criminal Code in respect to the penalties now provided. Up to the present time the hon. gentleman says the criminal legislation has been in part useless in so far as that is true it is for the simple reason that there has been no way of ascertaining the full facts in advance; there has been no way of establishing that the parties proceeded against are really criminal; but if the board has reported that they are doing wrong, and if the combine persists in the teeth of a report of that sort in continuing a condition of affairs against the public interest, then the Criminal Code comes to have a significance much greater than it has at present, and there is the strongest reason for the prosecuting authorities to proceed against a combine of that sort under the Criminal Code.

Mr. SPROULE. If you commence a prosecution under the Criminal Code, are you not obliged to secure a conviction under the wording of the old law, under which it has been declared that you cannot secure a criminal conviction at present? That is the advice of every eminent counsel.

Mr. KING. As against the advice of the very eminent counsel I will cite cases in which convictions have been obtained under the criminal law:

Wampole & Co. v. F. E. Karn Co., Limited —Contract—Sale of goods—agreement as to prices on re-sale—illegal combination or conspiracy unduly to enhance prices for medicinal preparations and lessen competition—refusal to enforce contract—Criminal Code, secs. 516, 520.

Plaintiff brought action before Clute, J., for damages and injunction to restrain the breach of two contracts entered into between themselves and defendants, fixing price at which goods to be sold to retailers. Judgment held that agreements were breach of combines section of the Criminal Code.

Mr. R. L. BORDEN. That was not a criminal prosecution.

Mr. KING. It was brought under sections 516 and 520 of the Criminal Code.

Mr. R. L. BORDEN. The hon. gentleman misunderstands. It was a case between two parties. The contract was held to be illegal because it was in breach of the criminal law of the country, but it was not a criminal prosecution.

Mr. KING. The law to which the hon. member for East Grey was alluding was embodied in the sections of the Criminal Code which were introduced into this House by Mr. Clarke Wallace. It was under those sections that the case was brought. The point of the hon. member for East Grey was that the legislation was of no service.

Mr. SPROULE. It might be different if it were a question of sending the parties to jail.

Mr. KING. Let me cite another case:

The King v. Central Supply Association, Limited—Trade combine conspiracy—indictment of two corporations as joint conspirators—no personal defendant—motive—evidence to explain corporate acts—corporation taking over illegal business of prior unincorporated association—illegal combine the object of incorporation—Criminal Code, 1892, sec. 520, Revised Criminal Code, 1906, sec. 498.

This was an appeal before Moss, C.J.O., and Osler, Garrow, Maclaren and Meredith, JJ.A., by the defendant from the judgment of Clute, J., delivered at the close of the case, finding it and the Master Plumbers and Steamfitters Co-operative Association, Limited, guilty upon an indictment for conspiracy of unlawful trade combination, under sec. 520 of the Criminal Code, 55-56 Vict., ch. 29 (D.), and imposing a penalty of $5,000 upon each of the defendants. Fine paid by Plumbers Association; the Central Supply Association appealed. Appeal dismissed and conviction confirmed on March 14, 1907, in Court of Appeal for Ontario.

Mr. SPROULE. That is the only case I ever heard anything about.

Mr. KING. I am glad the honourable member admits this one, the hon. gentleman stated that there were none. But there were other cases. There was the case of the King vs. Elliott.

Mr. SPROULE. That was dropped. That was the Brantford case.

Mr. KING. That case was not dropped. There was a conviction. Then there was a case in the west against a lumber combine.

The King v. Clarke.—The defendant was charged with several offences under section 498 of the Criminal Code. The indictment (or charge) contained 12 counts relating to alleged agreements between the accused, Clarke, and certain lumber dealers to unduly limit facilities for supplying or dealing in lumber. The trial, which occupied 10 days, took place before Chief Justice Sifton without a jury, at Edmonton, in the sittings of the court in November, 1907, the accused being found guilty and sentenced to pay a fine of $500.

The accused appealed under Criminal Code section 1012, and the appeal was heard before Scott, Harvey, Stuart and Beck, JJ., at Calgary, on July 8 to 15, 1908. The appeal was dismissed and conviction affirmed.

That is another case and I think I might possibly mention one or two others, but I do not wish to take up too much of the time of the House. However, I think from the citation of the cases I have mentioned, the hon. member will see that even where the public do not have the facts before them, even where the parties who went into this prosecution had to risk the expense of the prosecution and had to make out their case, they were successful under the criminal code in bringing to time certain combines which was operating detrimentally to the public. Now, if he will consider how much easier it will be for a prosecution to take place after an investigation has brought out all the facts, the hon. member will see wherein the penalty clause, if it is punishment he is looking for, where punishment is more likely to be secured in virtue of the penalties under this Act and under the machinery which this Act provides. One of the difficulties has been to get the Attorneys Generals of the provinces to take action against combines and the reason of that has been that the public has not been aware of the facts. But does the hon. member suppose for a moment that if a board of inquiry had been inquiring into the facts of a particular combine and had brought in a report which in the strongest terms condemned that combine, the Attorney General in any province would refrain from proceeding under the criminal code, if it appeared that the combine continued in spite of the finding of the board to carry on its operations to the detriment to the public? In that regard and in that way this legislation makes of some real service the past legislation which has been enacted by this parliament on the subject of combines. I have only mentioned certain of the remedies which may be introduced, but I think the hon. member cannot attach too much importance in cases of this kind to the effect which publicity will have. In that connection I am inclined to think that much good will come of this legislation. Parties will know when they are entering into a combine in restraint of trade that their operations may be investigated and they will be careful, and in that way the public having the means of getting at the facts of the case will be insured against harmful action on the part of these particular combinations. We have the experience of the Industrial Disputes Investigation Act as a case in point. There we have had something like 80 applications, and I think in 74 cases of the 80, as the result of inquiry, as the result of bringing to light different facts in regard to industrial disputes, the parties have thought it unwise to carry on the fight. They have thought it much better to make a settlement and an adjustment of their difficulties, public opinion having made its influence felt, than to defy public opinion by going against the decision of a board. The same thing will happen under these investigations. The combines will be investigated, if investigation reveals an undesirable situation, the members of the combines will very soon see in what position they are going to be placed before the public unless they change their tactics, and the chances are that in many cases during the course of the investigation itself, a combine will see its way clear to

mend its ways, and the board will be able to tell the public that while such and such a thing was going on before the investigation, during the investigation the parties had mended their ways. That was exactly the case when the select committee appointed by this House in 1888, of which the late Mr. Clarke Wallace was chairman, was conducting an inquiry. A number of the combines were brought before the committee and during the course of the inquiry itself some of them changed their tactics. Now if that was the case under that machinery, there is every reason why it should be the case under the machinery provided by this Act.

I went pretty fully into these features on the second reading, but I may emphasize this further point seeing that the hon. member from East Grey (Mr. Sproule) raised the question as to who should pay the expenses in the event of long prosecutions. Under this measure the government will assume the expenses of the investigation and therefore the position of parties seeking redress is very materially changed. The member for Selkirk (Mr. Bradbury) asked a question in regard to the cement merger, and said the Minister of Finance had promised to see during the session that a Bill was brought in to meet the case of the cement merger. It is not my wish to say whether or not the cement merger has enhanced prices unduly. I do not think any one would be justified in making a statement of that kind without having the facts before him. What is the position to-day under the legislation we have? If any one wishes to proceed against the cement merger or a group of consumers wish to proceed against the cement merger, they have to bring a criminal action or they have to make representations to the government sufficiently strong to induce he government to start a judicial inquiry, and they have to be prepared to pay the cost of that inquiry themselves. There are many consumers in this country who will hesitate to ask for an investigation on those conditions. They would hesitate to put the men who are associated with the cement merger in the position of defendants in a criminal action and they would hesitate to render themselves liable to the costs which might be involved in a long judicial inquiry. Under this measure which has been brought down to the House any six persons may go before a judge of a high court, any six of my hon. friend's constituents who feel that they are being unfairly dealt with by this cement merger, may lay before the judge the evidence which they have, the kind of evidence which he has read to the House this morning, and submit to the judge that there is a prima facie case. All they are obliged to do is to swear to the effect that they believe these statements to be true, that as consumers the cement merger has operated to their detriment, and that they believe it is in the public interest that an investigation should be made into this merger. If they persuade the judge that a case exists for investigation, the judge issues an order for an investigation. Thereupon the six consumers who have made the complaint are asked to name a member of the board to inquire into the business of the cement merger, and the cement merger in turn are asked to name their member of the board, the two to agree upon the chairman. These three gentlemen appointed in this way have all the powers of a court. They have power to send for the books of the company, they have power to compel the production of documents, and to examine under oath and to take evidence and having gone fully into the whole question they prepare a report which they give to the public on the results of their investigation.

Mr. SPROULE. Who is charged with the responsibility of hunting up evidence and presenting it to that board, these six men?

Mr. KING. After the judge states that in his opinion a prima facie case has been made out, that it is in the public interest that an investigation should take place, then the six men are relieved of further responsibility. The onus is not upon them, it has become a case of investigating in the public interest by the public itself. The measure provides that the government may appoint counsel to gather evidence and present it to the board and the fees of that counsel are to be met by the government The different members of the board are free to ask any question and to send for any document. They are an investigating board assisted by counsel, their expenses and his are paid by the government. In that way a thorough examination will be carried out.

Mr. BRADBURY. Does the government bear all the expenses in connection with these investigations on both sides?

Mr. KING. The government, of course, has to put some limit to the expense. If the parties wish to bring in an array of attorneys and are not satisfied with the counsel which the government has appointed, if they desire to have half a dozen counsel of their own, that is their lookout, and they may have to meet that part of the expense. But the expense which is necessary in the public interest will be borne by the government. The government is prepared to meet all that in its opinion is necessary to get at the facts of the case thoroughly and accurately. Now to conclude the reference to this merger, many of the gentlemen who are associated with the cement merger claim that they are being put in a false light before the public, and

that, as a matter of fact the cement business has been carried on in Canada in the past in such a way that the business has been almost ruined, and that all the merger has done has been to place the different concerns that are in it in a position where through their co-operation they are enabled to get a reasonable and fair profit. If such is the case, it will be brought out on examination, and a finding of that sort made by the board would satisfy the public mind that it had been mistaken as to the cement merger, and that, as a matter of fact, the merger, instead of holding up the public, was doing what it was in the interests of a large industry in this country to do.

Mr. BRADBURY. Would the board have power to take into consideration the over-capitalization of a merger such as this, because no doubt two-thirds of it is water.

Mr. KING. Certainly, that is just what the investigation is for. You have a board appointed with all the powers of a court, and the members of that board can put any question they wish to the company that is being investigated, and undoubtedly the question of over-capitalization would be one of the first to be investigated. If the board after carefully going into the evidence found that the cement merger was only making a reasonable profit——

Mr. HUGHES. Profit on what?

Mr. KING. On capital invested. A reasonable profit, I assume, is the profit on the money put into the business. If the board found that, as respects the cement merger there was only a reasonable profit on capital invested, and if the evidence substantiated it, then the cement merger would be in a stronger position before the public than they could ever hope to be otherwise, in view of the suspicion and distrust that for some reason or other has arisen. On the other hand, if the board should report that the investigation showed that the cement merger had taken advantage of the situation, the government has power under this legislation, without going any further, to lower the duties on cement. If the board reported that in their opinion the cement company ought to reduce the price, and the cement company persisted in not doing so, then a criminal proceeding might be taken and the parties instituting the proceedings would have before them the benefit of the evidence brought out at the investigation. I think it will be admitted there is no concern in this country that can afford to defy public opinion. If you get public opinion intelligently shaped and have it properly focused on an industrial evil, then it is not likely that those responsible will continue that evil in the teeth of public opinion. It is in this belief that it is hoped this measure may accomplish its object.

Mr. BRADBURY. Do I understand that the aggrieved persons will have to lodge information themselves before anything is done, and that the minister will not take the initiative? The minister stated that those connected with the cement business urged that they were only receiving a fair price for cement now. Well, last year we bought cement at $1.80 per barrel, and the large cement company situated within sight of these buildings was able to pay 10 per cent on the basis of that price. Surely when the cement costs 60 cents a barrel more this year there is reason for legitimate complaint on the part of consumers.

Mr. SCHAFFNER. The minister has talked so much that I do not know whether he has answered my question or not. What I want to know simply is: who is going to pay these six men at the outset.

Mr. KING. If the six men prove to the judge that they have made out their case, the judge may award such disbursements as he thinks necessary, and the government has power to pay these disbursements, it appearing that these men have acted in the public interest. On the other hand, if six persons come along with a complaint which is frivolous or which is made for some mischievous reason, and are unable to make out a case before the judge, then they must look to paying the costs themselves. I think that is reasonable.

Mr. FIELDING. Touching the cement duties, I ought to say that at an early stage of the session, when some reference had been made to the question in parliament, I received a large deputation, accompanied by hon. gentlemen on both sides of the House, comprising the manufacturers of cement who were not in the merger, and they represented to us—I am not endorsing or denying their statement, but merely placing the House in possession of their contention—they represented to us that there was no increased price of cement that could be a just cause of complaint, and they said that if we should reduce the duty as was proposed the effect would be not to punish the merger, for, perhaps, the merger could stand it, but that all the smaller cement men in the country would have to go out of business. I think it is only fair to mention that this view was presented by the deputation to which I refer. They told us there was no combine so far as they were concerned, that a large percentage of the cement business was not in the merger, that there was actual bona fide competition between the merger and the outside companies, and that they felt sure the public would get the cement at a reasonable and fair price. I am not endors-

ing these contentions, but in view of what the hon. member for Selkirk has said, I think it only fair that I should present to the House the contentions of that deputation.

Mr. HENDERSON. Then, judging by what the Minister of Finance has said, I would assume that the Bill of the Minister of Labour would be entirely meffectual, because he will not dare to put it in force against the merger, fearing he may injure those who are not in the merger. That is an interpretation of what the Minister of Finance said.

Mr. FIELDING. I am not interpreting it as applied to this Bill.

Mr. HENDERSON. Well, I am.

Mr. KING The representations made to the Minister of Finance may or may not be correct, but the investigation will show whether they are correct or not, and if it be found they are not correct then this measure would be very effectual.

Mr. R. L. BORDEN. It would only be the operations of the combine that would be investigated?

Mr. KING. Any feature bearing on the combine and its operations. If the combine were being investigated, the argument placed before the Minister of Finance by the deputation would undoubtedly be urged and that is a question that would be inquired into.

Mr. D. A. LAFORTUNE (Montcalm). (Translation). Mr. Speaker, I desire to make a few remarks on this question, the county which I have the honour to represent being highly interested in all that pertains to the subject under discussion. I find that about ten years ago a powerful company called the American Tobacco Company began its operations in the province of Quebec. Later on they assigned all their rights to another very powerful company, the Imperial Tobacco Company. They bought all the tobacco factories established in the counties of Joliette, Montcalm and L'Assomption, to the great prejudice of the farmers interested in the growing of tobacco. These companies stipulated that the vendors would be precluded, during the space of twenty years, from engaging in the manufacture of tobacco and from having any interest whatsoever in that industry, thus inserting a clause which was utterly prohibitory.

The law which permits the prohibitory clause, as between sellers and buyers, requires three conditions; 1st, that the object should be fully determined; 2nd, that the place should be accurately specified, and 3rd, that the duration of the contract should be determined. In the case of the companies who bought the factories of the counties in question, they stipulated, in order to evade the law, that the vendor would have the right to engage in that industry in Alaska or on the banks of the Yukon river. Such a clause clearly indicates that the object in view was simply to evade the law. Indeed, had not this exception been made, the contract would have been radically null and void. But in order to escape the law, it was specified that the vendor would have the right to engage in the manufacture of tobacco in what is known as the Yukon district.

The people who thus sold their manufactures obtained rather high prices from that company who own millions. These sales have caused great damages to the farmers by drawing away from these counties quite a number of factories. Moreover, the Imperial Tobacco Company, being the only buyers of the tobacco crop, controlled the prices and gave the farmers just what they pleased to give them. As a matter of fact, the company regulates the prices and the conditions which they see fit to impose on the producers.

I desire to know from the hon. Minister of Labour whether this Bill can reach such contracts as these. I see by sections 22 and 23 of the present Bill that whoever shall buy out, or prevent competition, or even shall unduly restrict the manufacture or production of any commercial commodity, shall be liable to rather a heavy fine or even to imprisonment.

This is all very well, but there is one point on which I desire to be informed by the minister. I desire to know whether this law shall be retroactive in its effects, or in other words, whether it shall apply to those who have in the past bought these factories with the restrictions which I have pointed out. Because my constituency is very much interested in being able to obtain the power to reopen the factories which have been closed after having been bought by the powerful corporation, 'The Imperial Tobacco Company.'

In my opinion this law is very important from the standpoint of those who are engaged in agricultural pursuits, and especially in the growing of tobacco like the people of the county of Montcalm.

If it is possible to annul or at least to modify the existing contracts; if it is possible to bring before the Board of Control mentioned in this Bill such cases as these, so that the people who sold out their establishment could reopen their old manufactures, the hon. minister shall deserve the heartfelt gratitude of that part of the country where people are engaged in the tobacco industry, and in particular of that part of the country which I have the honour to represent in this House.

It is my desire that the minister should tell me whether this law will effect that kind of existing contracts.

Mr. R. L. BORDEN. Before the Bill takes its third reading. I desire to say a few words. The Minister of Labour, on the second reading of the Bill, and on various occasions since, has pointed out that in his opinion and in the opinion of the government, a great evil exists at the present time in this country that requires a remedy. The conditions which are alleged to have arisen by reason of combines in this country have been discussed in the public press during several years past, and the government proposes this measure as an effective remedy. They naturally take responsibility for it, and I am not disposed in any way to place any obstacle in the way of the passage of the Bill. One or two observations, however, with regard to its probable effect may be in order at the present moment. It is my opinion, based perhaps on some considerable study of this question, that the present law upon the statute-book of Canada would be effective if properly administered. It is perfectly idle to put this law or any other law upon the statute-book in respect to a public evil of this kind unless proper provision is made for the administration of that law. At the present time there are adequate provisions upon our statute-book, but no person has been named by the government under the provisions of the law to take the initiative in respect to it. No provision is made in the present law except such as may arise from the unorganized energies of the public at large; and it seems to me that the difficulty which will probably arise under this statute is, in the first place, that what is everybody's business may prove to be nobody's business, and that skilful and powerful combines may entirely escape the remedy which, according to the Minister of Labour, is to be enforced against them for the purpose of curing the evil referred to. Not only that, but there seems to be a danger that the provisions of this measure may be used oppressively and maliciously; and I do not know what would follow under this measure if certain persons, having made a complaint against a particular combine, should find it convenient for some reason afterwards to withdraw their application. I suppose in the absence of statutory provision against such a course they are at liberty to do so, and if so then the whole thing falls to the ground until six other gentlemen see fit, in their discretion and in their wisdom, to take the matter up again. I believe that the measure is capable of becoming useless on the one hand, and of being abused on the other hand, under conditions such as those to which I have adverted. It is my own belief that in respect of measures of this kind designed to apply a remedy to a great public evil, officers should be appointed whose duty it is, representing the public, to enquire into these conditions and to bring such matters before the proper tribunal. If that course were adopted, I do not see that there is any great need of amendment in the present law, although as I have said, I shall be glad to find out in future that my expectations in that regard are not well founded, and that this measure will produce better conditions than those which have prevailed in the past.

One matter which has been referred to by my hon. friend from Halton (Mr. Henderson) deserves consideration, I think, by the government, and especially by the Minister of Labour. I do not at all concur in the answer which the Minister of Labour gave to my hon. friend from Halton. The measure does not in my opinion support the contention of the Minister of Labour in that regard. Suppose an inquiry is begun into a particular combine, suppose it is true that the combine is making excessive profits, and suppose that the firms outside of that combine charging only the same prices as those which have been charged by the combine, are not making an excessive profit at all; the Minister of Labour thinks an inquiry into the whole situation could be made into all these conditions upon an application against the combine. Well, you may inquire into it, perhaps in an academic way, but you cannot inquire effectively into that situation except in so far as it relates to the operations of the combine, if I appreciate correctly the provisions of the Bill. However, as I have said, the measure is before the House, and the government believes that it constitutes a remedy, and I only hope that it will effect a remedy.

My hon. friend has spoken of the provisions of the Bill as making it unnecessary to put any group of men in the position of answering to a criminal indictment. Well, it does that in one way, yet in another way its provisions are rather curious, because it leaves the criminal liability of any particular group of men to be determined by arbitration. It seems to me there is some grave criticism to be made upon the invocation of the criminal law along lines of that kind. Grand juries in this country have for years past fulfilled many of the functions which the Minister of Labour decleares should be fulfilled by this measure. It is all right to say that publicity is the general principle of the measure. I appreciate fully what the Minister of Labour has said in that regard. His idea is that he will apply to all these conditions the touch stone of publicity, and he thinks that thereby an effective remedy will be found. It may be so, I trust it will be so, but I for one have some doubt as to whether it will prove quite as effective as the minister expects.

Coming now to the particular language of the statute, I would like to say that it does not seem to me to afford a very excellent example of good draughtmanship. I would like to draw the attention of the Minister of Labour to this feature of his Bill, and to this curious illustration of what in my opinion is bad draughtsmanship. There is a definition of the word 'combine,' in section 2. It is very proper according to modern custom to have a definition. The definition obviates the necessity of repeating a great number of words in different paragraphs of the Bill to convey a particular meaning, and in the preparation of modern statutes, and legal instruments that method is used for the purpose of securing brevity. The minister has a very elaborate definition of a combine. The first criticism I have to make is that we find an elaborate definition, and then we find that definition repeated in a partial form, in clause after clause of the Bill, further on. So in the first place, you have an elaborate definition, and then you find that definition neither used or followed in subsequent provisions of the Bill. Another criticism is that the interpretation of the word 'combine,' is not consistent with some other provisions. For example, you find the definition of the word 'combine,' divided into four branches. The first branch is:

Any contract, agreement, arrangement or combination which has, or is designed to have, the effect of increasing or fixing the price or rental of any article of trade or commerce or the cost of the storage or transportation thereof.

Branch 2:

Restricting competition in or of controlling the production, manufacture, transportation, storage, sale or supply thereof.

Branch 3:

The acquisition, leasing or otherwise taking over, or obtaining by any person to the end aforesaid, of any control over or interest in the business or any portion of the business of any other person.

Branch 4:

What is known as a trust, monopoly or merger.

The minister has inserted at the end of the first branch of the definition the words 'to the detriment of consumers or producers.'

That qualification or limitation has not been affixed to any other branch of the definition; nevertheless, the Bill in section 5 and in other sections proceeds as if the definition or limitation had been applied to every branch of the interpretation of the word 'combine' in section 2. It seems to me exceedingly probable that this will result in a great deal of confusion, because these various sections of the Act are inconsistent with the definition of the word 'combine' as the minister left it in committee. I am also of the opinion that a great deal of difficulty will be found in the interpretation of section 23, which has been alluded to. There was a great deal of discussion as to the effect of that in committee. At the present time I am bound to say that I have considerable doubt as to how it will be interpreted, and that, with the other provisions in the Bill, and sections 5 and 23 in particular, will be found to be very much to the advantage of that profession of which I have the honour to be a member, because there will be a great deal of wordy discussion in the courts, and perhaps in the Courts of Appeal, as to what this measure really does mean. However, perhaps in the Senate, or at another session of parliament, some of these anomalies will be corrected. While I do not entertain the very highest expectation as to the success of this measure, I agree that it should be passed without objection because it is the result of the efforts of the government to apply a remedy to that which is generally regarded as an evil. If the publicity which the minister seeks to apply will have the result hoped for, I shall be very glad.

Mr. W. F. MACLEAN. I am quite prepared to give this new measure a trial, and especially to give it consideration in view of the introduction of the principle of publicity in these matters. But I also wish to say that the Bill commends itself to me because this government has accepted a principle that I fought for for many years in this House, namely, that the government, when it introduces a Bill to remedy a grievance, ought to provide machinery under the Bill for the enforcement of the law. Hitherto that has been neglected. I was laughed out of the House almost at that time by the Minister of Justice, who said that he was the Attorney General for the Dominion, as he called himself, that he was responsible for the enforcement of Dominion Acts, and that the Attorney Generals of the provinces were also responsible for the enforcement of them. But now I see there is provision in this Act for its enforcement, that the Minister of Justice can institute actions, can retain counsel, that the Governor in Council will also act, and that the patent law can be enforced in this respect. This is great progress compared with what we had in the past. It is a change and it is just an other of the things which I have pressed upon this House and which received little consideration at the start, but which are now recognized and are being adopted as general principles.

Mr. HENDERSON. They are all the time doing it.

Mr. W. F. MACLEAN. My hon. friend (Mr. Henderson) says they are all the time doing it. But this is not an omnibus Act to cure the grievances in connection with other general Acts. For instance, if there is something wrong in connection with patents and patent laws, the effective remedy is in the Patent Act, and I believe the Patent Act ought to be greatly enlarged and extended on the lines of the German and British Patent Acts in order to afford protection to the people. We ought to have a system in this country that would automatically bring about the cancellation of a patent if the patent was being used to the detriment of the public or for the unfair enhancement of prices. If mergers are possible, as they now are, and if they are grievances, automatically, the law that controls the capitalization of the merger ought to in some way intervene and compel a reduction in the capitalization. We have no control of capitalization to-day, and a great many of the economic evils of the country are due to unfair capitalization. Also, in the matter of the tariff, if there is a grievance, in consequence of unfair treatment and the enhancement of prices, the tariff itself ought to automatically operate so as to bring the grievance to a finish. I think this principle should be more and more adopted of the federal government making appropriations, employing counsel, paying witnesses and doing all those things in order to enforce its own laws. It does not do to leave the administration of the large federal Acts to the provinces, or to leave to them the expense of enforcing these laws. It is true that the provinces do enforce the Criminal Code, but there are grave breaches of the Criminal Code in this country that you cannot have enforced by provincial action, and more and more the principle recognized in this Bill should be extended to all the great federal Acts. We have another instance of the extension of this principle in the Railway Act, but, certainly under the Railway Act, you ought to have a general prosecuting attorney in the public interest representing the Crown and the public, and whose duty it would be to see that the Act was enforced. The merit of this and all those remedial Bills that are being passed in this country to deal with public grievances and correct abuses, depends upon the federal government spending its money freely and employing Crown officers to enforce the law. That will be the future of it and of all those Acts of a remedial character that we have passed in the last few years. Certainly it is a matter of satisfaction to me to know that while the proposition that I made in this House some years ago that this government should be responsible for the enforcement of its own Acts was ridiculed, it has at last been recognized, and there is a fair hope that the principle being accepted with respect to this particular Act will be embodied in a great many others.

Mr. GEO. PARENT (Montmorency). Mr. Speaker, since this Bill has been under discussion, I think we have found that the general sense of the House is that legislation of this kind is highly desirable. Among all the clauses of this Bill there is one in particular to which I wish to draw the attention of the House, and it is one upon which I beg to congratulate, especially my hon. friend the Minister of Labour (Mr. King). I refer to clause 22 dealing with the Patent Act. In the city of Quebec we have had, for the last six or seven years, a company which has been trying to do business in the shoe machinery trade. But they found that the United Shoe Machinery Company, a big American corporation, was entirely in control of the shoe machinery trade in this country. The Canadian Shoe Machinery Company, the company to which I refer, has for years tried to put its machinery on the market, but unsuccessfully, because the United Shoe Machinery Company had secured entire control of that market. The United Shoe Machinery Company was the owner of certain patents, and it took advantage of these patents so as to make it impossible for any other company to compete against it. It was a genuine monopoly. I would like to call your attention, Mr. Speaker, to some of the clauses that the United Shoe Machinery Company includes in its contracts with the various manufacturers, and then you will see how far they go in their dealings.

Clauses in the United Shoe Machinery Company's Lease and License. Form 1210—$\frac{8}{8}$.

2. The lessee shall at all times and at his own expense keep the said machinery in good and efficient working order, and shall obtain from the lessor exclusively and shall pay therefor at the regular prices from time to time established by the lessor, all the duplicate parts, extras, etc., to be used on said machines.

3. The lessee shall at his own expense insure the leased machinery against loss by fire to the amount of $....., and in case the same is lost or destroyed before the termination of this lease then the lessee shall pay to the lessor on demand an equal sum as partial compensation for such loss or destruction. The lessee shall pay all taxes and assessments which shall be levied in respect to the leased machinery or in respect to this lease and license or the right to payments hereunder upon whomsoever assessed.

4. The said machinery shall not be used in the manufacture of any boots and shoes which are lasted on machines other than those leased from the lessor or any welted boots or shoes which are not welted or stitched on welt sewing and sole stitching machine leased from the lessor, or in the manufacture of any boots partly made by the aid of any machinery not leased from the lessor.

4. Form No. unknown—The lessee agrees, as rent or royalty for the said machinery to purchase from the lessor at the prices established by the lessor all the fastening materials used by him or in connection with the said machinery.

8. This lease and license shall continue, unless sooner terminated by the lessor, because of breach thereof on the part of the lessee or otherwise as herein provided, for twenty years from the date thereof.

10. The lessee admits the validity of each and every of the letters patent of the Dominion of Canada owned by the lessor or under which it is licensed, and agrees that it will not directly or indirectly infringe or contest the validity of, or the title of the lessor to any of said patents. The termination or cesser of this lease and license from any cause whatever shall not in any way affect the provisions of this clause or release or discharge the lessee from the admission and estoppel herein set forth.

I read this to point out how far these gentlemen can go. And, Sir, every one of these contracts is binding on the shoe manufacturers of this country for twenty years to come, and when that term is about to expire, then they come with some other improvements to their machinery, and they bind the manufacturers for another twenty years. This is one of the worst monopolies that is in Canada to-day, and I am glad that by section 22 of this Bill we will be able to get at the bottom of their organization and find means of getting relief. We have heard from hon. gentlemen in this House about the cement merger, and we have heard from other hon. gentlemen about the rubber merger. It would almost seem that every member of the House has a special merger that he knows something about. We have had in the city of Quebec lately what is known as the Quebec merger. The Canadian Electric Company, the Canadian Gas Company, the Frontenac Gas Company, and the Quebec Railway, Light and Power Company have all combined, and from the very minute they did combine the people of Quebec found the price of gas went up from $1 per 1,000 cubic feet to $1.50 per 1,000 cubic feet. It is a curious coincidence that the moment these companies combine the citizens should find that the price of gas goes up. The Minister of Labour also mentioned that this Bill will give us a chance to regulate to some extent the freight rates of shipping companies. The port of Quebec has a grievance in regard to the freight rates that are charged to that port, and I have here a letter from one of our leading merchants in Quebec in which he says that the North Atlantic West Bound Freight Conference lines is practically a combine, which includes the Allan Line, the Dominion Line, the Canadian Pacific Railway Line, the Manchester Liners, and Donaldson Brothers. This West Bound Freight Conference line has put in rates to Quebec which are apparently not the same that they levy to other ports in Canada. The letter says:

I have already spoken to you on the rates made on goods imported to Quebec from Liverpool, Glasgow, London, and mostly all European points, which are two and sixpence to five shillings per ton of 2,240 pounds higher to this port than to the port of Montreal.

And when we consider that the port of Quebec is 180 miles nearer to European ports than is the port of Montreal, one can hardly find a reason why they make such discriminatory rates to the detriment of the city of Quebec. If, as I hope, we can make these companies afford better treatment to the city of Quebec, the Bill will have done a lot of good, and the Quebec people will be grateful to the government for it. I understand there is no particular provision in the Bill which affords a remedy for this, but as the Minister of Labour says, as these companies are subsidized by the government, perhaps we can bring them to common sense by reducing the subsidies or by attaching certain conditions to the granting of the subsidies, which will meet the views of the people of the city of Quebec.

Mr. SPROULE. I raised the point in the committee stage that as this Bill repealed one section of the customs law entirely and then re-enacted in another Bill, that our procedure was irregular as the House did not go into Committee of Ways and Means. I understood the Prime Minister was to consider the point and to make a statement in reference to it.

Mr. KING. The Prime Minister did have the matter looked into, and it was thought that the procedure was quite proper, because in this measure there is no intent to impose any taxes in connection with customs. It is simply transferring a clause of one Bill to another Bill. If there had been any endeavour to introduce legislation imposing additional taxes, then it would be necessary for the House to go into Committee of Ways and Means.

Mr. FIELDING. I was not present when the point was raised by my hon. friend (Mr. Sproule), but I understand that the Chairman of the committee ruled against his contention. It would strike me that as what we are doing here does not impose any burden on the people, it is not necessary to go into Committee of Ways and Means.

Mr. DEPUTY SPEAKER. By way of explanation, I should say that the point was not raised in the committee as a point of order. The hon. member (Mr. Sproule) spoke across the House questioning the procedure, and did not specifically raise it as a point of order. Accordingly there was

no ruling from the Chairman. But had I felt that as a point of order it would have been well taken, it would have been my duty to have ruled. It was only because I did not think it would have been well taken as a point of order that I made no ruling.

Mr. SPROULE. If that be so, I raise the point of order now and ask for a ruling on it, because I understood distinctly that the Prime Minister said that he would have it looked into, and that an answer would be given before the Bill was read the third time.

Mr. FIELDING. So far as the Prime Minister is concerned, I can inform my hon. friend that he does not agree with him, because I had a conversation with him on the subject.

Mr. SPEAKER. Bourinot says:

Changes in the tariff are proposed in the form of resolutions, each of which must be formally adopted by the Committee of Ways and Means and reported to the House.

I understand that this clause makes no change in the tariff. It only refers to one of the penalty clauses in the tariff which can be dispensed with in this Bill.

Motion agreed to, and Bill read the third time.

Mr. KING moved that the title be as follows: An Act to provide for the Investigation of Combines, Monopolies, Trusts and Mergers which may enhance prices, or restrict competition.

Mr. HUGHES. That does not properly describe the Act, according to the minister's own amendment. A combine might also depreciate prices.

Mr. KING. That is covered, I think, by the words, 'restrict competition'.

Mr. HUGHES. No, it is not, as was pointed out yesterday.

Mr. KING. I have no objection to shortening the title further. I move that it be as follows: An Act to provide for the investigation of Combines, Monopolies, Trusts and Mergers.

Motion agreed to, and Bill passed.

SUBSIDIES TO DRY-DOCKS.

Mr. FIELDING. I wish to move that item 21 on the order paper, being a resolution respecting subsidies to dry-docks be dropped, the object being to bring it forward in another form to-morrow. Some changes have been made, and I thought it desirable to bring it up in the form of a new resolution rather than to amend this resolution.

Motion agreed to, and order discharged.

Mr. DEPUTY SPEAKER.

WATER CARRIAGE OF GOODS.

House in committee on Bill (No. 25) respecting the Water Carriage of Goods.—Mr. Brodeur.

Mr. R. L. BORDEN. Perhaps the minister would give us an explanation of the Bill, particularly informing us whether it differs, and if so in what respect, from the Bill which was before the House two sessions ago.

Mr. BUREAU. If I am rightly informed, this Bill was before the Senate two years ago. There were some objections to it, and it was considered to be of such importance that there was an investigation held and evidence taken before a special committee for the purpose of ascertaining what remedy needed to be applied. Last year the Bill was again before the Senate and was passed by that House, and sent over to the House of Commons; but it was in the dying hours of the session, and did not go through. This year the Bill came again before the Senate. As it is now before the House, it contains certain amendments which were made by the special Committee on Marine and Fisheries, after an investigation in which evidence was taken. The object of the Bill is to restrict the contracting power of a ship-owner, whenever in his bill of lading or other document he inserts any clause to relieve himself from responsibility for loss or damage, whether as a result of his own negligence or want of care or not. I understand that complaints were made by shippers that in bills of lading there were provisions of this kind so that when goods were damaged or lost, the loss was sustained by them instead of by the ship-owner, and the object is to prevent him relieving himself of responsibility in this way.

On section 4, certain clauses prohibited in bill of lading.

Mr. R. L. BORDEN. I did not catch what the Solicitor General said as to the similarity of this Bill to the one passed by the Senate.

Mr. SINCLAIR. It is practically the same Bill.

Mr. R. L. BORDEN. Perhaps the minister would let us know when there is any change in any section of the Bill.

Mr. BUREAU. I understand that clause 10 has been added as a new section. It was not in the old Bill as presented to the Senate, and it has been added as the result of the investigation held before the Marine and Fisheries Committee. Complaints were made that certain numbers of pieces of wood were shipped and that when they got across the ocean, measurements were taken, and if the measurements and standards did not tally with the measurements and tallies of the shippers,

the loss was on the ship-owners. That has been changed so that when the ship-owner delivers the exact number of pieces he has received, he will be relieved from liability whether the measurements or standards agree or not. That is the only change I understand that has been made in the Act.

On section 6,

Mr. SINCLAIR. These words 'or from latent defect' were added by the committee on Marine and Fisheries at the instance of William Thompson and Company, of St. John, who said it would be a hardship sometimes if there was some latent defect in a ship such as a defective boiler which could not possibly be found out, and the ship went to sea with a very valuable cargo and was lost by reason of that latent defect, that the ship-owners should be held liable. That has always been the law, and these words do not change it.

Mr. LANCASTER. Is it not going a long way to say that a ship-owner should not be held responsible for a latent defect. No one could inspect the ship but himself.

Mr. SINCLAIR. It only applies to cases where it is impossible to discover a latent defect. There are many cases in which it is not possible for a ship-owner to know.

Mr. LANCASTER. That is hardly the amendment. If there is a latent defect, I do not like the idea of the responsibility being put upon anybody but the person who has control of the inspection and who has the power to order all such defects to be corrected. I do not like it to be put upon any one but the owner of the ship who should be able to discover the defect.

Mr. SINCLAIR. If the hon. minister will look at the section he will see that it reads 'If the owner of any ship transporting merchandise or property from any port in Canada exercises due diligence to make the ship in all respects sea-worthy and properly manned,' The ship owner is bound by this to exercise due diligence, and he is also bound under the shipping Act to have his ship inspected every year, and to have a certificate carried by the captain that his ship has undergone proper inspection. If he has exercised due diligence, and there is a latent defect he has the right to be relieved from liability.

Mr. LANCASTER. I do not disagree with what the hon. member says, but I am afraid the Act itself would not have quite the effect that his argument implies. 'If the owner of any ship exercises due diligence to make the ship in all respects sea-worthy and properly manned'—

Mr. BUREAU. And equipped.

Mr. LANCASTER. That is all right as the section is printed, so far as it goes, but if there was a latent defect in a ship then the owner could say, I used due diligence to make the ship seaworthy and properly manned and equipped, and I am not liable for the latent defects. He could discover these latent defects by proper inspection.

At one o'clock the committee took recess.

Committee resumed at three o'clock.

Mr. CLARKE. Section 6, it seems to me goes very far. It seems to exempt altogether the owners of the boat from liability for damage caused by negligence or want of proper skill on the part of the servants or agents of the ship-owner. That certainly is contrary to most rules of legal liability. The master is entrusted with the employment of the servants, he has entirely to do with the employment of servants, and when we say that the servant of the master may do as he pleases, and if his action results in damage to the owner of the cargo the master is not responsible, we are going very far. It is not so in the case of railway accidents. If the engineer or brakeman is guilty of negligence the company is liable, and it seems to me dangerous to say that the owner of a vessel shall escape scott free if his employees are guilty of negligence in the management or navigation of the ship. They may run into another boat or a dock or a rock, but no matter how negligent those in charge may be no person is responsible for the loss of the cargo in the ship. I am not very familiar with these marine matters, but it seems to me a dangerous thing to place the owner of the cargo entirely at the mercy of any employee of the ship if the owner of the ship is not to be responsible.

Mr. SINCLAIR. As I understand the common law has always been that the owner employs the best master he can get, a man in whom he has confidence, and if this man, by improper navigation or by not doing what he should do, destroys the ship, the owner is not liable for the damage to the cargo. It would be unreasonable to make him liable. The running of a ship is very hazardous, it is not at all on the same basis as the operation of a railway. A railway company gets certain franchises from the country, it has certain rights which it gets from the public. A ship gets nothing whatever from the public. The owner of the ship embarks his capital in a hazardous business, and it would be unreasonable to hold him liable for loss on the cargo under such circumstances. He is just as anxious to save his ship, and get it safely to port as is the owner of the cargo that his goods shall get to port, unless he is a scoundrel anxious to lose his ship for the sake of the insurance.

Mr. SPROULE. Is not the owner of a ship a common carrier?

Mr. SINCLAIR. No and yes. It has never been held in the courts that he has the same liability as the owner of a railway or a common carrier on land. The owner of the ship does not earn his freight unless he lands his goods on the other side, and consequently you can depend on him to get the goods there. Suppose he does not know what the goods are worth. It often turns out that goods are worth a great deal of money, and the freights are very low. A man may be carrying freight at a few dollars a ton that is worth millions, and it would be unreasonable to hold him responsible on account of the small freight he gets if anything should happen the cargo through carelessness, &c.

Mr. SPROULE. I thought they had to put the value on the bill of lading.

Mr. SINCLAIR. Not at all. There is often no value stated in the bill of lading. It discloses the number of tons, and of course the freight, but not the value of the goods. This Bill goes a long distance towards taking away the rights the ship-owner now has. Under the present common law he has the right to make a contract, but you are depriving him of that right which nearly every person enjoys under the law. We deprive him of the right to contract with the owner of the goods in regard to the care of the goods. There are some cases where it is quite proper that the owner of a ship should be allowed to make a contract to relieve himself of liability, and where the owner of the goods would be quite willing to accept the liability in order to get the owner of the ship to carry his goods. This, then, is a compromise to which the shipowners of Montreal, and other parts of Canada have agreed. The whole question was threshed out before the Senate Committee, and later on before a committee of this House. At that committee the following shipping lines were represented: The Allan line, the Quebec Steamship line, the Elder-Dempster line, the McLean-Kennedy line, the Hamburg American line, the Dominion Coal Company, the Donaldson line, and the Thompson line. The Dominion Millers were also represented by men who well understood the business they were dealing with, and gave it a good deal of attention. The Manufacturers' Association was represented, and a number of other interests. The Bill was carefully threshed out, and if we undertake to change it without very careful thought we may be creating a condition of affairs that will cause great disturbance in the commerce of Canada. The Bill goes a great distance in protecting the owners of the goods. That, of course, is its intention. It arose through the conditions that were being inserted in the bills of lading granted by the steamship people in Montreal. In that form of bill of lading they inserted clauses relieving the steamship of the liability which should really have been assumed by the steamship, such liability as putting the goods in contact with other goods that would damage them. The right was also put in the bill of lading to deliver the goods to the consignee notwithstanding the fact that the bill of lading had ben endorsed to a bank. There were in fact certain clauses in the bills of lading in common use among the shipping people on the St. Lawrence that should not have been there, and that is what gave rise to the Bill in the first place. Many concession were made by the shipping people, these concessions were accepted by the representatives of the Manufacturers Association, and the Millers, and I trust the members will understand that the words of this Bill have not been placed here without a great deal of thought and care. The House ought to accept the Bill unless they can point out something very improper in the language.

Mr. G. TAYLOR. The shipper of goods can protect himself by insuring his cargo. That is the whole point at issue. When you ship a cargo you insure it for its full value, sometimes for a little more than its value on account of fluctuations in price.

Mr. A. M. MARTIN. Mr. Chairman, the shipper can insure for the full value of his goods, but to cover the case of the old bill of lading we would require to insure under the all-risks clause, which covers every kind of damage. It costs a great deal more to insure under that clause than under the ordinary clause. However, this section, in my mind, would reduce the cost of insurance to the shipper as it would enable him to insure under the ordinary clause. The trouble in the past has been that the through bill of lading received by the shippers in Canada did not hold the vessel owners liable in any way whatever. It did not even oblige them to deliver the same goods that you shipped; it held them liable to deliver the same kind of goods, but not the same goods. Then it permitted them to deliver the goods to the party to whom they were shipped before the original bill of lading was delivered up. This was the principle object in asking for the new through bill of lading now. Formerly we who shipped from inland points did not really know what our Shipping Bill contained. We took a bill of lading from the railway company, which held the railway company liable for any damage, and that simply stated that we came under the Ship's bill when they handed over the goods to the steamship company. Now, what is needed is a Bill that will hold the steamship

company liable for the goods. However, as my hon. friend from Guysborough (Mr. Sinclair) has stated, this Bill is in the nature of a compromise between the shippers and the ship owners, and it would be in the interest of the shippers to let the Bill pass as it is, because if any amendments were made to it they would block the Bill for this year and the shippers would have no protection during the coming year. This Bill will afford a degree of protection to them, and therefore it would be better to let it go through as it is.

Mr. DOHERTY. The provisions of the Bill which restrict the liberty of a ship-owner by means of stipulations in the bill of lading relieving himself from responsibility, are a great advantage to the shipper, and to that extent the Bill is an advantage to the shipper. But I think we require to proceed with care when it is proposed, because those particular sections give certain advantages to the shipper to impose upon him a disadvantage by other sections of the Bill. There may be a sufficient reason for enacting this section, but it certainly is a section which relieves the ship-owner, that is, the ship-owner who is engaged in transporting goods, from responsibilities which undoubtedly were incumbent upon him at common law. I was surprised to hear the hon. gentleman (Mr. Sinclair) say that a ship-owner was not a carrier and did not come under the common law regarding carriers. I think he is a carrier in precisely the same sense as a railway company, if he carries on the business of a carrier, that is, if he transports goods in a ship. The mere fact that a man owns a vessel does not make him a carrier, but if he uses it to carry goods, he becomes a carrier the same as a railway company is a carrier. A railway company, because it owns a railway, is not thereby a common carrier, but when it engages in the business of carrying, then it comes under the common law regulating carriers. Railway companies have special legislation affecting them, and this is special legislation made for the ship-owners. But when the hon. gentleman said that there never was any liability, that it never was the law that the ship-owner engaged in the business of carrying goods was responsible for the loss that occurred by error in the management of the vessel, I must say he enunciated a proposition quite new to me. It is in fact because the ship-owner is a common carrier at common law, and as such would be responsible to deliver the goods that he undertook to carry, and could excuse himself for their loss only on the ground that the loss was attributable either to the act of God or to the King's enemies, that there is any object in making a section of this kind. It is clearly a section to modify the responsibility which at common law lies upon the ship-owner as a common carrier. It seems to me to go exceedingly far, it is going to put the ship-owner in a different position, not only from that of common carrier, but it is going to put him in a different position as regards responsibility, from that occupied by every other person who employs others to act as his servants. The general rule of law is, that I am responsible for damage that is caused by the fault or negligence of my servant in the performance of the duty for which I employ him. Now, this is a provision that the ship-owner shall not be responsible for damage caused by the fault of the servant in the performance of the duties for which he employs him, and its practical effect is that the ship-owner, even though he employed an incompetent captain, will not be responsible for the damage resulting from the incompetence of that captain in the management of the ship. It is true, it is required, as a condtion of this exemption, that he should exercise due diligence to make the ship in all respects seaworthy and properly to man it, so it will be on him to show the due diligence. But I think the effect of the section is to create an exceptional position for the ship-owner, it places him in a category by himself.

Mr. SINCLAIR. What does the hon. gentleman find in this proposed statute that enables the ship-owner to employ an incompetent captain and send him out with the ship?

Mr. DOHERTY. I pointed out that of course he would have to establish that he had used diligence, but even though he may have used diligence, the captain that he has employed may prove to be incompetent, and still he is being relieved from damage resulting from mismanagement. Now we find here the words: 'error in navigation or mismanagement of the ship'. Those are errors attributable to the captain or officers of the vessel, and the fact that they make such errors would at all events, in relation to that particular error, show them to be incompetent, and yet we relieve the ship-owner from responsibility. I will not discuss whether the general rule of the law is a good rule, but I certainly think that it cannot be disputed that the general rule of law is that I am responsible for damage that is done by my employee if that damage is caused by him while he is in the performance of the duties for which I employ him; and if you pass this section you place the ship-owner in a different position from any other employer, and you relieve him from responsibility for the incompetency of the people whom he employs. That is clearly a most material diminution of the responsibility of the ship-owner at common law as a carrier, and as an employer of persons. Whether the ad-

vantages to the shipper from the other sections of the Act are sufficiently great to compensate for the disadvantages, would perhaps be a matter of question. I think myself that this House ought not to adopt this legislation on the supposition that it never was the law that the ship-owner was responsible for mismanagement of the vessel by his employees.

Mr. MACDONALD. There can be no doubt that at common law the principle laid down by the hon. member for St. Anne (Mr. Doherty) is correct. My hon. friend will agree that when parties have contracted, however, in regard to the carriage of goods, this clause always appears in a bill of lading for the protection of the shipper. And what are we doing here in this Bill? It might be said in a way that we are making a bill of lading to govern the shipment of goods from Canada and into Canada. We are following in that respect the example which was set by the United States when they adopted some years ago what is known as the Harter Act, and the clauses which are incorporated here are a reproduction of that legislation which was settled at the suggestion of the commercial world in the United States. In declaring what shall be in the bill of lading it might be said that we are declaring what shall be the bill of lading for the future. We are not doing anything that is unfair to either party. The various interests that appeared before the committee on this subject were representative of the shippers and the carriers, the latter of whom were anxious to have a definite and clear bill of lading made a matter of law. While under the common law these liabilities did exist on the ship-owner, as a matter of fact they did not exist on account of being contracted against, and I do not think there is anything anomalous in reproducing in the law what is practically in every bill of lading in the country. The fact that the different interests watched with the greatest keenness in order to see that no undue advantage was given to either side is the best evidence that the measure is a well considered one.

Mr. SINCLAIR. I am afraid my hon. friend from St. Anne (Mr. Doherty) misunderstood what I intended to convey. Under the law, as at present, the ship-owner is allowed to make a contract, and in every charter party and bill of lading he is very careful to contract himself out of as much liability as he can. For hundreds of years, in every one of these shipping contracts it has always been the custom of ship-owners to contract themselves out of the specific things that are mentioned in section 7, such as: loss arising from fire, dangers of the sea, the acts of God and the King's enemies, and inherent vice of the thing carried. These are among the things that have appeared in every bill of lading and charter party that has been in existence in British countries for very many years. We are now by this Act taking away from the ship-owner the right to make a contract that will contract himself out of liability, but we think this clause is a reasonable one.

Mr. SPROULE. The shipper is obliged now to sign the bill of lading presented to him or otherwise he cannot ship his goods. If a loss should be sustained through the negligence of the common carrier and in common law he were sued for damages, would not the court determine which of these provisions in the contract were reasonable and which unreasonable, and only allow to prevail those which were reasonable?

Mr. SINCLAIR. I think the courts have always held a man liable for the consequence of his own negligence. He can contract himself out of his negligence, and if the owner of the goods agrees to that contract you have a contract between the two, but that is the thing we are trying to avoid. The committee arrived at the conclusion that the provisions in clause 7 were reasonable. That is the meaning of it and nothing more.

On section 7,

Mr. DOHERTY. There is something in this section to which I would call the special attention of the committee, because it involves so serious an error that I doubt very much if it could have been intended that the section should be couched in these precise words. At all events I do not think it could have been intended to produce the effect which the enactment of the clause would produce. I quite agree that it would be a proper thing to exempt the ship-owner from loss arising from the different causes which are mentioned in this section, provided such loss arises without his fault or privity or the fault or privity of his servants, for whom he is responsible. But, as I read the section as drawn, it exempts the ship-owner from responsibility if the damage is the result of any one of the causes enumerated there, without considering at all whether that cause is attributable to his fault or the fault of those for whom he is responsible. For instance, under the section as drafted, the ship-owner would have nothing to do but say your goods were destroyed by fire, and then he would be exempt under the section. I submit he should be called upon to show that the goods were destroyed by fire which was not attributable to his fault or to the fault of those for whom he was responsible.

Mr. BARKER. Under section 4, he cannot contract himself out of liability for negligence.

Mr. DOHERTY. Yes, but in this section it is not a question of contracting himself out of anything; the law itself here says, that the ship-owner shall have no responsibility, regardless of what contract he may make, for the loss of goods destroyed by fire. It may be that the shipper is insured against that loss, but I have difficulty in convincing myself that it was intended to say, as this section says, that the ship-owner in order to be relieved, need only prove that the cause was fire. Fire is not a thing that necessarily excludes the idea of fault on the part of persons in charge of the place where the fire occurred, on the contrary, probably in the majority of cases, fire is due to somebody's fault. When you merely prove that the goods were burnt, the question remains absolutely undetermined in any way whether that is a loss attributable to the fault of the ship-owner or his employees. In dealing with a section of this kind, which has nothing to do with what a man may contract himself out of, but which is fixing the legal liability, you want to remember in making statutory provisions what the position of the party was in the absence of these provisions. His position in the absence of any provision to relieve him, was that his obligation was to produce the goods or explain why he did not, and to so explain it as to exclude the idea that it was his fault that he did not produce them. The only excuses the common law recognizes were the act of God and the King's enemies. I am not arguing that a man should not be exempt from responsibility for the causes enumerated in this section; what I contend for is that he should be so relieved from that liability, only provided that the happening of any one of these things mentioned is not attributable to his fault. I know it may be answered that as regards some of the things enumerated in this section they could not be his fault, such as the act of God or the King's enemies or inherent vice in the things carried.

Mr. SINCLAIR. That is not his fault.

Mr. DOHERTY. Certainly not, but the answer to that is that the common law relieves him from that liability. That clearly could not be a cause of liability because that could not be his fault. The act of God, or the King's enemies or a defect in the goods that were furnished to him would not be his fault, and the common law would relieve him of all liability, but when you come to fire it might be his fault.

Mr. SINCLAIR. Fire is the only one that might be his fault.

Mr. DOHERTY. I beg your pardon. When you come to the perils of the sea it is quite true that the peril is not his fault, but an accident resulting from it might be his fault if he has not taken proper precautions to avoid it. Under the the very same sort of legislation you will find judgments of the court to the effect that, though the immediate cause is the peril of the sea, the ship-owner is responsible for the accident by which his vessel succumbed to the peril of the sea in that, for instance, the vessel was not seaworthy or, until we had the immediately preceding section, that she was not properly managed. With those exceptions, the act of God, the King's enemies and defects in the goods themselves, all of which would exempt him at common law, I submit that the law should be made to read that the ship-owner shall not be held liable for loss arising without his fault or the fault or privity of any person from whom he is responsible from the causes mentioned in that section. I think that the explanation of how the section comes to be worded in this way is to be found in the fact that the people who drew it followed the example of the revisers of the statutes in 1906 and who, with all respect, I think, have made a very serious error. In 1906 they purported to revise chapter 82 of the Revised Statutes of 1886 and, more particularly they revised section 2 of that statute. In what purported to be a reproduction of section 2 they entirely altered the sense of section 2 apparently because they thought there would be an advantage in dividing the paragraphs of the section and giving each one a number. Section 2 of chapter 82, Revised Statutes, 1886, dealt with this subject precisely in the way that I contend it should be dealt with now and its provision reads as follows. After declaring the liability for the loss of or damage to goods entrusted to them for conveyance they went on to say, in subsection 4, section 2:

> Provided, that they shall not be liable to any extent whatsoever to make good any loss or damage happening without their actual fault or privity, or the fault or neglect of their agents, servants or employees,—
>
> (a) To any goods on board any such vessel, or delivered to them for conveyance therein, by reason of fire or the dangers of navigation.

Exempting there substantially the very two causes mentioned here, but making it an additional requirement that the accident should happen without the fault of the ship-owner or carrier or the persons for whom he is responsible. Then they went on:

> (b) Arising from any defect in or from the nature of the goods themselves, or from armed robbery or other irresistible force.

Then they went on with other provisions—I am not quite clear whether they are the same here or not. When the revision took place in 1906, and when the re-

visers came to reproduce that section, they made it read:

Carriers by water shall be liable for the loss of or damage to goods entrusted to them for conveyance, except that they shall not be liable when such loss or damage happens,—
(a) without their actual fault or privity, or without the fault or neglect of their agents, servants or employees; or,
(b) by reason of fire or the dangers of navigation.

So that they did what this Bill is now doing; they made the absence of fault one distinct cause of exemption from liability, and then they made fire and the perils of navigation and these other things that are enumerated other causes of exemption from liability, producing practically the result that even though the fire should be attributable to the fault of the ship-owner, nevertheless, it was to be a cause of exemption from liability. As I said in the beginning, I cannot convince myself that that was intended, for they enact that without regard to the question whether you are in fault or not, you shall not be responsible provided the damage be due to fire, and yet what the section says is clear from the fact that they make the absence of fault one distinct and substantial ground of relief from liability standing by itself. Then they go on to make fire and all the other things separate and distinct grounds of relief from liability. I do not know how this Bill was drafted, but it seems to me that it is the result of following the bad example of the gentlemen who drafted the Revised Statutes in 1906, and who, in the Act as put in the revision of 1906, drifted away from what was the perfectly sound and correct statement of what ought to be causes of exemption from liability, namely, fire and the perils of navigation, etc., provided the loss was not attributable to the fault or occurred without the fault of the ship-owner or the persons whom he employed. What I would suggest and what it seems to me would make it a perfectly reasonable law and not entail any injury upon the ship owner, is that in the second line of the section, after the word 'arising' there be inserted the words 'without their actual fault or privity, or without the fault or neglect of their agents, servants or employees'. That would bring the wording back to the wording of the provision of section 2 of chapter 82, which was the provision intended to be merely reproduced from that section in the revision of the statutes of 1906, section 964, and which would set the law forth on what I submit would be a reasonable basis. Then it would go on 'or from,' etc.

Mr. BUREAU. Since recess I have had a talk with my hon. friend from Montreal, St. Anne (Mr. Doherty) and I have also taken occasion to consult some English-speaking gentlemen about the phraseology of the section. Here is a question of English grammar and phraseology which I frankly admit I am not competent to decide, but I am told that this last phrase of section 7 'or for loss arising without their actual fault or privity or without the fault or neglect of their agents, servants or employees' is not a separate and distinct reason why they should be relieved from liability, but is a qualifying phrase which ought to be read with the rest of the section and applied to the whole section. Then, if it is the act of God, or if the ship is burned, the ship-owner shall not be liable provided there is no fault on the part of the master, servants or employees. I do not claim to be competent to judge when it comes to a question of English grammar. My hon. friend compares the statute of 1886 with the revised statute of 1906. The language of the Bill is exactly the language of the revised statute of 1906. I am not prepared to admit that the change in the language was made in the revision of the statute. There have been intervening amendments made to the statute of 1886. There may have been a discussion in the House on those amendments justifying the amendment as it now stands in the revised statutes. That I am not prepared to say, because I had not time during the recess to look over the statutes from 1886 to 1906 to see whether there had been any amendments between the consolidation and the revision. There may have been, as the hon. member for St. Anne says, a slip on the part of those who revised the statutes. Before accepting the amendment suggested, I think we ought to find out whether the language of the statute of 1906 is not a repetition of the language used in statutes enacted subsequent to 1886, and prior to 1906.

Mr. BARKER. If the Solicitor General has been properly informed as to the last two lines governing the whole section, there can be no objection to the insertion of the words which the hon. member for St. Anne proposes, because in that case they will not add anything to the meaning of the section.

Mr. BUREAU. That is a question for you to decide.

Mr. BARKER. I think it is rather a question for the law clerk to consider, and therefore, the hon. gentleman should allow that clause to stand.

Mr. SINCLAIR. There is not the slightest doubt in my mind that it was intended that the ship-owners should not be liable and we are enacting that which is the law now. If you look at section 964 of the Shipping Act, you will find that it says:

Carriers by water shall be liable for the loss of or damage to goods entrusted to them for

conveyance, except that they shall not be liable when such loss or damage happens,—

(a) without their actual fault or privity, or without the fault or neglect of their agents, servants or employees; or

(b) by reason of fire or the dangers of navigation; or

(c) from any defect in or from the nature of the goods themselves; or

(d) from armed robbery or other irresistible force.

Clause (b) was inserted because ship-owners would not undertake otherwise to carry goods at the rates that now prevail. For instance, a ship-owner might be liable for the loss by fire of a cargo of cotton worth $1,000,000 which he was carrying for $10,000. The cotton does not belong to him, and he cannot insure it, but the shipper can. Therefore, the statute now allows him to contract himself out of that liability. If the company wish to make him liable, they have to change the meaning of the section altogether.

Mr. DOHERTY. I do not question that, it is precisely in section 964 where the error was made. I think the Solicitor General will find that there was no intervening legislation, and that section 964 of the revised statutes of 1906, merely purported to revise and reproduce the dispositions of subsection 4 and the following subsections of section 2 of chapter 82 of the Revised Statutes of 1886; but in the reproduction they made the proviso governing all the exemptions read, as the hon. gentleman has just read it, as a separate clause of exemption from liability. The hon. gentleman talks of the danger of a load of cotton being burned, and says that the ship-owner ought to be allowed to contract himself out of liability for it. I am not arguing against his being allowed to contract himself out of liability. The question is not with regard to contracting himself out of liability; it is with regard to determining what his legal liability is in the absence of a contract. The cargo of cotton may be an exceptional case. On the other hand, look at all the classes of goods which in themselves are not specially liable to fire. If a vessel burned and my goods burned in it, and the ship-owner had not contracted on the subject at all, under this section all he would have to do would be to say that the goods were burned, and even though I proved that the fire was the result of the grossest fault on his part, he would go scot free, because fire per se, without regard to what caused it, is made a ground of exemption. The hon. gentleman says that nobody would carry goods otherwise.

Mr. SINCLAIR. Not at the present rates of freight.

Mr. DOHERTY. Up to 1906 people carried goods under the law which I am arguing for. I am not arguing that a party shall not be free to contract himself out of liability, and he will naturally do that when he is dealing with goods that are particularly liable to fire. But in cases where there is no question of goods particularly liable to fire, where people are shipping different kinds of goods in quantities, and the ship-owner does not deem it wise or desirable to stipulate that he shall not be liable for damage resulting from fire, if we are going to step in to his aid and relieve him of liability because it is a fire, even though it be proved that the fire is his direct fault, I must say that it is most dangerous legislation.

Mr. BUREAU. That might be possible, but not probable.

Mr. DOHERTY. The law of the province of Quebec considers it so probable that a fire, when it occurs, is attributable to the fault of the person at the place where it occurred or to the fault of his employees, that in the case of landlord and tenant there is a presumption of the tenant's fault when a building is destroyed by fire.

Mr. LEMIEUX. There was a case in which they held the contrary.

Mr. DOHERTY. In that case it was held that the tenant might prove that it was not his fault. When the ship-owner to whom I give my goods, comes and says: I do not deliver, there is my contract to deliver your goods, that is my contractual obligation, I do not deliver them. I say: Why don't you deliver, and he replies: Oh, they were burnt on my vessel, my vessel was burnt; I was in charge of it, and I have no further account to render to you. That is a hard enough situation for the shipper, but supposing I am in a position to go on and prove that that fire was the ship-owner's fault, nevertheless, under this legislation, I would have no recourse. Now, I submit that in the revision of the statute it was not intended to so alter the law. The hon. gentleman speaks of men in business refusing to be bound under the law in the sense which I contend for, yet I affirm without a moment's hesitation, that that certainly was the law up to 1906 when this revision of the statute took place, and still there was a good deal of shipping, and a good deal of business done. The hon. gentleman will find in the reports cases where precisely what I contend for was held, but under the exemptions as they stood prior to 1906, neither fire nor the perils of the sea were causes of relief from liability, unless it was shown that the fire was not attributable to the fault of the ship-owner or that as regards the perils of the sea the ship-owner had properly guarded against those perils. Now, I submit that while it is quite true that this section is carrying on

the law as it is expressed in the revision of 1906, it is materially altering the law as it stood up to that time, and altering it to create an exemption from liability in a case that I submit does not deserve sympathy at the hands of this parliament. After all, what is it that I am asking for in asking for the insertion of those words?

Mr. BUREAU. Is the liability as in the Revised Statutes of 1906 new, or has there been any intervening amendment to the statute of 1886?

Mr. DOHERTY. My memory is that though the Revised Statute of 1906 purports to be a revision of chapter 82 of the revision of 1886, and refers to no other Act, I am under the impression, the very strong impression, that there was intervening legislation between 1886 and 1906, but in that intervening legislation the wording of 1886 was retained. It is noteworthy that in the revised statutes each section refers back to the particular legislation which it purports to revise. I am fairly confident that I am making no mistake in what I have said, because it was not for the purpose of dealing with this Act that I had occasion to look into it. I had occasion to look into the legislation as it existed before the revision of 1906, and I distinctly remember my surprise to have it pointed out to me that the revision of 1906 altered the provision of the law. I am confident that whether there was intervening legislation between 1886 and 1906 or not, it is the revision of 1906 that first made this alteration. In that connection, I think it is noteworthy that the alteration, while a substantial alteration of the law, is effected merely by a rearrangement of the words. Where the law comes to be altered, it is done by taking a proviso covering all the subsections and making it a separate subsection. Now, I would be very much surprised if that is not merely the work of some gentleman occupying a more or less clerical position who thought he was making the thing look better by having each proviso with a number to it, with the result that he made that proviso a substantial disposition standing by itself. I am confirmed in that opinion, because I am convinced that the result is to produce a most unwarrantable condition of the law.

Mr. DANIEL. At the Marine and Fisheries Committee at which this matter was brought up there were representatives of the Dominion Millers' Association, and the Canadian Manufacturers' Association, and I think every member of the committee who was present will give these gentlemen credit for doing everything they possibly could to put every liability on the shipowner, and take it off the shipper. But there was not one of these gentlemen who objected to the inclusion of fire in that section. They were quite content to include it after going over this whole business, and they were also the gentlemen who represented those associations before the Senate where this Bill was drafted, and afterwards passed, so that I think this matter has already received a great deal more attention than this House is in a position to give it, and with all due deference to every one I may say more intelligent thought and attention.

Some hon. MEMBERS. Hear, hear.

Mr. DANIEL. Because these gentlemen were present and had an opportunity of having the various matters argued before them, pro and con, on every clause that came up before them. Now the hon. member for St. Anne (Mr. Doherty) has given I have no doubt a very able legal argument in favour of the change he proposes, but at the same time he is a gentleman who lives on the land pretty much; he is acquainted with fire as it occurs in houses and places of that kind. But I take it he is not much of a seaman and he has not spent many days, weeks or months of his life on the ocean. I think it is only necessary to call to the mind of that hon. gentleman the fact that there is no greater horror in existence than fire at sea, and I cannot imagine any one having charge of a ship, either as master or mate, or in any other capacity, who would for a moment relax efforts calculated to prevent the occurrence of a fire at sea, for such a fire puts in jeopardy not only the cargoe and the ship, but also the lives of the people who are managing and navigating the ship. So I take it that there are other reasons besides merely legal reasons which might have been brought out by the hon. member for St. Anne (Mr. Doherty) why this matter should remain as it is, because the word 'fire' has been put in there after a great deal of consideration by those who were appearing for the ship-owners and also those who were appearing for the shippers. There is another point which I think we should not forget. This Bill is a Bill in favour of shippers as opposed to ship-owners. It has, as has already been mentioned, taken away from the ship-owner the power to make his own contract with the shipper, something which has not been done by any nation having a large maritime fleet. It is not done by England, Italy, France, Germany or Norway and Sweden. These latter two countries are really stealing away a great deal of our own shipping business, especially as between the maritime provinces and the port of Montreal. I think that we as a parliament will have to give some little attention to both sides of this controversy, and not give all the law and all the sympathy to the shipper at the expense of the ship-owner. The United States have practically

driven their ocean tonnage off the sea and their freight trade is now being carried on by ships sailing under foreign flags because the countries to which these vessels belong have not surrounded these ships with the restrictions of every shape and form which the United States have and which Canada is now beginning to do. For my part I think the section ought to stand as it is.

Mr. R. L. BORDEN. Is it the intention of those who are supporting the Bill to relieve the ship-owner absolutely from liability for negligence in these respects?

Mr. SINCLAIR. I understand that to be the intention. In cases where the damage arises from loss by fire or from damage of the sea or from the acts of God or public enemies, it was considered reasonable to relieve the ship-owner absolutely from responsibility for negligence, keeping in mind that the ship-owner has his own property in risk, that he has employed a captain competent under the law, that the ship is of value, that if the ship is lost the owner loses everything, and that he is also not in a position to insure the shipper's property. He can insure his own property but not yours.

Mr. J. HAGGART. Suppose the ship-owner sets the fire or is contributary to it? Does that relieve him from liability?

Mr. SINCLAIR. Oh, no, he would then be guilty of a crime.

Mr. DOHERTY. You may send him to penitentiary for the crime of arson, but you are indicating there without any conditions that he shall be relieved from liability for loss by fire.

Mr. SINCLAIR. I do not understand it that way. It is the law now.

Mr. R. L. BORDEN. Of course under the common law the carrier is an absolute insurer, and has always relieved himself from liability by means of provisions in the bill of lading. This statute in the 4th section prevents him from doing that under certain conditions, but at the same time, under the section we are now considering, I think it goes a little too far in the opposite direction; it is taking away with one hand, and giving more with the other, at least it is giving a great deal. You might have a case of the greatest possible negligence and a claim might be made against the ship-owner who at common law is an insurer, and he would point to this law and say: Although I have been guilty of the greatest possible negligence in consequence of which your goods have been destroyed I am not liable. That is departing in a very marked degree from the principles of liability that are usually recognized.

Mr. BUREAU. I understand that this Bill is practically the result of a compromise between the two parties the ship-owners and the shippers, and its provisions have been drafted after both parties have been heard and represented before the committee who had charge of the examination of the Bill before it came to the House.

Mr. SPROULE. Should parliament not exercise its judgment in enacting a law?

Mr. BUREAU. Certainly it is just to show the principles of the Bill. I understand as the leader of the opposition says, that it is relieving the owner of quite a responsibility, the responsibility for loss by fire, but on the other hand the nature of the case affords a certain guarantee. The idea of self-preservation is sufficiently well developed in every individual, whether at sea or on land, to stay his hand from performing any act that will lead to the destruction of his own life.

Mr. R. L. BORDEN. I realize the importance of that argument, but when actively engaged in the practice of my profession I had a good many of these maritime cases, and I am bound to say that the considerations which the hon. gentleman has mentioned have never tended very much to prevent acts of very great negligence at sea. I call to mind just one illustration. Two large ships in the middle of the Atlantic ocean with no land near, no other ships near, in broad daylight, in calm weather collided, and one of them was sunk. You might apply the consideration mentioned to a case of that kind, and say it would be absolutely impossible that such an event could be brought about, that the law of self-preservation, the desire to perform a man's duty, would have prevented an accident of that kind, and yet it did happen under the conditions I have stated with no possible reason for the collision. In the end it came down to a question of the direction of the wind, each ship insisting that having regard to the direction of the wind, and the course she was steering the other should have given way. The result was that neither gave way and one went down. There was no loss of life, but a very narrow escape.

Mr. BUREAU. I do not contend that the thing is impossible, I remarked that the chances, the probabilities, are very small.

Mr. DOHERTY. How does the hon. gentleman explain the number of cases of fires that occur where it has been pleaded that the ship-owner was not responsible for fires. Then fires do not always destroy the whole vessel, only a portion of the goods may be destroyed. It must be remembered that we are dealing not only with

ocean going vessels, but with inland passenger boats as well.

Mr. BUREAU. My hon. friend in order to back his argument said that in 1886 the statute made it without fault or negligence on the part of the ship-owner, his agents or employees. But the ship-owner contracted himself out of liability not only in the case of fire, but of every possible eventuality, while loading. I was even told that when during the investigation before the committee it was found that they had inserted a clause whereby ship-owners carrying cheese and cattle contracted themselves out of any liability for manure or anything of that kind running through the deck, and damaging goods beneath. I suppose that this was a compensation for taking away from the ship-owner the right to contract himself out of liability. I am not a maritime man. Three Rivers has some shipping, but not enough to make a man an expert. If we are going to put this Bill through, I think that, as my hon. friend (Mr. Sinclair) has said, it would be a disappointment to the parties most interested if we did not let it go as it is. I would, therefore, ask my hon. friend (Mr. Doherty) if he would have any objection to allowing his amendment to stand for the present?

Mr. DOHERTY. I take no objection to letting it stand, but what is going to happen in the meantime if we pass the Bill?

Mr. BUREAU. The law will remain as it is in the revised statutes.

Mr. DOHERTY. When I saw this discrepancy in the revised statutes I made a note of the necessity of amending the revised statutes. Now, I must confess that the thing is so palpably opposed to every sound principle, that I would feel rather ashamed to allow my amendment to stand. The persons interested, whom the Solicitor General represents as having accepted this wording, were, I think, under the erroneous impression that the words as they came at the end of the section qualified the whole section.

Mr. BUREAU. The hon. member for Guysborough tells me not.

Mr. DOHERTY. Well, to my mind to allow that to pass is creating a situation quite new, and giving a most exorbitant privilege to the ship-owner. You must remember that even with the words 'without fault or privity' the ship-owner is going to escape if he can show that he did what he could to take care of his ship. The hon. gentleman says: Of course they will take care of their ship; yes, and of course they will prove it every time. It is not asking much of a man to ask him to take care of his ship.

Mr. DOHERTY.

Mr. BUREAU. It is shifting the burden of proof.

Mr. DOHERTY. If he proves what the hon. gentleman says, that he always does, why, he will escape his liability. I think it is my duty at all events to submit my amendment. I move:

That section 7 be amended by inserting in the second line after the word 'arising' the words 'without their actual fault or privity or without the fault or neglect of their agents, servants or employees'; and by inserting in the tenth line thereof after the word 'arising' the words 'from other cause.'

Mr. SINCLAIR. By placing these words in there 'without their actual fault or privity,' I ask the hon. gentleman how the ship-owner could be negligent in case of an act of God or of the King's enemies? I think he does not intend to make the amendment in the way he has made it, or to put it in the place he puts it, for it makes the whole section absurd. We have already enacted that the shipper is bound in all respects to see that his ship is seaworthy and properly equipped, and that section is binding upon us. The ship-owner, therefore, cannot be liable for any negligence of his own, from dangers of the sea or other navigable water.

Mr. DOHERTY. I have no objection to putting the words somewhere else. The absurdity of the section consists in our enacting a statutory legislation to say that the ship-owner shall not be liable for the loss resulting from the act of God or the King's enemies. That is the law now. It did seem to me, even if the words were put where they are, that everybody might take his chances that the courts would not interpret them to mean that after a man had proved that something was the act of God, he required to prove in addition that it was not his own fault.

Mr. SINCLAIR. If the hon. gentleman is acting in the interest of the owners of goods, he is taking a step that is very likely to destroy the Bill altogether. There is no person who would be better pleased, if this Bill does not become law, than the ship-owner. This Bill is taking away valuable concessions and rights from the ship-owning people of this country, and if the hon. gentleman pretends to be acting in the interest of the shipper and the people who own the goods, he will allow this section to pass as it stands.

Mr. DOHERTY. I am not acting in the interest of anybody, either the ship-owner or the shipper, I am trying to act as a member of this parliament to see that the legislation that goes through is in accordance with what I conceive to be justice. That is my entire motive in discussing this matter. The hon. gentleman, assuming that I represent the interests of the ship-

pers, says to me: Well, though this thing may be an unjust thing to you, if you do not consent to this unjust thing, why, the ship-owners will refuse to allow this parliament to pass these other sections which this parliament considers are just, and which prevents them from contracting out of obligations which this parliament thinks should not be allowed to be contracted out of. I think it is putting this House in a humiliating situation that we should be told that we are to be compelled to do something prejudicial to one interest because if we do not, there is another interest that will force this House to refuse to pass three or four sections of this Act.

Mr. A. M. MARTIN. Supposing the hon. gentleman's amendment carries, what will be the effect on section 964 of the Canada Shipping Act?

Mr. DOHERTY. This being the last legislation, it will repeal section 964 so far as there is a difference between them. But I am not quite clear that section 964 deals with precisely the same classes of carriers in all respects, but if it does, the effect of my amendment would be to modify section 964.

Mr. A. M. MARTIN. It is not clear. I might read the clause that I referred to for the hon. gentleman. It provides that they:

> Shall not be liable when such loss or damage happens by reason of fire or the dangers of navigation.

Mr. DOHERTY. It will be modified to the extent of making it read, 'except that they shall not be liable when such loss or damage happens,' etc. The effect of my amendment would be to strike out letter (a) simply, and embody the rest of it in the first paragraph, making it read this way:

> Carriers by water shall be liable for the loss of or damage to goods except that they shall not be liable when such loss or damage happens without their actual fault or privity or without the fault or neglect of their agents, servants or employees.

Then striking out the word 'or' simply, and going on:

> By reason of fire or the dangers of navigation; or, from any defect in or from the nature of the goods themselves; or, from armed robbery or other irresistible force.

It would bring section 964 back to read just as did read section 2 of chapter 82, R.S., 1886. If the hon. gentleman will look at that section in the Revised Statutes of 1906 he will see that it purports to reproduce section 2, of chapter 82, of 1886, but does not reproduce it. When I say purports to reproduce it also purports to revise, but in the process of revision they have altered the sense. It will bring it back to the original form of the statute.

Mr. SINCLAIR. In reply to the hon. gentleman (Mr. Doherty) I would say that he has altogether misunderstood me. I did not hold any threat over the hon. gentleman or anybody else. He has a perfect right to propose any amendment that he chooses to this Bill. I intend to vote against his amendment for two reasons, first, because it does not seem to me to be intelligible. The amendment renders the clause almost meaningless, because we all know that a ship-owner could not possibly be liable by his negligence for the acts of God, the King's enemies, and all those other things that are mentioned. Then, I intend to vote against his amendment for the further reason that I do not consider it is proper legislation. In my opinion, ship-owners should not be liable for damage from fire, I care not how it was caused; they should not be liable for the whole value of the goods that are shipped. The ship-owner has always been able to make a contract up to this date. He does not consider whether the cargo that he takes on is valuable or not. It is not his cargo, he risks his own property and he undertakes to carry it and do the best he can, but it has hitherto been his privilege and right to make a contract that he will not be liable for the value of goods provided they are lost by fire at sea. I think that is a proper contract for him to make, and up to this date he has the right to make it under the law of Canada. Now we are taking that right away from him by section 4 of this Bill, and it ought to be conceded by every reasonable man, when we are taking that right away, that there are certain rights which we should leave with him. If we intend that shipping business is to be done, if we intend that capital shall go into shipbuilding, and if we are to be in the position of having our wheat, agricultural products and manufactured goods carried cheaply across the ocean, we must at least give the ship-owner the right to make a reasonable contract. It will be most unreasonable if the owner of the ship who loses his own property, a property, perhaps, worth a quarter of a million dollars, must also lose another quarter of a million dollars for the goods which have been lost. There is no reason why the clause should not be enacted as it stands. I beg to differ altogether from the hon. member for Montreal, Ste. Anne, with regard to that.

Mr. DEPUTY SPEAKER. Mr. Doherty moves that after the word 'arising' in the second line of clause 7 there shall be inserted the words 'without their actual fault or privity, or without the fault or neglect of their agents, servants or employees.'

Amendment negatived.

Mr. DEPUTY SPEAKER. It is also moved by the hon. member for Montreal, Ste. Anne, that in the tenth line of section 7,

after the word 'arising' there be inserted the words, 'from other cause.'

Mr. BUREAU. That is the same amendment.

Mr. DOHERTY. That is only a necessary consequence of the other one.

Mr. BUREAU. Yes, it has no application, the other having been lost.

Amendment negatived, and section agreed to.

Bill reported, read the third time and passed.

INDUSTRIAL DISPUTES INVESTIGATION ACT—AMENDMENT.

Bill (No. 198) to amend the Industrial Disputes Investigation Act.—Mr. King—read a second time, and the House went into committee thereon.

On section 1,

Mr. SPROULE. Will the minister give us some general light on this?

Mr. KING. The proposed amendments are intended to simplify the procedure in the light of experience, and to meet what appears to be the very reasonable request made on the part of the working men through their organizations in respect to certain features of the Bill which they believe to operate to their disadvantage. The proposed amendments do not in any way change the principles of the Act as it stands. The Act has given general satisfaction during the three years of its existence, but the railway employees allege they are at a disadvantage as compared with the members of other labour organizations. For example, the Act requires that before a board of investigation is asked the parties must take an oath that the necessary authority to declare a strike or lockout has been obtained. Where the dispute is confined to one locality it is not difficult to secure this declaration, but where a dispute extends through various provinces, the railway men's organizations represent that the taking of a vote of their members is a great expense and inconvenience. The railway organizations have duly constituted grievance committees which take up grievances with the companies, and they claim they can get a long way in the settlement of differences by mutual conference, and that if they cannot succeed in that way the certainty of a vote being in favour of a strike is virtually established. Then, if the board is constituted after the vote has been taken before a strike can be declared, should the parties be unwilling to accept the findings of the board a second vote is required over the whole system, which also involves considerable expense. It is proposed by one of these amendments to remedy that, and with proper safeguards, to allow the organizations to apply for a board if their officers can make a declaration to the effect that the difficulties between them and the company have already been the subject of careful negotiation and that they have got as far as is possible in the negotiations. A declaration to that effect the provisions of the Act in other particulars being complied with will be sufficient to warrant the government establishing a board.

There is one other point—under the law as it stands at present, if either of the parties change the conditions and the other party is not satisfied with the change of conditions, then before a strike or lockout can take place a board of investigation must be appointed. Experience in the working out of the Act has shown that while either party may change the conditions, in so far as employees are concerned they must always make the application for a board. We are proposing an amendment here which will throw upon the party who proposes the change, the onus of asking for the board. In the case of the strike of the machinists on the Canadian Pacific railway, in 1908, the company proposed certain changes which the men were not satisfied with, and before the men could go on strike they were obliged to ask for a board which reported adversely to them. It was then represented in the press that the men had asked for the board and refused to accept its findings. There is a slight element of injustice in that representation. The company having changed the conditions should have been obliged to call for the board before putting the changes into effect, and had that been the case it would not have appeared that the men were responsible for the calling of the board. There is an amendment framed which will remedy that state of things. I may say that I have submitted the amendments to the various railway brotherhoods, who are generally speaking the only parties that up to the present time have taken exception to the measure. The replies which have been received from them indicate that this proposed change removes the objection almost in whole, which any of them may have entertained towards the Act. I think it important to give this information to the committee, and with the permission of the House, I will read a communication which I sent to the duly authorized representatives of the different brotherhoods of railway employees, inclosing a copy of the proposed amendments and the replies that I have received :

Department of Labour, Canada,
Ottawa, March 5, 1910.

Dear Sir,—I am inclosing a copy of proposed amendments to the Industrial Disputes Investigation Act, 1907, which have been

framed, after consultation with yourself and others, with a view of meeting what seem to me very reasonable requests made on behalf of the workingmen of this country through some of their representative labour bodies and officers, and in particular with a view of removing the possibilities of certain injustices which have been alleged on behalf of railway employees as existing, in so far as the provisions of the measure are applicable to them.

I wish you would kindly look carefully over the amendments proposed, and let me know whether in your opinion they are satisfactory, and whether if adopted by parliament they would bring the Industrial Disputes Act into a form generally satisfactory and acceptable to railway employees.

Yours faithfully,

(Sgd.) W. L. MACKENZIE KING.

To this communication I received the following reply from Mr. Calvin Lawrence, the legislative representative of the Brotherhood of Locomotive Engineers :

Windsor Hotel,
Ottawa, March 5, 1910.

The Hon. W. L. Mackenzie King, C.M.G.,
Minister of Labour,
Ottawa.

Dear Mr. King,—I have the honour to acknowledge the receipt of your communication of March 5, together with a copy of the proposed amendments to the Industrial Disputes Investigation Act, 1907, and in reply, I am pleased to say, that I have very carefully looked over the suggested amendments and they appear to me to be very satisfactory and, in my opinion, if adopted by parliament they should bring the Industrial Disputes Investigation Act of 1907 into a form generally satisfactory and acceptable to railway employees; therefore, as representing the Brotherhood of Locomotive Engineers, I can consistently endorse the Act when so amended, believing that it will, if amended as proposed, be a benefit not only to railway employees, but also to the public generally.

I wish to avail myself of this opportunity to express to you the appreciation of myself and those I represent for the courtesy and consideration you have extended to me during our interviews regarding railway legislation.

I have the honour to be, Sir,
Yours very respectfully,
(Sgd.) CALVIN LAWRENCE,
Legislative Representative B. L. E.

The following communication was received from Mr. Donald, the legislature representative of the Brotherhood of Locomotive Firemen and Engineers:

Ottawa, March 10, 1910.

W. L. Mackenzie King, Esq.,
Minister of Labour,
Ottawa.

Sir,—I have your letter of the 9th instant with inclosed copy of proposed amendments to the Industrial Disputes Investigation Act, 1907.

I have gone carefully over the amendments proposed and I am of the opinion that they will be satisfactory should they become law as they are drafted. I am also of the opinion that the Industrial Disputes Investigation Act, if it is amended as proposed, will bring the Act into a form that will meet with the general approval of the railway employees that I have the honour to represent.

Thanking you for the many courtesies that you have extended to us in the past,

I am, respectfully yours,
(Sgd.) W. J. DOWELL,
Legislative Representative of the Brotherhood of Locomotive Firemen and Enginemen.

From Mr. John Maloney, the legislative representative of the Brotherhood of Railway Trainmen, I have received the following reply:

Ottawa, March 10, 1910.

Hon. W. L. Mackenzie King,
House of Commons,
Ottawa.

Honourable and Dear Sir,—I beg to acknowledge receipt of your letter of March 5, inclosing copy of the proposed amendments to the Industrial Disputes Investigation Act of 1907.

I have carefully read over the amendments, and wish to state, as a representative of the Trainmen's Organization, I find them entirely satisfactory, and in my opinion will bring about all desired results. I also feel if proposed amendments are adopted by parliament, they will bring the Industrial Disputes Investigation Act into a form satisfactory and acceptable to all members of the Trainmen's Organization.

Respectfully yours,
(Sgd.) JOHN MALONEY,
Dominion Legislative Representative
Brotherhood of Railroad Trainmen.

Mr. SPROULE. May I interrupt the hon. gentleman? Is there any need of risking the time of the committee with these letters when he has told us that all the letters are in approval of the legislation?

Mr. KING. I think it important that these letters should be placed on record, as these amendments are being introduced to make the Act acceptable to the railway employees, and I think the public should know the view of the amendments taken by the representatives of the various classes of railway employees.

Mr. SPROULE. I think the House is accepting with full confidence the statement of the hon. gentleman that he has written to these bodies and has received replies from them in approval. I think that should be sufficient, as no person is disputing his statement.

Mr. KING. Possibly I might abbreviate by giving the gist of what is said in one or two of the letters. The next letter is from the representative of the telegraphers:

Order of Railroad Telegraphers,
264 Rusholme Road, Toronto, Mar. 14, 1910.

The Honourable
W. L. Mackenzie King, C.M.G.,
Minister of Labour,
Ottawa, Ont.

Dear Mr. King,—Replying to your favour in reference to the proposed amendments to the Industrial Disputes Investigation Act, I desire to say that if these amendments can be obtained, the Act will be entirely satisfactory to our organization. In fact, we have felt the need of these amendments almost ever since the law has been enacted, and we are hopeful that parliament will see the wisdom of them.

Wishing you success,
I am,
Yours sincerely,
(Sgd.) D. CAMPBELL,
Third Vice-President.

Mr. Harvey Hall, representing one of the other branches, writes in part as follows under date of March 14:

This will acknowledge yours of March 9, with a draft copy of proposed amendments to the Industrial Disputes Act attached. * *
I have gone carefully over the proposed amendments, and believe they will, to some extent, relieve the railway employees of a very serious complaint, namely, delay and expense, when they are forced to apply for a board. * * *
I must admit that the amendments proposed, if adopted, will certainly meet the views of the railway men as far as they go.

Mr. HUGHES. What order does Mr. Hall represent?

Mr. KING. I think he represents at this time the railway conductors. Then, I have a letter, dated March 11, 1910, from Mr. A. B. Lowe, the president of the International Brotherhood of Maintenance of Way Employees, in which he says:

My opinion of the Act itself has never changed, that it is one of the best pieces of legislation that has been passed to my knowledge, in the interests of industrial peace.

And on March 18, he writes:

I hope that the amendments proposed may be placed in the law.

The House will observe that these communications cover all the different classes of railway labour—locomotive engineers, firemen, trainmen, telegraphers, conductors and maintenance of way employees. I have also discussed these amendments with representatives of the railway companies and they have stated to me without exception that they think they are fair and reasonable, and I understand that no opposition will be offered to them if they are enacted by the House.

There is another amendment to increase the allowance to members of boards, and to simplify proceedings in the matter of the oath which members of boards are required to take. They in common with the other amendments have been requested by workingmen through the Dominion Trades Congress and other labour organizations, and appear to be fair and reasonable.

Mr. W. F. MACLEAN. Are these allowances as liberal as in the Act that went through to-day in regard to combines?

Mr. KING. Yes, the allowance is the same as that in the investigation of combines.

Bill reported, read the third time, and passed.

FISHERIES ACT AMENDMENT.

Bill (No. 192) to amend the Fisheries Act read a second time, and House went into committee thereon.

Mr. TEMPLEMAN. I might explain that this Bill, although four or five pages in length, is very largely a Bill correcting and slightly amending some clauses of the present Fisheries Act. This section 1, repeals subsection 4 of section 9 of the Fisheries Act, which reads: 'The holder of any such license shall not operate more than one whaling steamer in connection with the whale factory under license.' That particular section refers to the licensing of whale factories and the use of steamers. The custom hitherto on the Pacific coast has been to license factories about 100 miles apart, I think, and under the regulations the use of one steamer was permitted at one factory. By removing this clause from the Act it will be possible for the minister to permit the use of two steamers at one factory. On the coast it has been found that sometimes whales were not numerous in the vicinity of one factory, and it was desired that the steamer attached to that factory might be used at another factory. The object of striking out this clause is to permit the use of two steamers at one factory, and when that is done, one of the factories will be closed up.

Mr. BARNARD. As a matter of fact, have not factories on the Pacific coast been using two steamers in the past?

Mr. TEMPLEMAN. Not at all. A factory can only use one steamer under its license.

Mr. BARNARD. I know that, but I wanted to know whether the minister knew as a matter of fact that factories had been using two steamers, evading the law or having had permission given.

Mr. TEMPLEMAN. The department is not aware that the law has been evaded, and, of course, permission has not been given to evade the law.

On section 2, boundaries of estuary fishing.

Mr. TEMPLEMAN. This is simply adding the three words, 'to do so,' which are placed there for the purpose of making the section more explicit.

On section 3, space between nets and dimensions of nets.

Mr. TEMPLEMAN. This is simply to correct a clerical error. The word 'hundred' in the second line should be 'thousand.'

On section 4,

Mr. BRADBURY. What is that section?

Mr. TEMPLEMAN. This repeals section 22 of the Fisheries Act, and will stop fishing by rod and line at fish-ways.

On section 5,

Mr. TEMPLEMAN. This will discontinue the practice of taking small trout for bait, which has been a privilege, I believe, in the past.

On section 6, no net or device to prevent passage of fish-screens to prevent escape.

Mr. TEMPLEMAN. The change in this section is the addition of the last three lines, 'providing that the minister may authorize the placing and maintaining of screens or other obstructions in streams to prevent the escape of fish held for breeding purposes. At present, ponds are used for breeding purposes under the law, and this is to provide that screens may be placed by permission of the minister where ponds are being so used.

Mr. CROSBY. Has the Bill been before the Fisheries Committee?

Mr. TEMPLEMAN. No.

Mr. CROSBY. Why?

Mr. TEMPLEMAN. Why, I cannot say except that the enactments of the Bill are of a very minor character, largely corrections in the present Fisheries Act.

Mr. CROSBY. It seems strange that it should not be sent to that committee whose members would have a better opportunity of ascertaining whether or not they approved of the Bill.

Mr. TEMPLEMAN. The Bill has been circulated for several months and contains corrections of a minor character, and one or two slight amendments to the existing Act not of sufficient importance to be sent to the Committee on Fisheries. Then it is a government Bill and it is not the practice to refer all government Bills to a standing committee.

Mr. CROSBY. If it is to be understood that government measures in connection with Marine and Fisheries matters are not to be sent to the standing committee I am glad to know it, but I understood the reason for the appointment of the committee was to facilitate such matters by having all Bills pertaining to these matters referred to it.

Mr. TEMPLEMAN. I trust my hon. friend will not interpret my remarks as meaning that government measures will not be referred to that committee. As a matter of fact the department has received great assistance from that committee, and will avail itself of that assistance on every possible occasion.

Mr. R. L. BORDEN. I think the minister has not quite an adequate idea of the importance of the Bill in one respect at least. On section 15, the discussion of the regulations which have been agreed to should come up, and I would have thought it eminently proper that these regulations should be under investigation by the standing committee on Marine and Fisheries.

On section 7, closing of traps, &c., over Sunday.

Mr. TEMPLEMAN. The amendment is in the last three lines, providing for the closing of these fishing apparatus in such a way that fish cannot enter. It strengthens the clause.

Mr. SINCLAIR. Does this mean that it will not be permitted to allow a trap net to remain set over Sunday? It has not been usual to prevent a fisherman from leaving his trap net set. It is a very difficult net to move, it is large, it is put down with stakes, and anchors, and it is two days work to get the trap down. It would not be practicable to take it up over Sunday. I understand that this allows the closing of the trap so that no fish can get in on Sunday. What is the purpose of this amendment?

Mr. W. H. SHARPE. Does this Bill affect the international waters?

Mr. TEMPLEMAN. Clause 15 authorizes the department to take authority to proclaim the bringing into force of the fishery regulations established under the International Fisheries treaty.

The only change in clause 7 is to allow the effective closing of all traps during the weekly close season so that fish cannot enter them at all. It has been pointed out that the closing of pound nets is the method adopted in the state of Washington, and that the same system has been used successfully in New Brunswick. It does not require the fishermen to remove the weirs or nets on Sunday, but simply to close them effectively.

Mr. CROSBY. The trouble we are having to understand this Bill simply shows that it should have been referred to the Fisheries Committee. It seems to me that the

object of the last three lines is to prevent the fishermen from desecrating the Sabbath. If this Bill had been referred to the Fisheries Committee, it would save this House bothering with it.

Mr. J. D. TAYLOR. I suggest that the last three lines of this section will not help the case at all so far as they are intended to preserve the fish from being taken in traps during the close season:

All sedentary fishing stations and weirs, all pounds and trap-nets, seines, gill-nets and other apparatus used for catching fish, whether under license or not, should be so raised or adapted as to admit of the free passage of fish through, by, or out of such apparatus, or be so effectively closed as to completely obstruct and prevent the entrance of fish into such apparatus.

If this matter had been referred, as suggested, to the Committee on Fisheries, I think that some members of that committee would have been able to show to the minister how that clause must fail of beneficial effect. While it provides that the traps themselves shall be closed, it makes no provision to prevent the fish getting into the leads, which are commonly about half a mile long, and into which the fish go and from which they do not return. So the effect of this provision is virtually to give continuous fishing to the traps. We have had experience of that in the past few years where the trap fishermen on Puget Sound have fished continuously because of a provision such as this. I know that the minister has in his department evidence of the effect of this provision on the Puget Sound traps, and I would ask him whether it would not be well to strike out the last three lines, and make this Act provide absolutely that there shall be free passage through the traps during the close season.

Mr. TEMPLEMAN. My understanding of the effect of the statute as at present on the statute-book is that a fish trap has to be opened at one point in order to allow the fish to escape during the weekly close season. The addition provided by this amendment is that the entrance to the trap shall be closed so as completely to obstruct the entrance of the fish into the trap, and by preventing them from getting in, or permitting them when they are in to get out, during the weekly close season; that is what is contemplated by this amendment. That is the whole thing, it does not affect the hours of the close season. Previously, if fish got into the fish trap during the close season the trap was supposed to be open and the fish could get out. Under the present law the fish cannot be retained in the trap in the close season. The effect of this is to make it more difficult during the close season for fish to get into the traps.

Mr. CROSBY.

Mr. SINCLAIR. I would like to know if this applies to fishing on the Atlantic coast as well as to British Columbia? It appears to me that it applies to all waters. It strikes me this is rather a stringent rule to impose upon the fisherman owning a trap, that during the prohibited hours from six o'clock in the afternoon of every Saturday to six o'clock on Monday morning in tidal waters, fishing cannot be allowed, and that the net must not be opened at all during those hours. That is a new provision that I never heard of before, and I think it will take away a very valuable privilege from the trap fishermen that they now possess. On the Atlantic coast there are a great number of them.

Mr. DANIEL. The hon. member is quite mistaken as to its being a new provision, it is a provision of the law now. The only change in this clause is in the phraseology, that is all.

Mr. TEMPLEMAN. This has been the law for years. The clause is the same as it is in the present Act, except the last three lines, which simply make it more difficult for the fish to get into the trap; that is the only change we are making. We are simply trying to limit the catching of fish in traps during the present close season—we are not changing the close season at all. We are trying to make the Act more effective, and trying to make a regulation that will prevent the fish from getting into the trap, and to allow them the chance to get out if they should get in. The law contemplates that there shall be during every week a close season, and it is because the present fixtures in the trap are not perfect, and because the fish are caught in traps and retained there, and the aperture is not open for them to get out—those are the reasons the department has thought it advisable to say that the fishermen must effectually close their traps so that the fish cannot get in. There can be no doubt of the necessity for conserving the fish by permitting them to have one day's rest at all events, so that no trap or net will take them. This has been the law for years and years. It may not have been effective, and it may not be under this amendment properly enforced, but that is the intention. We want to make it a little more possible to enforce the law.

Mr. BRADBURY. I do not think the minister has answered the contention raised by my hon. friend from New Westminster (Mr. Taylor). This lead is from half a mile to three-quarters of a mile long, and while the trap may be closed the lead practically holds all the fish there, and as soon as the trap is opened fish which have congregated all Sunday will move into the trap. It is absolutely necessary in the interest of the fisheries that the fish should

have free passage one day in a week. If the fishery department wants to make this law effective there must be more than the closing of the trap; the lead must be closed also.

Mr. TEMPLEMAN. I quite understand that the point raised is important particularly on the Pacific coast. The leads leading up to the traps in the Pacific ocean are very long, and no doubt keep back a large number of fish. I may say, however, that nine-tenths of the Canadian salmon caught in traps in the Pacific ocean are caught in American traps on the American side of the boundary, and that there these leads are in use. We have in British Columbia very few traps indeed, not a quarter as many as they have on the American side. I am informed that this amendment that we are putting into the Fishery Act, and which will apply to all Canada, was approved of by the Fishery Commission, and will apply also to the traps on the Pacific ocean. This is an attempt to make the taking of fish in traps during the close season more difficult than formerly. In the fishery regulations which have been drafted by the fishery Commissioners of Canada and the United States, there are some regulations in regard to trap fishing and this is one of the provisions of these regulations. This is the best we can do as between Canadian and American fishermen in regard to international waters. It is a very desirable addition to this clause. I am sure that what the House and every person interested in the fisheries wants is to conserve the fisheries, and if there is a close season for one day in the week, which may be Sunday or any other day, the whole object and intention is to make that closed day effective so that fish will not be taken in traps.

Mr. BRADBURY. I agree with the minister that everybody who has any interest in the fisheries, must admit that there should be one day in the week during which fish cannot be taken, but I contend that the contention raised by my hon. friend from New Westminster is absolutely correct, that as long as these trap nets are allowed to remain in the water, and these long leads are allowed to remain down while the trap is not catching fish, the fish are congregating there, and when the trap is opened next day the fish that would have passed through, if the lead had been opened or up, will simply find their way into the trap. I can understand very well that this amendment is a step in the right direction, but I contend that it does not go far enough. The leads to the trap nets should be lifted during the day when fishing is not allowed. If that had been taken up with the International Commission it should have been arranged, because I understand that on the coast the Americans are really getting our Canadian fish. The amendments you are proposing I do not think will be effective to a very great extent as far as protecting our fish are concerned. While you do not fish on Sunday the fish are congregating there and they will go into the trap on Monday.

Mr. J. D. TAYLOR. I would like to point out that the addition which the minister has made to the section renders it absolutely inoperative in so far as providing a weekly closed season is concerned, and that before he added anything to it it was an effective provision. It was provided that the fish should pass freely through the traps at all times. Now, it simply erects a barrier against which the fish may congregate while the trap is not supposed to be in operation and where they will remain until the hour comes for the lifting of the gate of the trap when all the fish will go in and be caught. The remedy is very simple. If the government does not think it wise to provide that there must be a free passageway through the traps, there is another device by which they can effect a close season and that is to provide that there shall be an opening in the lead through which the fish will pass when they find their way barred by the gate of the trap. The International Fisheries Commission recognized that when they were dealing with fish other than the salmon of the Pacific coast. Unfortunately it is true that the provision that they have made with regard to Pacific coast salmon is not effective. We seem to have deferred to the American greed for the catching of fish without respect to the effect on the industry, and we have allowed them to make a provision with respect to the Puget Sound for continuous fishing. But, with regard to Ontario, they have made an effective regulation which I see no reason for not applying to the Pacific coast. The Ontario regulation reads as follows:

> During this weekly close season, all weirs or other fixed apparatus used for the capture of salmon shall be so raised, closed, or adapted as to admit of the free passage of fish through, or by, or out of such weirs or other fixed apparatus.

There is an effective provision. What I want to know is why we cannot have a provision so simple and so effective as that under the general operation of the law so that it may apply to the traps in Ontario, the maritime province and British Columbia alike.

Mr. TEMPLEMAN. I think that a careful perusal of this section will show that exactly what the hon. member for New Westminster wants is provided for. The trap may be either closed or opened, whichever way is the more effective.

Mr. BRADBURY. The trap?

Mr. TEMPLEMAN. The trap may be either opened or closed:

It shall be so raised or adapted as to admit of the free passage of fish through, by, or out of such apparatus, or be so effectively closed as to completely obstruct and prevent the entrance of fish into such apparatus, whether under license or not.

Mr. J. D. TAYLOR. Is it at the option of the trap operator or the fishery officer that it shall be opened or closed?

Mr. TEMPLEMAN. This amendment is recommended by the British Columbia Fishery Commission.

Mr. J. D. TAYLOR. At whose option is this?

Mr. TEMPLEMAN. I am stating that this amendment is on the recommendation of the British Columbia Fish Commission. The same regulation has been adopted by the American commissioner in the state of Washington. It would seem to me from the reading of the clause, that it will be at the option of the party operating the trap, and I would at once concede to my hon. friend (Mr. J. D. Taylor) that if the House thinks it desirable to make it at the option of the fishery inspector I am prepared to do so The most effective way to close the trap is to have it at the option of the fishery overseer, who will see that the trap is open or closed as the case may be.

Mr. J. D. TAYLOR. If the minister makes it at the option of the fishery inspector and not the trap operator, for myself I can see no objection to it.

Mr. BRADBURY. In that is involved the important question that our legislation on the Canadian side should be uniform with the American legislation. Unfortunately, for many years the Americans have always got the best of us in this respect, and if we make our law stringent and allow the Americans to have theirs as lax as they like, they will get the salmon and we wont. The concession which the minister offers to make is undoubtedly a proper one, but if we make our fishery officer responsible for seeing that the traps should be opened or closed then there should be some pressure brought to bear on the American authorities to have a similar regulation on their side. We have been protecting the fish in Canadian waters, but the Americans have been fishing how and when they like, and that is a great hardship to Canadian fishermen. If we cannot induce the American fish commissioners to meet our Canadian regulations, then a good deal of our work for fish preservation is useless.

Mr. CROSBY. If this Bill is of such a simple character as the minister has stated, and if we have had practically the same law on the statute-book for a great many years, no interest can suffer by allowing the Bill to stand over for another session, and referring it to the fisheries commission, so that we may ascertain the conditions both here and in the United States, and try to make uniform the regulations of both countries.

Mr. DANIEL. How would this legislation affect the regulations issued by the National Fisheries Commissioners in respect to fishing in international waters? I presume that the regulations made by that commission, being the result of a treaty, will have priority over any law we may pass.

Mr. TEMPLEMAN. I am sure my hon. friend (Mr. J. D. Taylor) will see the force of the observations of the hon. member for Selkirk, that it would be discriminatory to make more drastic regulations on the Canadian side than exist on the American side. The International Fisheries Commissioners have agreed to certain regulations, and this regulation now proposed is the regulation on the American side. If, as I proposed, we should make this provision enforcible by the Canadian inspector on the Canadian side, and the American inspectors on the American side have not the enforcement of it, we would be subjecting our fishermen to more stringent regulations than the Americans would operate under. Perhaps it is better to leave this clause as it is. We are working under extraordinary difficulties, particularly on the Pacific coast, with regard to our fisheries. The Americans catch our fish when passing through their waters, as they have a perfect right to do, and they catch them in their own way. They have been catching fish for a great many years in traps without comparatively speaking any regulations at all, while we on our side have been enforcing stringent regulations. Under the proposed agreement with the United States, what are practically the Canadian regulations have been adopted by the International Commission, and they will be enforced so soon as they are proclaimed the law on both sides.

Mr. BRADBURY. This Bill would in no way limit the conclusions arrived at by that commission?

Mr. TEMPLEMAN. No.

Mr. SINCLAIR. I have a doubt whether the traps used on the Atlantic coast are capable of being closed. I am not a practical fisherman, but I have seen the traps, and as I understand it there is no machinery for closing them, so that you would require a trap differently constructed from that now used in order to comply with this regulation.

Mr. J. D. TAYLOR. I sympathize with the Minister of Fisheries in the difficulty in which he is placed, for I think it must be admitted that he has at last let the cat out of the bag. We are not in this section doing anything to help to conserve the salmon, but we are facing the position that by our international agreement with the Americans we have sanctioned their deliberate intention to have no close season so far as traps are concerned; and having sanctioned that, we have amended our own law so that we shall not do on the Canadian side of the boundary what by international agreement we sanctioned on the other side. I think this is a most deplorable condition, a condition that is bound to work great hardship on the great mass of Canadians engaged in the salmon fishery industry to the extent that we are relaxing the law and giving sanction to continuous trap-fishing by the section now proposed. We should strenuously refuse to make any change in our law, but should insist upon our regulation, which experience has shown to be so advisable, to the extent, if necessary, of allowing these international regulations to fall to the ground because of the reluctance of this parliament to adopt them. I say that in all seriousness, because so far as we on the Pacific coast are concerned, we are apt to experience nothing but calamity from the operation of those regulations. On every point they are against us, most seriously against us. I will not discuss them now, because they come in under section 15; but there are other sections quite as disastrous to us as this section 7, which in two lines destroys the only prohibition we have had in the past against continuous trap fishing.

On section 9, fish guards in British Columbia, Manitoba, Saskatchewan, Alberta, Northwest territories and Yukon.

Mr. TEMPLEMAN. This is the clause as it stands at present that the words 'British Columbia' are introduced, making the law applicable to that province.

Mr. BRADBURY. I do not know that there is any other clause in this Bill which will give me the opportunity of drawing the minister's attention to the fact that in the construction of the dam on the Red river at St. Andrew's rapids there is no provision for a fishway. This is a very serious trouble. The dam is situated 25 or 30 miles from Lake Winnipeg, and completely prevents the fish from getting up the river. I had the matter before the Fsheries Department, and I had the assurance of the deputy that immediate action would be taken and a proper fishway placed there. During the time the Minister of Public Works was passing his estimates, I called his attention to the matter, but the only assurance I received from him was that if a fishway were found necessary it would be placed there. I think it is absolutely necessary, because at present no fish from Lake Winnipeg can pass up the Red river or the Assinaboine. I would urge the minister to see that a proper fishway is provided there immediately.

Mr. TEMPLEMAN. I quite agree with what my hon. friend says. This clause has nothing to do with fishways; but if the ascent of the fish up the Red river is prevented by the dam, there should be an adequate fishway provided. We have many instances of the same kind in British Columbia, where dams have been erected and have stopped the passage of fish. I am a strong believer in allowing the free run of fish on all rivers. Natural spawning after all is better than artificial, and ought to be encouraged. The officer of the department has informed me that the matter to which my hon. friend has referred is receiving the consideration of the department now.

On section 11, standard size of oyster barrel.

Mr. TEMPLEMAN. I move to strike out section 11. Some legislation is required to standardize the size of barrels for various purposes, but it belongs to the Trade and Commerce Department rather than to the Fisheries Department. Not having full information as to what the standard of a barrel of oysters should be, it has been decided to leave the matter over for this session.

Mr. TALBOT. When this Bill was up before, I drew the attention of the minister to the great destruction of bar fish in the St. Lawrence river. I do not see anything in this Bill relating to this particular matter, but I would like to know whether the department has taken any steps to prevent the destruction of the bar fish. It seems to me that some very simple mode could be adopted. I have drawn the attention of Prof. Prince and other officials of the department to the great destruction of that fish. Thousands are taken every year of a very small size that is almost not fit for food, and I think something should be done to prevent this scandalous destruction of one of our finest fishes. I think the department should take action. There are two or three ways in which it could be done. The size of the fish to be caught could be limited or the weight. I know that in the province of Quebec there is a conflict of authority between the provincial fishery authorities and the federal authorities, but it seems to me that something ought to be done. It is really a very strong grievance; I would almost say it was a national disaster to have that fish destroyed by the thousands every year. It is not utilized

for any purpose. The peddlers simply go from fishery to fishery, and are even ashamed to go to the market, but the fish is distributed on the highway and in the back parishes. I wish the minister would see whether he could do something to prevent the destruction of that very valuable fish.

Mr. TEMPLEMAN. I am advised that the matter is one for the province of Quebec. The fishery is under their control, and the taking of this fish comes under the regulations of the province of Quebec and not under the regulations of the Dominion government. I may also inform my hon. friend that the matter has been the subject of correspondence between the Department of Marine and Fisheries and the province of Quebec, and there is some reasonable prospect of an arrangement whereby the bar fish will be protected more than it has been in the past. I am told that the result of the correspondence so far has been encouraging, and it is hoped that something will be done to prevent the destruction of what is a valuable fish.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

SECOND READING.

Bill (No. 216) respecting the British Northwestern Fire Insurance Company.—Mr. A. Haggart.

RETAIL MERCHANTS' ASSOCIATION.

House in committee on Bill (No. 210) to incorporate the Retail Merchants' Association of Canada.—Mr. Gervais.

On section 1,

Mr. ROCHE. I would like a few words of explanation on this Bill. I had not the privilege of being present at the meetings of the committee except on one occasion when a Bill somewhat similar to this was up for discussion, and was, I believe, opposed very strenuously by the same gentlemen who are seeking incorporation under this Bill. I refer to the co-operative Bill which was killed in committee, largely I believe by reason of the strong fight put up against it by the Retailers' Association. What a good many cannot understand is how it is that the Retail Merchants' Association fought that Bill so strenuously, and refused incorporation to the consumers, whereas they are themselves seeking incorporation for a somewhat similar purpose in the Bill now before the House. Grain Growers Guide which voices the opinion of the farmers, the consuming population very largely in the west, says:

The Retail Merchants' Association did not want to see the co-operative Bill pass the House of Commons. They wanted it killed, and it was killed. The Bill would have allowed consumers throughout Canada to organize among themselves for fair play if they so desired, and would protect them against unjust prices on the part of all dealers. This Bill being killed leaves the consumers in the same helpless condition as they were before. The Retail Merchants' Association is getting busy, and has a Bill before the Senate to incorporate itself to do business. This is certainly 'doing things' with a vengeance. The consumers of Canada may not be allowed to co-operate, but the retail merchants want to become incorporated so that they can form a trust similar to the one existing in the United States. Down across the line it is considered that the retailers are more to blame for the high cost of living than probably any other organization. Are we going to sit by and see them do the same thing in Canada? We doubt if the farmers and consumers will stand for this.

I am not in a position to vouch for the accuracy of every statement contained in this paragraph, but I would like some explanation from the promoter to explain away some of these statements if they can be explained away. The accusation here made against the Retailers' Association would seem reasonable, that having objected to the incorporation of the Co-operative Society under that Bill, they are seeking under this Bill extensive powers which they would deny to the consuming population. In another issue of the Grain Growers 'Guide,' appears this article:

The Retail Merchants' Association has been successful in killing the co-operative Bill before the House of Commons. This is the Bill that would have allowed the consumers of Canada to do their own business and protect themselves from exorbitant prices on the part of the retailers. Following up their victory the retail merchants have now a Bill before the Senate to provide for their own incorporation. This will give them the powers of a trust, as one of the powers given by the Bill is: 'the promotion of the industrial and commercial interests of the retail merchants of Canada,' and another is: 'generally, all such other lawful objects for promoting the trade interests of its members as may from time to time be determined by the association'.

As will be seen by this clause they are very indefinite in their terms, and the Bill may cover great powers. I would like an explanation of the details to which I have drawn attention.

Mr. GERVAIS. I do not see how there can be confusion between the Retail Merchants' Association of Canada, and the Co-operative Societies which some of the hon. members would have liked to have seen

formed under an Act introduced in this House. The co-operative societies of which the hon. gentleman has just spoken were commercial societies trying to benefit themselves commercially to the utter detriment of other classes, and of the masses of the country. These co-operative societies in a general way were purely and simply commercial societies, organized for the purpose of trespassing on the ground of the consumers of trespassing on the ground of the retail merchants, and on the ground of the wholesale merchants of Canada. If I am allowed to define the object of this society, I will be able to show that the Retail Merchants' Association of Canada is more a philanthropic than a commercial society. The contrary was proved in reference to the so-called co-operative societies of Canada, for which incorporation was sought from this House. Let me quote for example from section 2 of the present Bill, defining the objects of our society:

The objects of the association shall be the promotion of the industrial and commercial interests of the retail merchants of Canada.

I may assure you that the Retail Merchants Association of Canada are not trying to derive financial benefit from the good work they wish to be enabled to do in the interests of all, because I think the Retail Merchants' Association of Canada as well as the wholesale merchants of Canada have done more for the progress, and the prosperity of Canada than any other class.

An hon. MEMBER. No, no.

Mr. GERVAIS. Yes, yes. If Montreal is something more than a little village, it is due to the marvellous audacity and tenacity of its wholesale and retail merchants, and the same remark may be made applicable to all the cities of our country. I shall try to explain to you in a few words what has been done in the past in relation to the promotion of the industrial and commercial interests by the retail merchants of Canada. For instance they have dealt with the abolishing of trading stamps, coupons in packages, and of all lotteries and merchandizing schemes; the adjustment of taxation, both municipal and provincial; the regulating of the hours of closing; advising and consulting on city by-laws regarding awnings, clean streets, the regulation of signs, &c. That has been one part of the work which the Retail Merchants' Association has been doing for fourteen years, for that society was incorporated fourteen years ago. Let me also say the association has been promoting all that time fair adjustments of freight rates, express charges, increase and decrease of duties on parcel posts; prosecuting fraudulent advertisements and sales, and adulterations of goods. The association has been also publishing information and statistics relating to, or concerning trade interests, such as supplying the Dominion government with the number of retail merchants doing business in Canada, the amount of their investments therein, the taxes paid by them, their employees and the amount of goods sold for cash or credit. This information is not supplied officially in any department from other sources.

Let me now speak of the arbitration and settlement of trade disputes between any of its members. For instance, the farmers who produced milk met not long ago, and they made a hard and fast rule that unless the retail milk dealers bought milk at their price that they would simultaneously cut off all milk supplies by them in Toronto, and the retail milk dealers appealed to their members, and the latter decided to arbitrate, which was done, and it resulted in a fair, compromise, so that the farmer, the retailer and the consumer received fair treatment. The working tailors also decided to strike, and their case was settled by the association, and entire harmony now exists among them. They have settled also disputes with regard to whether merchants sold the quality of goods to their customers that they represented them to be, also a great many other technical trade matters.

The procuring and furnishing to its members of information as to the solvency of persons who deal with any of its members. For instance, it is estimated that about 75 per cent of the retail sales made from day to day are made on credit. This means an enormous sum of money, and no matter how the condition is viewed, this system in my opinion, will continue, as it is more convenient for the housekeeper, and in many cases for the storekeeper, especially when orders are sent in, as a great many now are, over the telephone. There are some people who make it a practice to live on the storekeepers, and they have no moral sense of what is right. In many cases workingmen are out of work, especially in the winter time; others are absolutely honest and they meet with misfortune—to all these credit is extended, but those who deceive us are placed on a list, and if they will not pay, and it is thought they should, this acts as an incentive for them to be honest. The deserving ones are assisted through the organized associated charities, which are mostly conducted and contributed to by the retail merchants. Whereever possible they put themselves in touch with the ministers, preachers and priests and rectors of parishes regarding these people, and they have helped hundreds to help themselves.

'Generally, all other lawful and similar objects for promoting the trade interests of its members as may from time to time be determined by the association.' This clause

applies to all of the preceding, and the words 'lawful and similar,' in our opinion, is quite sufficient to safeguard all concerned. No possible danger can come out of this charter, as everything that is acted upon must be first voted upon, and in the association are some of the most upright men in the community, men who are looked up to by the people and who occupy public positions such as mayors, reeves, magistrates, justices of the peace—men who hold high positions in the churches, on school boards and in other public capacities, and it would, therefore, be almost impossible to get them to impose upon the community anything that was unfair, and especially upon the consumers, who are their friends and customers. All the other clauses refer to the details regarding the rules of the association. I admit that they have been trying to do something in the interest of the retail merchants, but, their efforts have been more especially in the interests of the consumers and the general public. You will see by paragraph (b) of section 2 that the association asks for power to collect and publish information and statistics relating to or concerning such interests. Well, you will find in the work of the association that it has been for 14 years supplying the Dominion government with statistics as to the number of retail merchants who are doing business in Canada the amount of money invested, the taxes paid, and the sales on cash and for credit. I shall not detain the House by defining what is done under each of these paragraphs of section 2; I say they show in a summary way what are the aims and objects of this association. I think I have said enough to demonstrate that the association is more a benevolent than a commercial society, and that there is no danger to any class in the country or to the public interest in the little Bill which is now before the House.

Mr. NEELY. Will the hon. gentleman tell us why this association needs to be incorporated by an Act of this parliament for the purposes which are set out in the Bill. According to the hon. gentleman (Mr. Gervais) this is a voluntary association which has been carrying on this beneficial work for a number of years, and why then do they want an Act of incorporation from this parliament?

Mr. GERVAIS. The answer is that the Retail Merchants' Association of Canada was incorporated 14 years ago by a statute of the Ontario legislature, and, the Ontario association has been promoting its objects throughout the different provinces, but in some cases they have been confronted with the fact that the local association will not pay anything towards the good work. The Ontario association was always of the opinion that it would be more fitting that a general association should be formed under the charter of which the local branches should be forced to do their work when they are willing to enter the general association. This is merely the incorporation of a few retail merchants' associations for the benefit of all.

Mr. RALPH SMITH. Why don't you seek incorporation under the provincial law?

Mr. GERVAIS. Trade and commerce are regulated by the parliament of Canada, and if the association is chartered by this parliament they will be better enabled to carry on their work.

Mr. W. F. MACLEAN. But this is not trade and commerce, it is a benevolent association.

Mr. GERVAIS. Our association does not intend to do any trade or to interfere with the business of anybody in the land; it is simply a benevolent society.

Mr. RALPH SMITH. I do not know that anybody can take serious objection to the incorporation of a retail merchants' association as a Dominion institution, but it is important to point out to the House that the very gentleman who led the attack against the incorporation of co-operative societies in this House, is the very gentleman who is promoting the incorporation of this retail merchants' association. And the same corporation that engaged that gentleman to do that work in their interests at that time are evidently employing him at the present time.

Mr. GERVAIS. I rise to a point of order. I wish to tell the hon. gentleman (Mr. Smith) that I never was retained by the Retail Merchants' Association of Canada to do such work. What I am doing is I believe, in the public interest.

Mr. RALPH SMITH. I said that the hon. gentleman was engaged by the Retail Merchants' Association to promote their interests against the Co-operation Bill. I would not suspect that my hon. friend would for one moment be retained further than that he was willing to use his influence to combat the principle of co-operation in the interests of the retail merchants' association. Now, I would point out that every reason which the hon. gentleman (Mr. Gervais) gave against the Co-operative Bill is given by him now as a reason in support of this Bill. He argued that the Co-operative Society should be incorporated in the several provinces, that it was not a Dominion organization, that it should not be recognized as a Dominion corporation, that it should be continued as a provincial work and so on. I would also point out to the hon. gentleman, and every one of these applies

to his retail merchants' association, that this Bill provides that the retail merchants association shall hold real property, and that it shall carry on business in other respects.

Mr. GERVAIS. The fact is that section 6 of this Bill has only one purpose, namely, to enable the corporation to purchase and hold property notwithstanding the laws of mortmain. We are bound by the enactment of mortmain in this country, and to get over that even a benevolent society has to be authorized by parliament to possess real estate. As a matter of fact, the hon. gentleman cannot find in section 6 anything which tends to show that the Retail Merchants' Association of Canada intends to engage in any kind of trading. They simply want to be empowered to possess real property, the amount of which is strictly limited by the section.

Mr. RALPH SMITH. Section 6 of this Bill provides that this association may carry on all kinds of business, and the same provision in the Co-operation Bill was vigorously opposed by my hon. friend (Mr. Gervais). It does seem to me that the Co-operative Society was much more entitled to do a Dominion business between its own members than this society to deal with the general public. The same hon. gentleman who is promoting this Bill did everything he could to prevent the co-operative movement. Section 7 of this Bill provides for the acquisition of property of voluntary associations, and that means that this incorporated body is getting power to provide for the purchase of the societies that may not be able to exist when the organization of this society is completed. The provisions of section 7 give the necessary power to acquire property to a society that may not be able to operate as a consequence of this organization, and therefore, you create a practical monopoly of the Retail Grocers' Association. My hon. friend may shake his head, but there is the section that provides for the possession of that property. I have no serious objection to the incorporation of any society of this kind, but it is a very unfair thing for a responsible member of this House to object all he could to the organization of a voluntary institute that sought powers from this parliament simply to do business with its own members, when he is now in favour of granting far more extensive powers to an organization that seeks to do business with the whole country.

Mr. NEELY. This seems a very extraordinary Bill to bring in towards the close of this session in view of what occurred somewhat earlier in connection with those co-operative Bills that have been mentioned by my hon. friend from Nanaimo (Mr. Smith). My hon. friend (Mr. Gervais) who is supporting this Bill has not made clear to my mind any good reason why the Retail Merchants' Association of Canada ought to be incorporated by an Act of this parliament. As my hon. friend from Nanaimo has said, the same hon. gentleman opposed the formation of co-operative societies that merely had in view the mutual benefit of their own members, taking as one of his grounds that the provinces should deal with a matter of that kind. But, if the objects of this association are as innocent as my hon. friend stated, it seems to me that he has given no reason, no ground whatever, why this Bill should be put through this House. They have been carrying on practically all the work they propose to carry on under the terms of section 2 of this Bill as a voluntary association, and I see a lurking menace in this Bill against the interests of the consumers of this country. It seems to me that this Retail Merchants' Association, if it is incorporated in this way, might become a monopoly. We have spent a great deal of time in this House, to-day, and on other days, in passing a Bill with which to protect the consumers of this country from monopolies and trusts. I do not see any reason, if this association is incorporated by Act of parliament, why it may not become a menace to the consumers of Canada in so far as the regulation of retail prices is concerned. The promoter of the Bill may say that this cannot be, that the Bill that we have already put through the House will prevent it, but there are ways and means—underground ways and means—whereby these incorporated associations are able to do things, and it is very difficult to find them out or catch them in the act. One of the subsections of section 2 gives another object of this association as the arbitration and settlement of trade disputes arising between any of its members. We have an Industrial Disputes Act on the statute-books already. I do not know that we ought to delegate to the Retail Grocers' Association any such powers as this whatever. It seems to me that a general Act dealing with that question is quite sufficient. The co-operative Bills that were before this House some time ago were smothered in committee. I was not a member of the committee that dealt with those Bills, and I regret very much that the Bills were not reported to the House. I say frankly that I am opposed to this Bill. I am opposed to it for one reason besides those which I have already given, and that is because this very retail grocers' association were the people who were practically instrumental in the defeat of the co-operative societies Bills. I believe those Bills were in the interest of the consumers, the farmers and the workingmen of this country, and yet we had a large delegation of

these retail grocers and other retail tradesmen of this Dominion who came here and brought every influence to bear on the committee that dealt with these Bills for the purpose of smothering them. They were smothered, and I say that it is only fair that this Bill, which is introduced by the people who are responsible for the destruction of the other Bills, should be accorded like treatment and sent to oblivion along with the co-operative societies Bills.

Mr. GERVAIS. I must say a word in answer to a statement of the hon. gentleman (Mr. Neely). It is rather a queer argument to say that we must kill this Bill because another Bill has been considered bad by the House or by one of its committees. I have not had a long experience in parliamentary life, but I know enough to say that each measure must be adjudicated upon with reference to its own individual merits and not with reference to a question of personality or of individuality which has nothing to do with the measure.

Mr. NEELY. What about precedent?

Mr. GERVAIS. There is no precedent. The Co-operative Bill was justly killed because it was against the public interest. It was so considered by the Committee on Banking and Commerce, and every other Bill which contains provisions which are regarded as a menace to the trade of the country will be considered in a similar way. But here we have a Bill in which a very important class of people are simply seeking for incorporation and nothing else. It is idle to assert that through this Bill there is any intention of doing any trade, and more especially of creating any kind of monopoly. Any gentleman who has any experience in business or of the law will support my contention that through this Bill the Retail Merchants' Association of Canada are merely asking for a charter of incorporation. I will leave it to the interpretation of any lawyer or business man of unbiased mind. Fortunately or unfortunately I have been fighting the Co-operative Bill. I did it because I had had sufficient experience to convince me that it was a bad Bill, and it was so held unanimously by the members of the Banking and Commerce Committee. I say this is a good Bill, that it is a Bill that is in accordance with the public laws, that it is a Bill which is in accordance with the constitution of 1867, and that it is a Bill which should pass, as we are bound to give any charter in answer to any demand which is made upon this House in accordace with the laws of the country and in accordance more especially with the rules of equity and justice.

Mr. BICKERDIKE. I may say that if there was a possibility of this association going into trade, I would feel like my hon. friend from Humbolt (Mr. Neely), but if it is simply an institution that we are incorporating the same as we might incorporate the butchers' association, or the wholesale grocers' association, or the corn exchange, or any other exchange of that kind, there can be no objection to it. If the hon. gentleman (Mr. Gervais) says it is not to carry on trade of any kind there can be no objection to it.

Mr. STRATTON. The powers which this company are applying for here can be acquired by them under the provisions of the Ontario Company's Act. I had for a time charge of the administration of the Ontario Company's Act, and my impression is that the powers asked for here may be obtained by order of the Lieutenant Governor in Council. This is purely a matter which should come under the jurisdiction of the different provinces, and if this association desires to exceed the boundaries of any particular province they can obtain registration and do business in the different provinces of the Dominion. This is certainly not a Bill which should be enacted in this parliament.

Mr. ROCHE. There is another feature of this Bill to which I wish to call the attention of the promoter. I know that the hon. gentleman (Mr. Gervais) is very plausible in his plea that this retail association is a purely philanthropic institution, but I draw his attention to a very innocent little subclause (a) of section (3) which says:

> The association may make by-laws for: (a) the administration, management and control of the property, business, and other affairs of the association.

Now, in the Act for the incorporation of the Catholic Episcopal Corporation of Timiskaming which passed this House this session, there was an almost word for word subclause which read:

> The administration, management and control of the property, business and other temporal affairs of the corporation.

And this House felt it incumbent upon it to safeguard the interests of the people, and in order that under that clause they might not engage in banking or business of any kind, the following amendment was added to that subclause:

> That after the word 'corporation' the following be inserted: nothing in this section shall be construed to authorize the corporation to issue any notes or bills payable, or any promissory note intended to circulate as money, or as the note or bill of a bank, or to engage in the business of banking or insurance.

If the hon. gentleman is willing to accept such an amendment as that, for my

part I am willing with that safeguard to let go through this innocent Bill for a benevolent purpose, as he describes it to be. Let us put in this Bill that amendment which is inserted in the other Bill which was to incorporate an institution much less liable to be a detriment to the public than this retail merchants' association.

Mr. GERVAIS. I join issue with the hon. member (Mr. Roche) on the ground that the amendment incorporated in the other Bill was useless, because any corporation which does anything not authorized by its charter would be compelled to desist by a writ of quo warranto issued upon information. That amendment was just as useless in that other Bill as it would be to insert in a law creating a public officer, a proviso that he should never be Emperor of Germany, or to insert in the Act incorporating the Railway Commission that none of the commissioners should ever become Emperor of Russia.

Mr. ROCHE. That is a reflection on the House of Commons.

Mr. GERVAIS. It was an absurd and useless provision to insert in the Bill in question. If my hon. friend would look at clause 2 of the Bill he will find that the Retail Merchants' Association of Canada cannot do any trade or business at all, and if they should try to do it then they would be prohibited by writ of quo warranto issued on behalf of the Crown upon the information of the Attorney General. At any rate we can take up the discussion of these matters when we come to the particular clauses referring to them.

Mr. NESBITT. I would like to ask the hon. member why he requires clause 6 which reads:

> The association may receive, acquire, accept and hold real property by gift, purchase, devise, bequest, lease or otherwise, for the purposes of the association, and may sell, lease, invest or otherwise dispose thereof in such manner as it may deem advisable for such purposes: Provided, however, that the annual value of the real estate held by the association shall not exceed the sum of fifty thousand dollars.

Now, $50,000 per annum is a large amount of real estate for an ordinary association formed for benevolent purposes to hold. The phrase 'the purposes of the association' in that clause may be very widely construed. I would like to correct the hon. member for Humboldt in his reference to the Co-operation Bill. The Retail Merchants' Association were not heard before that committee at all. They had a solicitor there to represent them, but he was refused to he heard by the committee, and in the view of the committee, one of the Bills in connection with that matter was considered to be impossible as drawn and that is why it was thrown out.

Mr GERVAIS. As a matter of fact the Retail Merchants' Association were not instrumental in the rejection of the Bill by the Banking and Commerce Committee.

Mr. NESBITT. Not in the slightest degree in any manner, shape or form.

Mr. GERVAIS. And the hon. member (Mr. Nesbitt) attended every sitting of that committee?

Mr. NESBITT. Yes, and their influence had no more to do with the rejection of that Bill than had the Emperor of China.

Mr. STRATTON. All legitimate powers sought for by this society can be obtained under the joint stock companies Acts of the different provinces. Some of the powers they apply for here would not be given them in the provinces, and why should we interfere with the rights of the provinces by incorporating this company here. I am quite satisfied in my own mind that this legislation has some other purpose than that which appears on the face of it. They can obtain all the power necessary for carrying on legitimate business from the provincial secretaries of the different provinces.

Mr. W. H. SHARPE. If we allow this Bill to go through, it will give these people power to form the largest combine that has ever been known in Canada. I am a retail merchant myself, and I am satisfied that this Bill will give the retail merchants power to form themselves into associations to restrict the number of stores in each little town throughout the whole country. They will be able to control prices and to restrict trade all over Canada. The hon. gentleman who has introduced the Bill says that the wholesale people of Montreal are practically a benevolent society. I want to say that I have bought thousands of dollars worth of goods from the wholesale people of Montreal, and I have never seen any sign of that so far.

Section 1 struck out.

Mr. GERVAIS. Before the question is put, I move that the committee rise, report progress, and ask leave to sit again.

Mr. SPROULE. The Chairman has declared the first section lost.

Mr. GERVAIS. I move that we reconsider the first clause.

Mr. DEPUTY SPEAKER. I cannot accept that motion at this stage. If the hon. gentleman wishes to withdraw his motion that the committee rise and report progress, he can do so.

Motion of Mr. Gervais that the committee rise and report progress withdrawn.

Mr. GERVAIS. I move that the first clause be reconsidered.

Motion agreed to.

Mr. GERVAIS. I now move that the committee rise, report progress, and ask leave to sit again.

Motion agreed to and progress reported.

GUELPH JUNCTION RAILWAY.

Mr. GUTHRIE moved the second reading of Bill (No. 218), respecting the Guelph Junction Railway Company.—Mr. Clarke (Essex).

Mr. BOYCE. I would ask the hon. gentleman who has charge of the Bill to make some explanation of it. I think it calls for some explanation.

Mr. SPEAKER. I understand that the promoter is not here.

Mr. BOYCE. Then the hon. member for South Wellington had better ask that the Bill stand.

Mr. GUTHRIE. I am not in charge of the Bill, but it is one that affects the constituency that I have the honour to represent, and I think it ought certainly to go to the Railway Committee. That committee meets on Thursday, and it is just possible that it may not have another meeting this session. I do not know another instance in which a private Bill has stood under such circumstances, and I would ask the hon. gentleman to withdraw his request, and let the Bill go to the committee and be considered there. It is a Bill that has already passed the Senate. If a brief statement is wanted, I think I could perhaps outline the situation. This is a Bill practically in the interest of the city of Guelph, whereby that city asks for the right to take over all stock in this company which may be outstanding. The city of Guelph is practically the owner of a small road sixteen miles long, running from the city to the Canadian Pacific railway, constructed by the city of Guelph in 1888 at a cost of about a quarter of a million dollars, at the request of a number of gentlemen who claimed that they must have competition, as we had only the Grand Trunk railway at Guelph at that time. It was necesary that some men should qualify to be directors, and ten men took ten shares each in the common stock of the company, on which they paid $100 each. It turned out that the road cost more than was anticipated, and the city asked that the ten gentlemen should pay up the balance on their shares, which they refused to do, claiming that they held the stock as trustees for the city. The ratepayers finally passed a by-law to pay the indebtedness and relieve the shareholders from payment of the balance upon their stock and the stock-holders agreed to hold their stock as trustees for the city. The city assented to this, but allowed them to hold one share each and continue on the board. The road is indebted yet in respect of its bonds to the extent of between $60,000 and $70,000, but since it has been continued to Goderich by the Canadian Pacific railway it has become a very good earning proposition for the city of Guelph. Four or five of the shares originally held by these trustees are still outstanding. All the others have transferred their interests to the city and have received their $100 and $300 by way of bonus—$400 in all for the $100 that they had paid. Four or five have refused to hand over their shares, and this Bill, I understand, is to compel the transfer of these shares on the payment of the sum of $400 and also to permit the city to issue stock to represent the $70,000 of indebtedness still on the bonds.

Mr. SPROULE. Originally who paid for these shares?

Mr. GUTHRIE. The individuals who subscribed $100 each.

Mr. SPROULE. The individuals subscribed and paid.

Mr. GUTHRIE. They subscribed $100; the city then relieved them of $19,000 of indebtedness, and of the $900 which each was liable to pay on their call on signing the declaration that they held the shares as trustees for the city.

Mr. SPROULE. Then you are asking for the right to confiscate other people's property?

Mr. GUTHRIE. I do not look upon it as confiscation. I have gone into the matter very carefully, and I am satisfied it is right. I think it would be far better to discuss it when the shareholders are before the committee, as they will be on Thursday.

Mr. BOYCE. In consenting to the second reading of this Bill we are necessarily adopting its principle, and in adopting the principle of this Bill we are adopting a very pernicious principle in respect to the legislation of this House. Let us look at clause 2, irrespective of any collateral circumstances.

Mr. GUTHRIE. I do not like to interrupt my hon. friend, but I am sure he wants to give this Bill fair treatment. There are only a few minutes left now, and there is only one more sitting before we prorogue. If he is reasonable at all he will allow it to go to the committee.

Mr. BOYCE. I do not like to have it insinuated that I am not giving this Bill fair treatment. I may say I do not think it was very fair treatment on the part of my

hon. friend to slip in a motion to suspend the rule so as to get rid of the 24 hours' notice we ought to have had. This Bill was only introduced to the House last night for the first time.

Mr. GUTHRIE. I beg my hon. friend's pardon. I never heard of a motion of that kind until now.

Mr. BOYCE. This Bill was only read the first time last night, and but for the suspension of the rule, to the motion respecting which I fancy nobody paid any attention, my hon. friend would not be here to-night at all. Therefore, I do not think he can complain of any reasonable criticism upon his Bill, and I do not think I deserve, out of the mouth of my hon. friend, any such comment or charge that I have been obstructing or opposing any Bill which did not deserve, for some reason or another, to be opposed. I am speaking to the principle of the Bill, that principle which we are now asked to accept, and I want to say that if we commit ourselves to the principle of this Bill, we are committing ourselves to a very dangerous principle indeed, because as my hon. friend from East Grey (Mr. Sproule) has said, we virtually say to this minority of shareholders, those shareholders mentioned in section 2, you have got to sell your shares and you have got to deliver those shares at the valuation which parliament places upon them, irrespective of what their value may be to them in the future. Now, my hon. friend (Mr. Guthrie) himself has taken strong grounds with respect to the very same shares and to this very railway, grounds diametrically opposed to the legislation asked for under section 2. I propose to demonstrate that to him and then to satisfy him that I am not unnecessarily commenting upon what I conceive to be a pernicious principle in this Bill. What is the principle to which we are asked to subscribe? The corporation of the city of Guelph may, subject to the laws of Ontario, acquire any shares in the company not now standing in the name of the city, and the said corporation is hereby empowered and declared to be entitled to acquire the said shares of the company's stock from the several persons in whose names the shares stand or may stand, and to have transfers thereof made by such persons respectively to the said corporation upon payment to such person respectively of the sum of $400 in respect of each one share fully paid up, or of each ten shares, upon which ten per cent only has been paid; and it shall be the duty of such persons respectively to transfer such shares to the said corporation accordingly. Now, speaking for myself, I cannot subscribe to any such principle as that, that part can take any beneficial ownership of shares or of any property as that section empowers that company to do, and say, here is your $400 for that stock, though it may be worth a thousand dollars, and I believe that each one of those shares is approximately worth $1,000. But whether it be worth only $400 or $450 a share, have we the right as a parliament, and if we have the right, should it be exercised in this way, to compel the shareholders of that company, who are not trustees, but who are beneficially entitled to their own shares, to give those shares up? My hon. friend himself says that nobody wanted to take their shares away from them, that their shares were their own. I say, can he come nine years later and say, that which I said we did not want to take away, I now want to take away. I say this is an interference with the rights of property. It is an interference with civil rights. It is an interference with the right of a party to retain his own shares.

The hour for private Bills having expired, the House again went into committee, and resumed consideration of Bill (No. 192) to amend the Fisheries Act.

FISHERIES ACT AMENDMENT.

House in committee on Bill (No. 192) to amend the Fisheries Act.

On section 12,

Mr. TEMPLEMAN. The only change in this section is that the return asked for should be sent to the minister through the inspector of fisheries for the district not later than the 31st day of May of each year, instead of not later than the 1st day of September, as in the Fisheries Act.

On section 13,

Mr. TEMPLEMAN. The change in this clause is simply the addition of the words in the 24th and 28th lines 'or of any international regulation.'

Mr. CROSBY. It does seem that this Bill covers a great deal of ground, and we should have some lucid explanation of the whole matter. I cannot understand why the minister having the Bill in charge should come before this committee, and ask us to pass it without having sent it to the Committee on Fisheries. It seems a complicated Bill, and the further we get the more complicated it gets. There must be something in it or the Bill would not be here.

Mr. TEMPLEMAN. Clause 13 is precisely the law as it is at present with the addition of the words I have cited, 'of any international regulation,' making a violation of the international regulations when they are brought into force, a violation of the Act.

On section 14, penalty for violations.

Mr. TEMPLEMAN. The only change is the substitution of $1,000 for $100. The object in thus increasing the fine is that with some traps, particularly on the Pacific coast, it is possible for a trap owner to violate the law, and be fined $100, and still make money. The penalty was too small, and we are increasing it to $1,000 with that object especially in view.

Mr. J. D. TAYLOR. Does this remove all other penalties that have been in force?

Mr. TEMPLEMAN. I am advised it does not.

Mr. J. D. TAYLOR. Does the minister think this fine of $1,000 will be sufficient to secure compliance with the law by the owners of traps?

Mr. TEMPLEMAN. The previous clause provides that all the property of a party violating the law may be confiscated. The $1,000 penalty is heavy, and it is deemed by the department to be sufficient. I do not think that owners of traps would violate the law very often if they were fined $1,000.

Mr. BRADBURY. I would suggest in addition that the license of the man who violates the law should be cancelled, and a renewal refused.

Mr. TEMPLEMAN. That is a question of policy. The department can very properly refuse a renewal to a habitual violater of the law.

Mr. BRADBURY. In drafting a law with severe penalty, the cancellation of the license should be one of the penalties, so that a man would know what he was facing when he violated the law.

Mr. TEMPLEMAN. The law might be violated by a trap owner inadvertently, and it would be hardly proper to deprive him of a license when he was not guilty of intentional wrong-doing. However, as the power of renewal is absolutely in the hands of the department, it is believed that the interests of the government are sufficiently protected.

Mr. BRADBURY. When the minister reminds me of the fact that the discretion as to renewal lies absolutely in the hands of the department, and says that that should be a guarantee that the man would be punished, and the license not issued, I would recall some of our experiences on the inland lakes. Glaring violations of the law have been committed, and the officials in Selkirk and in the department here knew of it. An investigation was held costing this country $1,200, and after it had been demonstrated that the American fish interests were violating the law, fishing twice the amount of nets allowed, fishing when they liked, and how they liked, the tools of the American Fish Company, for the company had no status in Canada, got their licenses year after year just the same. It is cases of this kind that make a man on this side anxious that the penalty should be included right in the Bill so that we we will be sure of its enforcement and not have to depend on the officials to protect Canadian interests.

On section 15, International fishery regulations may be brought into force.

Mr. TEMPLEMAN. As the committee is aware, in the year 1908, a treaty was made between the United States and Canada, for the purpose of regulating the fisheries in the inland waters contiguous to the two countries. By that treaty, commissioners were appointed by both governments under article 3, to prepare and put into operation with as little delay as possible, regulations, restrictions and prohibitions, with appropriate penalties for breaches thereof. The day when they were to come into operation was to be fixed by concurrent proclamation of the Governor General of Canada, and of the President of the United States. In pursuance of that article of the treaty, representatives of the United States and of Canada have agreed to regulations governing fishing in international waters as set out in the treaty. The clause in this Bill is to give to the Governor in Council power to bring those regulations into force by proclamation as required by the treaty. The proclamation in Canada and the proclamation in the United States are to be issued concurrently. That is the only object of this clause. When the United States are ready to bring the regulations into force on their side of the line we want to be ready to proclaim the regulations on our side, and we have been advised by the Justice Department, that it is necessary that we should take this power by statute.

Mr. J. D. TAYLOR. I would like to point out to the minister that while the penalty of $1,000 prescribed to this section, like the section we have just passed, may be sufficient on the Canadian side, there is grave reason to doubt whether it will be a deterrent on the American side. There has been a law on the American side against fishing traps in certain days of the week. The government knows from observation made last year that that law has not been carried out, and although there has been a suggestion that the authority for regulation and supervision shall be taken from the state and conferred upon and exercised by the federal jurisdiction, we have heard nothing of any progress made in that direction; and we have no assurance, so far as I have heard, that the federal government of the United States is to be in effective

control of the waters of the state of Washington. I presume if any such arrangement had been made it would have been communicated to the House by the minister just now. In the absence of any assurance of that kind, we are interested in what happened last year, and on that point I have the authority of Prof. David Starr Jordan, the American representative on the International Fisheries Commission. In his report to Washington he says:

With upwards of 2,500 square miles of fishing territory, the state of Washington has no patrol vessels, and so far as I know, but a single gasoline launch. The present statutes are fairly well enforced in most of the eastern boundary states, notably so in Ohio and Pennsylvania. In Washington they are not adequately enforced. It is claimed that in the current season the fishermen of Washington caught by encroachment on the close season salmon to the value of upwards of $600,000 to which they were not entitled. Part of these should have been taken in British Columbia waters. The others should have escaped up the Fraser river to the spawning grounds. In Canada, throughout the boundary waters, the statutes now in effect are rigidly enforced. It does not even occur to any one to violate them. The real need of the boundary situation is less that of stringent legislation than of equal enforcement of law on either side. I see no way to accomplish this except by a federal patrol, corresponding to the Dominion patrol of Canada.

Now, Mr. Chairman, if the only deterrent we have against the prospect of another American raid upon our salmon during the close season, a raid which netted $600,000 last year, is this fine of $1,000, which is the limit allowed by the international regulations, I fear it will be found ineffectual. I would like to call the attention of the minister to the fact that one of these traps caught last year as high as 110,000 fish in one day. At the price at which these fish were sold, 20 cents each, that would mean $22,000 worth of fish that one of these traps has been known to catch in a single day, and the sole penalty for an open and wilful violation of the law that will yield $22,000 in one day would be a fine of $1,000. Of course any trap owner who could reap that rich harvest would accept the risk of a fine every time. I would suggest to the minister that if there are to be any further negotiations in connection with the international regulations, he should press for some such further provision with respect to traps as he has now with respect to net fishing, that is, that if a net fisherman wilfully violates the law and the department has cause of complaint against him as an incorrigible, the department may confiscate his license and his nets, and I would recommend that he press for power to deal in the same way with the trap fishermen. I would ask the minister whether the government has examined that phase of the situation, and whether, in view of the enormous profits of trap owners to be obtained by paying a fine for violating the law, the government has considered it advisable to make the penalty more drastic than it is in these regulations.

Mr. CLARK. I would be very glad if the government could see its way clear to suspend the clause of this Bill that relates to the confirmation of the international regulations with the United States. It seems to me that the regulations which have been framed, have not been framed with proper inquiry and proper care for the interest of the fishermen who have been carrying on operations in international waters. Along the whole length of the Detroit river men have been fishing for their life time; they have got their plants, and now, by the operation of this treaty and of these regulations, their business is going to be cut away from them. It may be that it is in the interest of fish culture generally that that should be done, but I think it would be much more satisfactory if a committee of this House could hear the fishermen themselves in order to find out whether the interest of the fishery is so very important as to require so drastic a measure as is proposed by these regulations. It appears to me that it has gone too far now. What I would like to suggest to the minister is that the matter be taken up with a view of a further conference in order to have it dealt with in the light of the greater information that can be got by hearing the fishermen themselves. They feel very much aggrieved. Many of them have almost made their living from fishing in the Detroit river. It is not so on the American side. There the river front is so much taken up with wharfs that they have not the fisheries on their side, and I can quite understand their acquiescence in regulations which are no loss to them. But on the Canadian side, where people have been fishing for their lifetime, or for many years, it is a great hardship, and I hope the minister will take this into consideration and see even at this hour if there is not some way of at least giving the fishermen a hearing.

Mr. TEMPLEMAN. I would point out to my hon. friend (Mr. A. H. Clarke) that the clause now before the House does not necessarily mean that the regulations agreed to are going to be proclaimed. I suppose that the government could refuse to proclaim them. They are simply taking power to bring these regulations into force. My attention has been called to the fact that one of the regulations affecting the fishing in boundary waters prohibits net fishing in the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence rivers where they form part of

the international boundary line. I am not in a position to say whether it would be deemed advisable to prohibit net fishing altogether, but I would naturally suppose that net fishing in these waters was destroying the fish and it was deemed wise to prohibit net fishing. However, that is simply an expression of opinion. We take power to bring into force by proclamation any agreement that may be reached, whether this agreement or a subsequent agreement is necessary, and it is necessary for the government to have that power, because otherwise no treaty made with the United States could be proclaimed and made law. I would suggest to my hon. friend that, while he may have a good point in trying to have that regulation changed, it does not necessarily follow that fishing in that way would be prohibited as a result of taking power to proclaim the treaty. Under the treaty the regulations are revisable by the mutual consent, I think, of both governments at any time, and it might be found that before the treaty was proclaimed, with the concurrence of the United States commissioner, a change in the treaty would be advisable. The treaty provides that it shall remain in force for a four year period. In regard to my hon. friend from British Columbia (Mr. J. D. Taylor), I want to point out that the condition there will be, in my opinion, vastly improved by this treaty. I think my hon. friend from New Westminster will admit that fact. Generally speaking hitherto there has been practically no law, well observed, at all events, in the state of Washington. The states control the fisheries, and up to the present time the state of Washington has had certain regulations, but these regulations were never enforced. A close season was not observed and our fishermen have thought that by the rather rigid enforcement of the regulations made by the Fisheries Department they were unfairly discriminated against. This treaty applies to the United States side of the line, with respect to the Pacific ocean, practically the regulations which hitherto have been in force in Canadian waters. The American government have undertaken to enforce these regulations, not the Washington state government. The United States government take the ground, I think, upon the advice of their highest legal authority, that although the various fisheries are controlled and regulated by the states, when the federal government enters into a treaty with a foreign power the right of the United States to regulate the fisheries is paramount and must prevail. Therefore, we feel quite sure that when the United States government undertake, in the words of the treaty, by legislation and executive action, the regulation and restriction of the fisheries we must depend upon them to carry out their treaty obligations. The treaty does not impose any penalty; it simply provides that each government shall impose its own penalty for any infraction of the treaty. This government is imposing a penalty of $1,000 for a violation of the regulations under this treaty. I would assume that the United States government would impose about the same penalty. I quite agree with what my hon. friend says with regard to the destructive character of the fishing carried on south of the boundary line. As a matter of fact, if we did not have this treaty with the United States government to regulate fishing in Puget Sound, and if no restriction, other than those which have been imposed in the past, were to be imposed in the future, we might just as well conclude that fishing on the Fraser river would be absolutely destroyed in another ten years. I read in a newspaper the other day a statement by the fishery inspector for British Columbia who, disheartened by the fact that the people in the state of Washington were not living up to their own regulations, and were catching salmon which would, if not intercepted, have gone up the Fraser river to be caught by the Canadian fishermen, declared that if the United States would not impose effective restrictions, the restrictions imposed by the Canadian government should be removed, and apparently concluded that the river should be fished until the last fish was taken out of it. I do not think it is in the interests of the Canadian fishermen that this government should not make a very earnest effort indeed to obtain from the United States government a treaty imposing upon the citizens of that country the same restrictions as we are imposing upon the fishermen in British Columbia with the view to conserving the the great fishery of the Fraser river. I believe that this is a good treaty. As I understand its application to the province of British Columbia, I think it is a good treaty. I must confess with regard to other portions of Canada, and especially in regard to the complaint made by my hon. friend from South Essex (Mr. Clarke) I am not very familiar with the facts, but in regard to British Columbia, if we are ever going to restore the Fraser river to its position as a sock-eye stream we must do it by a treaty with the United States government. It is a fair treaty. The same regulations are to apply on each side of the boundary line. I know it is said that they will not carry them out. There is some little reason for that suspicion from lations were supposed to be carried out their regulations in the past, but the regulations were supposed to be carried out by the state governments. Now, the obligation to do so is imposed upon the federal government, and I believe

that it is really in the interest of the fishermen of the Fraser river, in which interest the hon. member for New Westminster is speaking, more than in the interest of the canners, as well as in the business interests of British Columbia, that the yield of fish should be restored to its normal condition, as it can be by the enforcement of a treaty of this kind. Whether the American government will enforce the treaty as the Canadian government will enforce it I do not know, but I have faith enough in the American government to believe it will. At all events, if the treaty does not work well, we can terminate it in four years after it goes into effect, or try to get a better one.

Mr. CONMEE. I agree to a large extent with the remarks made by the hon. member for Essex (Mr. Clarke), and I believe to a great extent the Canadian fishermen have not had the opportunity they desire to present their case. I understand from the minister that while this Bill may pass it does not follow that it will come into force except by proclamation.

Mr. TEMPLEMAN. The Bill will come into force when passed, but the clause under consideration takes power to proclaim the regulations concurrently with their proclamation in the United States.

Mr. CONMEE. It does not come into force automatically through the passing of the Bill?

Mr. TEMPLEMAN. No.

Mr. CONMEE. Would the fishermen of Canada have an opportunity of being heard as to the hardship these regulations may work upon them.

Mr. TEMPLEMAN. The joint commission appointed by Canada and the United States to carry out the treaty can at any time hear the fishermen, and they have the power to revise or change any of the regulations.

Mr. CONMEE. It so happens that along the north shore of the Georgian bay, the north shore of Lake Huron, and Lake Superior, Rainy lake and the Lake of the Woods, the open lake is on the American side while the most of the islands are on the Canadian side, and this territory affords the best fishing grounds. In certain cases this Bill would not bear so hard on the fishing interests of the United States as on Canada from the minister's statement, I assume our fishermen will have a right to be heard before that joint commission which it is assumed will deal fairly with all these matters. If our fishermen have the right to present their case, and seek redress, notwithstanding the passage of the Bill, I would not so strongly object to it, but otherwise I would agree with the member for Essex that it would be better to defer this legislation.

Mr. BRADBURY. I have given considerable attention to our fresh water fish supply, and I can say that in my opinion this legislation is an effort in the right direction. I believe that if the provisions of this treaty are carried out by the Americans, as it will be by the Canadians, honestly and faithfully, it is bound to have a good effect. The trouble in the past has been, and I suppose it will continue in the future, is to get the American officials to be honest in enforcing the law. I think we can depend on our officials to carry out faithfully their part of the duty cast upon them by the treaty. However, I want to point out to the member for Rainy River, as he no doubt knows, that on the Rainy lake for instance, nearly all the fishermen who have been engaged there, and on the Lake of the Woods have been fishing for American companies. The Canadian fisheries have been exploited for many years by large American concerns, and while the treaty makes it obligatory upon the Canadian government to protect their side of the line it does not deal with the Americans on the other side. I do not believe that Canadians would suffer so much loss as the Americans, for the reason that two-thirds of the Canadian fishermen catching white fish, pickerel, and other species, on our lakes are largely in the employ of the American companies. It is an open secret that our laws have been openly violated for years on the Great Lakes, and the inland waters as well, by the American companies who have obtained control of our fisheries in a round about way. They get Canadians to take out licenses, and thus evade the law. We, on our part have not been receiving the benefit we should receive from our fish wealth. Lake Winnipeg used to be one of the greatest white fish fisheries in the world, but now it has been destroyed or nearly destroyed, simply because the Americans have been allowed to come into our waters, and evade our laws. They formed what they called the Dominion Fish Company which has operated all the way from Lake Winnipeg down to the great lakes and that fishing company was no other than the Booth Fishing and Packing Company of Chicago. I repeat that if the treaty is carried out faithfully it will have a beneficial effect, and I trust the minister will watch carefully to see that the Americans are not allowed to take advantage of us, but are compelled to live up to the terms of the treaty. The minister will have to watch them very closely in that respect. Now, the sturgeon fishery is a most important industry to us, and I notice that in the regulations under the treaty the commissioners

have recommended that for a term of four years next following the date of the promulgation of these regulations, no sturgeon shall be killed or captured in the treaty waters. I would like if the minister would extend that law to our inland waters, and I have already asked that the government should prohibit the export of sturgeon for a certain number of years. That may seem a drastic law. We have in Manitoba a small sturgeon lake, Lac du Bonnet. Although the commission appointed to investigate the Manitoba fisheries recommended that the exportation of sturgeon should be prohibited, the department has carried out all the recommendations of that commission with respect to granting to the settlers licenses to fish, but has not included that one important provision in the regulations. If the export of sturgeon is not prohibited, that lake will be fished out of sturgeon probably in one year, and the profits will go to the American companies, and the Canadian people will have received very little benefit. As soon as this law goes into force, it will be no hardship for the minister simply to include the inland waters in this clause, and to say that no sturgeon should be exported from Canada for a term of four years. By doing that the minister will be doing something that will be of very great benefit to the fisheries not only of the west, but all over Canada. I wish to say something about our whitefish in Lake Winnipeg. I notice that no whitefish under two pounds weight are allowed to be taken out of treaty waters. The treaty of course cannot very well be changed, but there should be some understanding as to what that means. Does it mean round weight or dressed weight? Because two pounds round weight means about one-and-a-half pounds dressed weight, and a whitefish weighing that is hardly mature, and ought not to be taken out of our waters. I warn the minister that if some precaution is not taken to protect the sturgeon fisheries of the west, I shall probably be able next session to say to the House that Lac du Bonnet as a fishing ground for sturgeon has been destroyed, and I shall be very sorry to have to say that and the government will surely be held responsible.

Mr. TEMPLEMAN. I appreciate the views that my hon. friend has expressed in regard to sturgeon fishing, and I will see that they are conveyed to the minister, who is not present. As far as I understand the question, I sympathize with what he has in view. I am told that to prohibit the export is impossible under the regulations, although the same result can be arrived at in another way. I am also told that the matter is not finally disposed of. I believe that the Manitoba Fishery Commission has not made its final report, and the department officials have not finally concluded their examination. Although they have disposed of the question probably for the coming year, the matter is still a live one, and I am hopeful that the proper course will be taken to conserve the Canadian fisheries.

Mr. J. A. CURRIE. I am very glad to see my hon. friend from Rainy River (Mr. Conmee) and my hon. friend from South Essex (Mr. Clarke) taking a hand in this discussion of fishery matters, especially on the side of the fishermen. The Bill under discussion is certainly an important one, especially as we are legalizing regulations that have been adopted by the joint commission. One thing in connection with these regulations which I cannot understand is that the north channel of the Georgian bay is included in the international waters, that is to say, the channel north of the Manitoulin island, which is many miles away from the United States, and is virtually a huge inland river or canal. The question of our fisheries being controlled by Americans is not at all a question of surmise. It is a fact that is established by the evidence of Prof. Prince given last year before a committee of this House. He stated that the boats and the gear used in the fishing business on the Great Lakes and on Lake Winnipeg were owned by Americans; and under a clause of their customs regulations fish caught in boats or with gear owned by Americans are admitted into the United States free of duty. The result of that has been to place the fisheries of the Great Lakes entirely in the hands of Americans and to make Canadians virtually hewers of wood and drawers of water to the American companies. The fish taken from our inland waters by these companies is carried to the United States and put in cold storage, and when Canadians want any fish, it is sent back into Canada from Buffalo, Chicago and Sault Ste. Marie. It would not be difficult to correct this, but there is no use of my asking the minister to make any change, because I know that it would not be made. The only thing to do would be to put a clause in the Act providing that foreign craft and gear would not be allowed to be used in Canadian waters. I think we have attained that measure of nationality where we should not any longer be hewers of wood and drawers of water to any people. The statements I have made are facts which cannot be controverted, as any one can see by looking at the evidence given last session by Prof. Prince before the committee on Marine and Fisheries.

Mr. CONMEE. It is quite true that the fishing interests of the Great Lakes are entirely in the hands of Americans. There is only one section, that is, the north shore

of Lake Superior, consisting of a stretch of 150 or 200 miles, where the fishermen own their own outfits and carry on the fishing on their own behalf. All the other fishing interests, on both the Canadian and the American side, are under the control of one or two companies. But I think my hon. friend's information is not correct when he says that American craft and American implements are used entirely in the taking of fish. What happens is that these American companies have gradually driven the Canadian fishermen into the position of catching fish for them, and later they have acquired their outfits, their tugs, their fishing smacks and their entire plant; so that, speaking generally, the Canadian fishermen are catching fish with the plants of these great companies, but they are Canadian bottoms. The trouble is not altogether with the licenses. The licenses are issued to Canadians, but the Canadians are in the service of these companies. The provincial government, I am speaking of the government of Ontario, for I know the circumstances perfectly well, are aware of this monopoly, and they have not yet adopted or grappled with anything in the shape of a remedy. Now, I do not know to what extent that could be remedied by action here, because this government does not give licenses for the taking of fish. It seems to me that the remedy could be used with much greater force by the provincial authorities than under the regulations of the federal authorities so far as Ontario is concerned. As I understand it, Ontario is the only province that has taken over the management and control of their own fisheries. The other provinces under some arrangement permit the federal authorities to issue licenses and to regulate the whole procedure of taking fish in the provincial waters. That is not the case in Ontario. Ontario has a department which manages and controls the whole matter. I am finding no fault at all. I am just pointing out that it is not so much a question of issuing licenses; it is the difficulty of finding a market, and that is where this American monopoly and the advantage and control, having the capital at their command. Whether there is anything in this treaty that will enable the joint commission to remedy an evil of that kind, I am not prepared to say. I doubt very much that there is such a remedy. Speaking of Ontario, I am afraid it will not be remedied unless the provincial government takes very strong action in the matter, or unless there is some arrangement made by which this government would assume control and make regulations necessary to put an end to that monopoly.

Mr. BRADBURY. What the hon. gentleman said suggests another question on which I had intended to say something, and that is the question of the American fish interests in the west. Now, the hon. gentleman says that the Americans do not own the nets and gear and boats. I want to say most emphatically that the American fish companies on Lake Winnipeg have owned for years every steamboat, every sail boat and all the nets that were used in that lake by those companies up to a year or two ago. They secured the license in defiance of the law. The law is pretty clear and well defined that no license should be issued except to a British subject, and that that subject should own all his boats and gear. That is laid down in the fisheries regulations, as drastic a law as there is on the statute-book. But that law has been evaded openly and the Fisheries Department has been aware of it for years. There has been no secret about it at all.

Mr. DANIEL. Whose fault is it?

Mr. BRADBURY. The fault must lie with the officials or with the department, because it has been an open secret and everybody knew about it. It has been going on for the last fifteen or eighteen years now. How does it operate? There is a duty on all fresh fish that goes into the United States, but under some special arrangement with the Customs Department of the United States any fish said to have been taken in gear owned by American citizens is admitted free. The consequence is that in Lake Winnipeg the American companies, taking the oath that the fish were caught in their own nets, get the fish into the United States free, while the fish taken by Canadian fishermen in Canadian nets has to pay three-quarters of a cent duty on the fish. I say that is a great hardship, and the government should take very drastic measures to compel the enforcement of the law so that Americans will not be able to control our waters to the detriment of our Canadian fishermen. The Booth Fish Packing Company failed in Chicago about a year ago, I think. Now, what happened? The great plant of the Dominion Fish Company came under the hammer, and there was proof positive that that great company owned that plant. As soon as it failed in Chicago everything belonging to it was tied up. I repeat it is an open secret, and something in regard to which the goverment ought to take action. To say that the American fish companies do not control our waters is a great mistake. The American fish companies have controlled them for years, and it is up to the Fishery Department to take the full responsibility. This matter has been brought before them time after time, and surely there must be some way by which the government could protect their own waters,

especially the inland waters. There is no reason under the sun why the American companies should come to Lake Winnipeg and be allowed to control that lake to the detriment of our own fishermen. That has been going on for fifteen years, and as the licenses are issued by the Dominion government, it is a matter absolutely under the control of this government which ought to act in defence of our fisheries.

Mr. J. A. CURRIE. I may say that under the international regulations the government takes control of the gear. They limit the number and size of the nets that shall be allowed and various other things, so that I think the jurisdiction over the gear is certainly in the Dominion government. The licenses, as we have seen in Manitoba, are issued by the Dominion government, and they permit this work to go on in Manitoba. It is quite true that licenses to fish without virtually any control are issued by the Ontario government, but the only control the Ontario government has is in Georgian bay, and a large section of that control has been taken away by these very regulations, because it puts the North channel, one of the best fishing grounds, under international waters. I think the government should take action in this matter, and that something should be done which would gradually return the control and operation of our fisheries to the hands of Canadians and Canadian capital.

Mr. HENDERSON. All I have to say in connection with this Bill, and clause 15, is that the minister should not be in too great a haste to bring the regulations into force. I think it is highly desirable that plenty of time should be taken. I know that in the western part of Lake Ontario the fishermen will be obliged to procure new nets under the new regulations, because they will be compelled to fish with a net of a different mesh when these regulations are brought into force. Now, these men are anxious not to be forced to do that too soon, and they desire to be permitted to use their own nets practically until they are worn out. Instead of the regulations being brought into force at the end of the year 1910, I think the time should be postponed for at least another year. By that time the nets now in use would be pretty well worn out and the fishermen would be obliged to secure new nets in any event. I, therefore, appeal to the hon. minister in the hope that he will exercise his influence with the other members of the government, and not have these regulations brought into force too hurriedly. There may be a way out of some of the difficulties that have been referred to by hon. gentlemen tonight. Perhaps some new investigation may be made by the two countries, and I hope that better counsels will prevail, and that so far as the part of the country I live in is concerned there will be no interference, at any rate for another year, by which time the fishermen will be better prepared to enter upon the changed conditions.

Bill reported, read the third time and passed.

VOLUNTEER BOUNTY ACT AMENDMENT.

House in committee on Bill (No. 163) to amend the Volunteer Bounty Act of 1908.—Mr. Oliver.

Mr. CAMPBELL. When this matter was up before I asked the minister whether or not the government had given any intimation to the public last year as to any possible changes. His reply was 'not in his recollection'. My memory happened to be better than his and I said so. I wish now to bring to his attention his reply on February 4 of last year to a question by my hon. friend from Lisgar (Mr. Sharpe). The question was

Has the government under consideration any change in the conditions relating to the South African land grants.

The minister's reply was:

No changes are contemplated.

That was the reply to a question which covered absolutely this condition as to the time. A minister coming here ought to be up in the subject to be discussed, and should not make statements such as he made to me on that occasion which are absolutely misleading. I object entirely, or almost entirely to any change in those conditions because the great majority of that scrip has got into the hands of speculators, it is out of the hands of the men who actually earned it, and if a special bonus of this kind is to be given by the government it should be given to the men who went out and took their lives in their hands. I would not object to this additional time being given in the case of military bounty warrants still held by the volunteers, or by the widows or heirs of men who died in the service. The government should also consider the case of those who went out there, such as nurses who took care of our boys in time of sickness, but who were not under military supervision, and for that reason did not get warrants. Their case ought to be taken up, and a recognition of their services in this way would meet with little, if any, opposition.

Mr. OLIVER. My hon. friend has seen fit to open his remarks by the suggestion that I was not frank to the House in a statement I made last session. If my memory and understanding are right, the

question at issue and under consideration at that time was the extending of the scope of the Act, and I replied at that time as I reply now, and as this Bill is the evidence, that the government had no intention of changing the Act. The extension of time for the location is not a change in the principle of the Act, but a change in the operation of the Act, and that matter is now submitted to this parliament for their judgment. If it is in accordance with the judgment of parliament this extension will be given, if it is not it will not be given. As to extending the operation of the Act to embrace other classes, it was the judgment of parliament in 1908 that the Act should apply to the people to whom it was made to apply. The government has seen no reason to change the opinion then expressed. That is to say it has seen no reason that would warrant the opening of the Act, and the widening of its scope as has been suggested on various occasions. Therefore on this occasion the government offers for the consideration of the House the proposition that the time for the location of the warrants granted under this Act shall be extended for one year, being moved to do so by the request of the men who were themselves volunteers and who by reason of their election to the position had the right to speak for the volunteers who went to South Africa, and were entitled to this scrip.

Mr. BRADBURY. Has the minister any idea how many of these warrants are still in the hands of the original holders?

Mr. OLIVER. There is no means of knowing that. There have been issued altogether 6,846 warrants, and of these 3,142 have been either located or the transfer has been registered. There remain 3,704, or more than one-half which have not been accounted for, and of the present possession of which we have no knowledge. So far as we know they are still in the hands of the parties to whom they were issued.

Mr. ROCHE. Was the scrip for lands given in years gone by under similar circumstances negotiable?

Mr. OLIVER. Oh, yes.

Mr. ROCHE. In every case?

Mr. OLIVER. Certainly.

Mr. TURRIFF. And in all former scrips of this kind the time for location was extended for many years, year after year. I have to leave in one-half hour and will not be here again this week, so that I may not have another opportunity of discussing the Bill, and if you will allow me I would like to discuss it now for a few minutes. I have an amendment to section 4, and this will probably be my sole opportunity of discussing it. It is not for the purpose of extending the scope of the Bill. The amendment is to cover the case of those veterans, or the substitutes, the assignees of the veterans, who have located their scrips on different half-sections throughout the country, some of whom, a small proportion, have unfortunately been either misled by others or have misled themselves, and have located their warrants on land that subsequently turns out to be practically worthless. They are in this position, that it will not pay them to go on and put in their three years residence on that half section in order to secure the patent, and under the present Act it seems the minister has no authority, or claims to have no authority, to allow them to make an exchange. Now, here is the way it has worked out. Take the case of one young man in my constituency, a man who has been in that country for 15 or 20 years. He volunteered to go to the war, he went all through the war, and he got his warrant. He went away southwest of Moosejaw, 150 or 200 miles, he spent over $100 in cash looking at various lands, and he selected five or six different half-sections. He came back to the office at Moosejaw. In the meantime it had been advertised that some half dozen or dozen townships were to be opened on a certain day, townships he had looked at. When he got back to Moosejaw, there was a tremendous rush for the land. He had to get in line with the others, he was some 40 or 50 back from the head of the line, and by the time he got to the counter every one of the sections that he had examined personally, and of which he had selected three, had all been taken. When he got there the man in front of him said to him: There, I got my first choice. But there is another section that is first-class, just as good as the one I took. Now, this man wanted to avoid what might easily happen a second time, he did not want to be obliged to spend another $150 in cash to go back and make a second selection, and here was a chance to get a first-class section. The result was that he took the man's advice, and he made an entry there and then for a homestead pre-emption, and also located his warrant that he had earned himself as a volunteer in South Africa on the other half-section. Then he immediately goes back to this land and examines it, and he finds that the man who gave him the information was either deceived himself, or had deliberately deceived the man of whom I am speaking, Mr. Brockway, one of my constituents, and he found out that both the section of land entered for homestead and pre-emption and the other section under warrant were absolutely worthless. He told me he could not get $10 for the section. Now, the department allows him to abandon his home-

stead pre-emption and take up another on payment of $10 for the entry. But, so far as the warrant is concerned he cannot do that. He is therefore in the position of losing one or the other of them, and all I am asking is that an amendment be made to the law—I do not think myself that it needs an amendment, I think the minister has the authority, but he thinks not, and his opinion goes—but if an amendment is necessary I think there should be one made to that clause that would permit a man who has selected a half-section under a warrant and who finds the land is no good, to enable that man for once—I would only give him one more chance—to abandon that and get authority to substitute another half-section under the same warrant. Now, I have mentioned one case, but I have another case that is ten times more serious. There are a number of cases of hardship, but this one is an especially glaring case, and I want to bring it to the attention of the committee to show how unfairly this law may work out. It is the case of a man who formerly lived in my constituency, his brother is at present in my constituency. This man himself has moved up west of Battleford and located land there. I will read a copy of his letter:

Stainsleigh, Alberta, November 5, 1909.

Mr. J. G. Turriff, M.P.,
Ottawa, Ontario.

Dear Mr. Turriff,—I had the pleasure of meeting you once many years ago when I was teaching at Carnduff; my brother, J. A. Thompson was Massey-Harris agent at C., and you were agent for that company at Estevan. Not on the grounds of that slight acquaintance, but because you are familiar with our western conditions, and because I believe you have a sympathy with a thing that is essentially just, I am making free to ask your assistance in a matter of very great importance.

I have been unable to do a day's work since midsummer of 1905, when I was stricken down with tuberculosis of the spine. Dr. Chown, of Winnipeg, diagnosed my disease, and I have for past four years been under the treatment of Dr. Clarence L. Starr, an orthopoedic specialist of Toronto.

In 1906 I came west to homestead, locating on N.E. 18—T. 40—R. 1—W. 4. I have resided on my homestead continually since May 5, 1906, sleeping under canvas from that date until the present, excepting two and a half months the bitter winter of 1906-7.

Last winter I purchased two South African scrip claims, believing that by doing the necessary duties to prove up on the land I saw means of making provision for my wife, my children and myself. In this way I would be making use of practically the only earning power I possessed.

I may say that this man was a minister, either a Presbyterian or a Methodist, when he was stricken down with this disease.

Mr. TURRIFF.

In the purchase of the scrip I invested about all that I owned, as it seemed to me a perfectly safe venture. It was utterly impossible for me to endure the driving necessary to locate land myself, and I had to depend on some one else to do the work for me. I had arrangements made with a couple of men who were thoroughly competent and reliable to make an exploring tour for me, when a couple of men with whom I had an intimate acquaintance, came to me with the story that they had unexpectedly made a discovery of some excellent land and, knowing my wish to locate land, had hurried across to give me the first chance. The land was within seven miles of a town; peculiar circumstances had prevented it being filed in before, and if I wanted the land I must decide immediately, and get out at once to secure it, as land-suckers were in all around, and such land as this would soon be picked up. I trusted them without the slightest misgiving, and, being unable to examine the land personally, and supposing they were really showing me some consideration because of my position, I hurried to Battleford and filed the land. I filed on May 5.

The land proved to be worthless. Three-quarters are absolutely worthless for either agriculture or pasture, and the fourth quarter has fair surface, but is underlaid with gravel. To spend the money necessary to do the duties would be to make an outlay for which there would be no compensating return.

I paid $50 for the locator's information, and they took the entire responsibility. It was pure fraud on their part.

The land on which I filed is S.E. 18 and S. ½-7 in Tp. 38, R. 28, W. 3rd M. Homestead Inspector McArthur, inspector for that district, chanced to call on me, and, at my request made an examination of my land. His report was forwarded by R. E. A. Leech, inspector of agencies to the department with request that, owing to special conditions, some consideration be shown. The deputy minister replied stating that the law did not allow the privilege of abandonment with a view to re-entry.

So this disposition of the question means almost complete financial ruin to me, and involves an essential injustice, I am wishing to ask for a consideration of the question by the minister, or if the minister feels that he should not exercise discretionary power owing to the wording of the law, should not a law that involves such hardships and injustice be changed.

Dr. Clark is member for our constituency and will, I feel sure, lead in advocacy of my cause. John Tolmie, of Kincardine, Ontario, has promised to support earnestly any effort made to secure redress for me. If you feel that my request is right when I seek redress, may I not ask for the kindness of your support. Your familiarity with homestead conditions will make your advocacy of special value to me.

Trusting that you may feel free to grant me the favour that I ask, I am,

Sincerely yours,
A. THOMPSON.

There is a case surely that would call for the sympathy of any member of this House. This man has already been to

blame in the matter, but under the law he cannot get any redress, and what I ask is that section 4 be amended as follows:

Mr. DEPUTY SPEAKER. I would ask the hon. gentleman, if he is proposing to enter into a discussion of section 4 or to offer an amendment, to wait until we come to that section.

Mr. TURRIFF. I am quite aware that I am transgressing the rules of the House, but I have to leave in a few minutes, and with the permission of the House I would offer this amendment:

That section 4 of the Volunteer Act, 1908, chapter 66, be amended by adding to it the following words: 'Every such grantee or his substitute may within six months after the date of entry, abandon the land so entered and may thereafter, within the time limited for selection and entry by subsection 1 of this section, or within six months after such date, make a second entry; provided that nothing in this subsection shall authorize or entitle any grantee or his substitute to make any further entry in place of the land abandoned as aforesaid.'

That is to say that he shall have the opportunity of making one exchange, but no more. It is probable that out of 6,000 or 7,000 cases, there will not be more than a hundred cases in which such an exchange is made. It seems to me a small matter to do that. We have taken the position that it is proper and right to give a South African veteran a half-section of land, and that being the case he should be given the opportunity of making an exchange if he has got poor land. We all know that when a man takes up a homestead he can abandon that homestead or it may be cancelled. He may enter for ten homesteads and have them all cancelled, and if he does so he does not lose his homestead right. In that case we are giving the land for nothing. Here is the case of the South African veteran who has served in the war in South Africa for the empire, or, in the case of the substitute, here is the man who has bought his warrant at a price ranging all the way from $300 to $1,000. I think it is only fair and just that some consideration should be given to these men. This is the amendment that I wish to make to subsection 4, and I trust that you will see that it is passed.

Mr. S. SHARPE. I would like to ask the hon. gentleman if that amendment would not have the effect of extending the operation of the Act for six months beyond the year for which it has already been extended?

Mr. TURRIFF. No, it would extend the time for six months only to make the exchange, but it would not extend the time for the location of the warrant.

Mr. S. SHARPE. It would have the effect of extending it for six months under the Act.

Mr. CAMPBELL. In spite of the explanation given by the minister as to what he meant, the words I read were absolutely plain. In answer to the question:

Has the government under consideration any change in the conditions relating to South African land grants?

His answer was:

No changes are contemplated.

The point I want to make is that if he did not understand the meaning of the question, the hon. member for Lisgar had in mind nothing else except the possibility of an extension of the time. The people who held the warrants believed that the minister's answer meant that by the end of 1910 the time for taking up these warrants would expire. For that reason, many of them sacrificed those warrants for a very inconsiderable price as compared with their actual value—somewhere about $700 and down to $500. They sacrificed their claims because they believed that the Minister of the Interior meant what he said in answer to the hon. member for Lisgar. There is no question that that was the belief of the majority of the people in Canada. Even the men who were buying and dealing in scrip, in making a deal, brought in an argument in favour of low prices that by the end of 1910 the warrants would be of no use whatever, and they could not resell them. For that reason they acted as bears on the market and held down the price. That was the case until January of this year when we find that a firm who dealt in half-breed scrip before and are now dealing in bounty warrant scrip came down here and had an interview with the minister, or some official, or some one who was in the know. They telegraphed to their brokers in Winnipeg to buy all the scrip they could get. That is a true sign that there was inside information given to men who were dealing in scrip with the view of putting up the value of the warrants. For that reason I think we should have an explanation from the minister before he forces this legislation through. In the west it has been generally understood that in matters appertaining to the west the minister's word is good, and a year ago he gave his word absolutely in this connection. I would feel hurt personally if on this occasion he departed from the course by which he has won this good name.

Mr. OLIVER. I do not know that there is any use of my hon. friend and myself imputing motives across the floor of the

House. My hon. friend has seen fit to represent that I did not give a frank answer to a question that was asked last year, and he tells the House now what was in the mind of the questioner when he asked the question, and what was in the mind of the House when the question was asked. The only question that had been under consideration was as to whether there should be other rights included in the grant. There was no question of an extension of time and whatever may have been in the mind of the questioner or whatever may have been in the mind of the House I may be permitted to answer that what was in my mind, and what my answer was given in regard to the question of the extension of the provisions of the Bill and not in regard to the question of the extension of time. However, from that my hon. friend has seen fit to say that I gave a pledge or a promise that there would be no legislation. My hon. friend has not read any such words from 'Hansard'. He has not read any words that could be construed into that meaning. What I said was that the government had not in contemplation a change in the Act. So that whether the hearer thought I meant one thing or meant another, there was no pledge on my part or on the part of the government. I stated the fact whether you take the one meaning or the other: that the government had not in contemplation. But, as my hon. friend is aware, there have been representations made to the government since last session upon this subject, representations that were entitled to some weight, representations made by the official representatives of the volunteers, asking specifically for an extension of time for location for a period of two years. The government did not think it well to accede to the request for a two years' extension, but thought that a one year's extension would not be any serious injury to the public interest and would remove any complaint that might seriously be made against the short time that was given for the location of the scrip. It was with the desire, and only with the desire to do what was fair and right by the people to whom the bounty was extended, and to do no more than was fair and right, so that there should not be any undue advantage to any particular class of the community nor any undue disadvantage to the settlement of the western country. Since the matter was up in the House before, I have received this copy of a circular on the subject, which I will take the liberty to read:—

Committee.—Capt. W. Hart McHarg, Vancouver, British Columbia; Lt.-Col. W. G. Hurdman, Ottawa, Ontario; Col. G. Sterling Ryerson, M.D., Toronto, Ontario; Major H. B. Stairs, D.S.O., Halifax, Nova Scotia; Major F. C. Jamieson, Strathcona, Alberta;

Major A. C. Macdonald, D.S.O., Winnipeg, Manitoba; Major B. R. Armstrong, St. John, New Brunswick; Major W. A. Weeks, Charlottetown, Prince Edward Island; Lt.-Col. O. C. C. Pelletier, Quebec, Quebec; Major J. Cooper Mason, D.S.O., Toronto, Ontario; Lt.-Col. Wm. Hamilton Merritt, Toronto, Ontario, Secretary.

Toronto, Ontario, April 18, 1910.

Dear Sir,—We have read the discussions which took place in the House in connection with Mr. Oliver's Bill to extend the time by one year in which the South African veterans may locate their grants. It appears to be the wish of some of the members that those persons who have speculated in these warrants should secure none of the advantages which an extension of time would involve, and in so far as the advantages which should accrue to the veterans themselves are secured, this committee is desirous also that these speculators should be given no consideration.

The amendment which has been suggested, however, we feel, will work to the disadvantage of both the veteran and the speculator, and in nullifying the advantages which the veteran would receive under the original Act, would destroy entirely the purpose of that Act.

If the extension is granted only to those persons who still retain their scrip on the understanding that these people will themselves locate their own land, the cash price will doubtless suffer, and those who have held in the hope of receiving full value for their grants will be forced to sell within the next nine months at such prices as they may be able to get, and as it is apparent at this time that two years was not a sufficient time for all this scrip to be absorbed without manipulations on the part of the speculator, it is likely that the prevailing price during the next nine months will show the result of the forced sale of a large number of grants within a short time.

On the other hand if the Bill grants the extension for all scrip at the present time in the hands of the original holders, who will be entitled to settle or sell as they may desire, it is felt that such legislation will have the effect of establishing two classes of scrip on which there will be a separate and distinct price. (a) Scrip that must be located within the present year, and (b) scrip that need not be located until the end of 1911. This would doubtless serve the purpose intended, but we feel that the confusion arising therefrom would lower the prices of both classes of scrip and there would be many misunderstandings, and intending purchasers would be obliged to have scrip verified at Ottawa before it would be safe for them to purchase. In the United States scrip has depreciated in value on account of the doubtful authenticity of part of it and of the trouble involved in establishing the authenticity, and a similar condition would doubtless prevail in this country.

We think that in the interests of the veterans the Act should be passed in the form in which it was presented to the House. In asking for the extension we are not asking for more than we believe it was the government's intention we should have when the Act was

passed in 1908, sufficient time to allow of all this scrip being taken up or sold without unduly forcing or crowding the sale of it all in a shorter time than the natural supply and demand laws would take care of it.

Yours very truly,
WM. HAMILTON MERRITT, Lt.-Col.,
Secretary.

Mr. MEIGHEN. Is the hon. gentleman in accord with the position stated in that circular?

Mr. OLIVER. It is not necessary for me to say whether I am in accord with it or not. I am presenting to the House a Bill which these gentlemen see fit to endorse. Their reasons for endorsing the Bill may not be the same as mine, for presenting the Bill, but our conclusion is the same when we ask the House to support it.

Mr. MEIGHEN. I do not wish to say anything that would indicate that I was opposed in any way to any due reward along the lines of the present Act, to the South Africa volunteers. There is, however, another question involved in this extension. If the three year term had been fixed by the original Act and had I been a member of the House, I certainly would not have opposed it, but under the present circumstances, the case is entirely different, and on that difference the minister has not seen fit to establish the rights to the extension of time. Now, the minister is faced tonight with the answer he gave to the hon. member for Lisgar on the 4th of February last. The hon. member for Lisgar asked across the floor whether or not there was under consideration by the government, any change in the conditions relating to the grant of lands to the South Africa volunteers? That was the wording of his question. I do not think that what there was in the mind of the hon. member for Lisgar has any particular bearing on the discussion now, nor has what was in the mind of the minister any bearing. The words of the minister are clear as words can be; these words conveyed a clear meaning to the country and to the volunteers, that meaning being that in no respect whatever was any change in the conditions relating to the granting of the South Africa veterans' land in contemplation. The minister gave the explicit answer that no change of any character was contemplated. The country and the holders of scrip could take but one meaning from the answer, namely: that the governrment did not intend to extend the time, nor did they intend to extend the number of acres, nor did they intend to extend the classes to whom the benefits of the Act were to come, nor did they intend to extend or alter the conditions in any way. That and no other was the meaning of the answer of the minister, and every holder of the South Africa land grant had the right to conclude from that answer that no change would be made. Answers as to what are in contemplation by the government have that effect as the minister well knows. The people take such answer to mean that the government have nothing in contemplation and do not intend to pass such legislation. When a minister says that legislation of a certain character is not in contemplation, it means that the cabinet do not purpose referring such matters to parliament.

The minister started out to argue tonight that this was not an extension of the Act; he said that it was only a change in the operation of the Act. I cannot rise to an understanding of that position. If it is only an extension of something in the nature of the execution of the Act, the minister has that in his power without coming to parliament at all. The only thing he has to come to parliament for is a change in the Act, and the very fact that he comes to parliament proves that what he wants is a change in the Act. If the minister came to parliament and asked for an enlargement of the acreage of the grant, would he say that was only a change in the operation of the Act? If he were to come to parliament and ask for an enlargement of the class to which the grant is applicable would he say that was a change only in the operation of the Act? All the three classes of changes are of the same nature they are changes in the Act, and very important changes. The value of the grant which the parliament of Canada made to the South African veterans consisted of various constituents. One of these was the time during which the veteran was allowed to locate; another was the acreage he was allowed to locate. If the time had been three years the value of the grant would have been greater than it was under the two years limit. If the land had been twice the acreage it was, its value would have been greater. In one of these material constituents of value, the minister comes along, after many of the veterans have sold their scrip, and adds to the value of the scrip. Is that fair to the man who has sold his scrip? It is doubly unfair to the man who sold after he had the word of the minister a year ago that such increment would not be added to the value.

The minister's position with respect to the speculator is also untenable. In fact my objection is in the main to this alteration in so far as it applies to the speculator. In so far as it applies to those South African veterans who still hold their scrip, I have no objection to it except to say that it gives them an advantage over those who have already sold. I would have liked to have seen all treated alike. But so far as the speculator is concerned, I

object, and I object as strongly as I can. I do not see that the minister has made any case at all for this extension to the speculator. He says, in the language of the circular—and I understand that on a previous occasion he adopted much the same contention—that unless you grant it to the transferee, the present holder of South African scrip will not get the benefit that the Act intends. That is to say, unless he is able to sell and is not forced to locate, he will be compelled to throw his scrip on the market in the next few months at whatever the market will stand. That may be the case, but it is easily gotten over. If the minister does not propose to throw a plum to the speculator, why not say that only such scrip as is now in the hands of South African veterans shall be entitled to the benefits of this Act? There was something in the circular venturing to argue that to do so would be an inconvenience to the soldiers, but so weak was it that the minister refused to endorse it. It argued that if you are going to draw a distinction between the scrip now in the hands of the veterans and that in the hands of speculators, you are going to compel the purchaser of scrip held by the original grantee to make a search to make certain that it is so held, and that it is distinct from the scrip already transferred. That is not very much of a hardship. Here is a grantee who holds his scrip getting a material advantage over the one who has sold. He has not much to complain of if, in order to effect his sale, he has to make a search at Ottawa. Surely the minister was well advised in declining to endorse the argument embodied in the end of the circular, which I will venture to say was framed by some astute solicitor acting not for the veterans but for the speculators. I know nothing myself as to the composition of that circular. I simply judge how it arose by the way it reads and by the arguments therein contained. There is no difficulty whatever in limiting the benefit of this amendment, if it is to go through —and apparently the minister is determined that it shall—to the veteran who has earned the scrip. Why should we grant that benefit to the speculator who has purchased, and who has secured his grant at a bargain by reason of the minister's words of the 4th of February last? This is certainly a grant of something that belongs to the Crown. The very extension is an increment of the value that is now a possession of the people of Canada, and, if this Act passes, that will go to the speculator. Why should the speculator get that for nothing? The principle is bad and cannot be defended, particularly in view of the fact that he bought on the understanding, so far as the vendor was concerned, that no such increment was to be added. Therefore I submit that it is the duty of the minister to submit an amendment limiting the benefits of this Act to such as at the time of the passing of this Act were the original grantees.

Mr. MACDONALD. I am at a loss to understand what my hon. friend who has just sat down means when he talks about the people who bought scrip from the veterans as being speculators, in a tone implying that they are people who should be despised. The men who bought scrip from the South African veterans were gentlemen doing a service to the veterans who lived in eastern Canada.

Mr. MEIGHEN. I said nothing derogatory of the speculators.

Mr. MACDONALD. If my hon. friend thinks that those whom he dubs speculators are perfectly estimable people and that no legislation should be passed to discriminate against them, then I do not understand what the whole tenor of his speech was about.

Mr. MEIGHEN. I do not want to discriminate against them; neither do I want to discriminate in favour of them.

Mr. MACDONALD. My hon. friend proposed an amendment which would be a discrimination against them.

Mr. MEIGHEN. Just leave them where they are now.

Mr. MACDONALD. Why should they not be treated as well as anybody else? I say that the speculator who bought the land from the veteran who lived in the east was a public benefactor. Those of us who sat in parliament and pressed on the minister and the government the wisdom of granting these lands to the men who went to South Africa did not want the boys who lived in our counties, when their rights to these lands accrued, to be compelled to go to the Northwest in order to get the benefit of them. We all hoped, we all knew, and we all expected that there was to be an opportunity to dispose of these rights once they were given to them, and I am sure a great many of us who were proud of our veterans would not have been so enthusiastic about the grant if we knew it meant to take away our boys to the west. We anticipated that their rights would be disposed of, and that there would be some people in this country who would want to buy them. There is no use in saying that those boys who went to South Africa and got the scrip did not know what they were doing. It is an imputation upon their intelligence and ability which is at least as good as that of ordinary citizens, it is, I say, an imputation upon their intelligence and ability to say that these boys when they sold their scrip did not know

what they were doing, or that they were not doing what they wanted to do, and that when somebody came along and gave them in cash what they did not want to take in kind, they were not entitled to take it. They did not want to leave their homes to go to the west: Now why should a man who gave a veteran the value for his scrip be treated differently from any one who buys real estate in this country? That is the proposition. There are to-day outstanding 3,704 warrants to men who went to South Africa that have not been located, and that have not been sold, and those veterans, those boys who went to South Africa want to sell them, and want to get the most they can out of them, and they have a perfect right to do that. But my hon. friend says the minister said last year that there was not going to be any extension of time. Probably there were some gentlemen who did not want to see any extension of time granted. There might not have been anything contemplated by the government, but I am in close touch with a large number of young men who are veterans, and I know that they looked forward and believed that the government this year would grant an extension in order that they would have more time to dispose of those warrants. They hoped it would be done, and they fully expected it would be done. I have had communications from some veterans who live in the east, and whose names are on the circular which was read by the minister, and I discussed the matter frequently with them during last year, and they hoped for an extension, and they believed it would come.

Mr. W. H. SHARPE. May I ask the hon. member a question. After the question was asked last year, how much did the value of the scrip depreciate on account of the answer?

Mr. MACDONALD. My hon. friend was probably more interested in the value of the scrip than I was. I did not follow the fluctuating value of that scrip. But I may say for the benefit of my hon. friend that I have been pressing upon the minister for the past two years the desirability of this legislation in the interests of the men in the east who wanted to sell their scrip, pressing for an extension of the time in which location should be made so that the men who were late in taking out their warrants for various reasons, and every one knows there were a great many reasons why the taking out of those warrants was delayed, should have an opportunity of getting every dollar they could out of them. Speaking for the east, without any prejudice against our good friends in the west in whose future we all take a pride, I may say that we are specially jealous of the fact that our boys are going west. There are plenty of vigorous people going into that western country with the view of building it up, but we hope that our boys in the east will stay at home and we want them to get all they can out of those warrants and give their vigour and energy to the eastern country. Where more than half are not located up to date, are we going to limit them and prevent them from getting every dollar they can. I say that the man who buys this land from the veterans in the east is a benefactor to the veteran who wants to sell and who does not want to go out to the west, and there should be no discrimination at any time which would impair the value of the warrants given to the boys who went to South Africa and who are entitled to get every dollar out of those warrants possible.

Mr. DOHERTY. It seems to me that the hon. member for Pictou (Mr. Macdonald) rather misconceives the effect of the proposition. There is not, as I understand it, any desire to discriminate against the speculator, but we all heard the minister say that the motive that inspired this legislation was to protect the interests of the South African veterans and to enhance the benefit to be derived by them from their scrip. The hon. member for Pictou (Mr. Macdonald) speaks with a good deal of indignation against any attempt to do anything that would in any way prevent the South African veterans from getting the full value for their scrip. Now, I am prepared to be as indignant as he is against any endeavour of that kind, but as I understand it the suggested amendment cannot in the slightest degree affect what any South African veteran has got or will get for his scrip. It will not affect what he has got, because the man who sold it has now got every dollar he is ever going to get, whether this legislation is passed or not, and it will not affect what any South African veteran will get in the future, because, as I understand it, the suggestion is to limit the application of this Act to scrip that is now held by South African veterans. Provided it is now held by a South African veteran, he will be at perfect liberty to sell it at any time after the passing of this Act, and will receive the enhanced value that will attach to it by reason of the extension of time.

Mr. MACDONALD. Does not the hon. member recognize that the effect of the legislation is to discriminate against the man who is prepared to purchase scrip from the veteran?

Mr. DOHERTY. The effect of this legislation is to confer a benefit on the South African veterans and to decline to give the same benefit to the man who is not a South

African veteran, but who is a member of a very respectable class, whom the hon. member for Pictou (Mr. Macdonald) describes as the purchasers of real estate. The hon. member asks why should this particular purchaser of real estate be treated differently from any other purchaser of real estate? I say he certainly should not be. But in what other instance has legislation been introduced to enhance the value of the property of the purchasers of real estate? Nobody ever came before this House and said that the purchasers of real estate are a deserving class in the community and therefore we will enact legislation to make their property more valuable than it was when they bought it, and yet that is precisely the position that will be created if this legislation is made applicable to scrip in the hands of persons who have bought and purpose re-selling it. These very excellent persons bought scrip which gave them a right to a property provided it was located before the 31st of January, 1910. With that restriction upon it that property had a value, and when they bought it, they presumably paid that value. However excellent people they may be, I do not think I am doing any injustice in saying they paid that value and not more than that value. What they bought and paid for they have got, they have everything they bought, a right to that property provided they located before the 31st of December, 1910.

Mr. MACDONALD. Does that not also apply to veterans?

Mr. DOHERTY. The veteran has today everything the legislation gives him; but this parliament says that we consider that the South Africa veteran is entitled to something further and we, out of our judgment that perhaps we did not give him as much as his services earned, are prepared to give him a little more, but we do that because we think under all the circumstances his services earned a little more. In the case of the purchaser, that man got precisely what he bought, and paid for, and we are coming in now by legislation to attach an additional value to that thing which the especially privileged purchaser of real estate bought. We are doing that out of consideration for the merits of the gentleman who sold to him, and that gentleman will not get one cent more. So we are going to reward this purchaser for having purchased from a very meritorious person. The legislation as it stands makes a distinction or a discrimination between this particular kind of purchaser of real estate and all other kinds of purchasers of real estate. I ask in all fairness why this House should come to the rescue of a particular purchaser more than of any other purchaser. The hon. gentleman says that the South African veteran when he sold knew what he was doing. I do not want to question that, but again we say that the purchaser when he bought knew what he was doing, and if he did not receive any increase he would have no ground on which to say that he was to have anything more than the right to this property provided he located it within this particular period of time. I have been seeking a reason why this gentleman should be given this advantage. It is not a question of legislation to his detriment, it is a question of whether we shall legislate to confer an advantage on him. I had the advantage of receiving a copy of the circular which the hon. gentleman has read, I read it carefully, and I have listened to its reading by the minister. As far as that circular argues against any restriction that will bear on the scrip in the hands of the veterans, I have nothing to say. I am not arguing for anything that would affect that, but when the writer goes on to find reasons why this legislation should apply even to scrip that has already been sold, and is in the hands of a purchaser, then it seems to me that my hon. friend from Portage la Prairie (Mr. Meighen), has done ample justice to that reason. What does the reason consist of? That there will be two classes of scrip, and the man who goes to buy the scrip will therefore have to find out whether the scrip he is buying is of one class or the other. What does that difference reduce itself to? That the gentleman who goes to buy will have to verify the claim that the gentleman he buys from is a South African veteran, the original holder.

Mr. MACDONALD. In a case where a young man, say in the east, has assigned, as I know he has done in two cases, to his brother who lived in the west——

Mr. DOHERTY. The amendment I suggested before would not exclude that brother. The purpose of the amendment I proposed is not to get at cases of that kind.

Mr. MACDONALD. How would you help yourself?

Mr. DOHERTY. I would provide that the extension would not cover cases of that kind. My amendment reads:

That section 4 be amended by inserting in the second line, after the word 'Act,' the following words:

Or any bounty certificate that has been, prior to the passage of this Act, sold or transferred to any person acquiring the same for purposes of speculation or resale.

When I suggested that it should be put in that shape, I did so, precisely to avoid injuring in any way, the person who would have acquired under circumstances, such

as have been suggested, and I think there is a reason for making the difference. Where a South African veteran has parted with his scrip to any relative, where the consideration is presumably the affection of the veteran for the person to whom he chooses to give it, then in giving the enhanced value to the person to whom the veteran gave the land, you are indirectly benefiting him, you are giving to the person on whom he chooses to confer that benefit the benefit he would himself have got, and you are indirectly benefiting him. The situation is different from the situation with which I have been dealing. My amendment would cover the case of a man who went out into the market and bought with a view to resale. In the case of the latter man this legislation simply enhances the value of what he bought. In the case where the South African veteran has chosen to part with his scrip to a relative or a friend where it is not a matter of some one coming in and trying to turn the property over for a profit, where it is not being dealt with commercially, I would not make my amendment apply. I quite understand that in restricting it as I do, I am perhaps enabling some classes of persons, who ought not to get the benefit, to do so, but I want it made clear, that I am not desirous of doing anything that either directly or indirectly through others will injuriously affect the veteran. The case I would like to see excluded from the operation of the Act, is the case of the man who purchases to resell, the man who speculates in this scrip. I have no criticism to make of that man, but as I have said, I have not heard suggested one reason why this parliament should intervene to make that speculator's property more valuable, or his speculation more likely to be profitable. I do not see why we should give an advantage to that man more than to any other real estate speculator.

Mr. MACDONALD. What tribunal is to try out the question of the intention that exists in the mind of the party who purchases as to whether he is going to sell or not?

Mr. DOHERTY. Of course when the party comes forward to claim the right to make his location, he will have to produce his title. I call attention to the fact that the original purchaser under my amendment would not be precluded from locating. I am not trying to reduce the time of the man who has bought and actually located. Where I find the evidence of his purpose in making the purchases where you have to look for evidence is in what he does, that is to say, where you find the intention proved by the fact that the person who will come and locate will be a person who bought from a person who had bought from the original holder; there you will have at all events a prima facie case that the original holder bought for the purpose of reselling. It may be susceptible of rebuttal, but my hon. friend knows that it is not at all an exceptional case that courts are called upon to decide what was the intention in doing a particular act. What people do speaks loudly as to what people intend to do. Now of course in the practical application of this, it would be for the department to take its position whether they will recognize the particular application or not, and if an application is refused and it is considered unjustly refused, why, the person holding the scrip will have his recourse to the court of competent jurisdiction.

Mr. MACDONALD. My hon. friend does not indicate what tribunal has to determine this question.

Mr. DOHERTY. I did not rise for the purpose of giving to my hon. and learned friend a complete course in law, of which he has no need at my hand. But if I understand it rightly, the transferee of this scrip who would claim the right to locate a property and who would have that right refused to him because the time had expired, will be in the position of a man whose rights the Crown was refusing to recognize. Does my hon. friend think I am right to that extent?

Mr. MACDONALD. You are getting along pretty well, but it is rather complicated.

Mr. DOHERTY. Now in what does his position differ from the position of any man who has a claim against the Crown which the Crown disputes? As I understand the law, where a man has a claim against the Crown, and the Crown disputes it, he is entitled to recourse upon a petition of right to the Exchequer Court, and it has jurisdiction to determine that question as well as any other. But assuming that there may be more difficulty than I see in enforcing the right, it does not seem to me that is a conclusive reason why we should create rights for people for which they have no claim whatsoever, simply because, if we do not, perhaps there will be somebody who will claim them, and succeed in evading the law, or somebody who may have difficulty in showing he comes within the law.

Mr. G. TAYLOR. Might I suggest to the minister that, as it is now 11 o'clock, he suspend the consideration of this Bill until to-morrow, and in the meantime he can consider the amendments offered by my hon. friend from St. Anne (Mr. Doherty), and my hon. friend from Assiniboia (Mr. Turriff).

Mr. OLIVER. I have no desire to force the Bill. I appreciate the importance of the suggestions made by the hon. member for St. Anne and by the hon. member for Assiniboia. But I understand that there are other amendments to be placed before the House, and I would suggest that we spend half an hour more in hearing what other hon. gentlemen have to say, and what amendments they desire to make.

Mr. HUGHES. I believe my hon. friend from Hamilton (Mr. Barker) has an important amendment, and the hon. member for North Ontario has an important amendment, and I suggest that these be made now in order that the minister may have time to consider them.

Mr. J. A. CURRIE. Before we go further with this Bill I wish to say that I am in harmony with it as it stands, though perhaps some amendments might be made to it. But I rise to refer to some implication that has been cast upon a gentleman who signed that circular, Col. Hamilton Merritt. It was suggested that he had at bottom some scheme to speculate in land grants. Now, every person who knows Col. Merritt knows very well that he is not that kind of a man. He is a man of ample means, a man of integrity, and of the highest honour, and I do not think for a moment that he would lend himself to any scheme of the kind. Everything he has done was for the purpose of aiding these men who still have their scrip, and I think it adds very little to the strength of any argument in this House against the Bill to cast reflection on the gentleman, who gave up a European tour to go at his own expense and serve his king in Africa. He is a man of considerable means, and he would not be a party to any attempt to bunco, as I may say, the Minister of the Interior into any legislation that is going to help land speculators. There is another thing that the House fails to note. I agree that the minister last year left the impression that there was not going to be any extension. Now, I am not an old parliamentarian, but I am an old enough Canadian to know that the minds of the government are never fixed on anything, and if I could find out from the government what they are going to do two years from now in regard to a certain thing, I could make a large sum of money. Consequently when a person asks the government what they are going to do on anything or at any time, they generally say that they have not considered it, or they have not contemplated doing that sort of thing. Sometimes when they are getting ready for an election they say they have got it under their serious consideration. Now, a question has been raised about speculators. It does seem to me that it would be almost impossible to pin a speculator on these amendments. Supposing we did pass a measure which would only have effect from now on, is it the intention to make the amendment such that the man who purchases from the veteran from now on will not be entitled to an extension for two years?

An hon. MEMBER. No.

Mr. J. A. CURRIE. Most of these grants are passed from hand to hand, made out in blank, payable to bearer and without any date on them. The result would be that any speculator who owned scrip of this kind, if he had eight or ten of these blank scrips in his possession, would, in five minutes, put in the dates, and how could you prevent it? The only way you could do it would be to get the veterans who hold their scrips to return them and get new ones. Whatever strength there is in that suggestion I will leave to the judgment of the House. I think that the veterans are entitled to this extension. I have received fifty or sixty letters from individual veterans who hold their land scrip asking me to support a measure of this kind. I do not think there is any objection to it, and I think that if the House got down to the consideration of the clauses we might get to the meat of the thing much more quickly than by making speeches aimed against particular sections of the Bill, which might be construed as a general attack on the Bill.

Mr. BARKER. I have an amendment that I think will not raise any of the difficulties which we have been discussing so far this evening. In the original Act of 1908, provision was made for a bounty to the South African veterans, and it was there provided that the grantee, as he was called, or his substitute, should select, enter and perform his settlement duties before a fixed time. A veteran might appoint a substitute under the original Act, but the peculiarity of the Act was that the substitute could not be an agent. He must be practically a purchaser, an assignee or transferee of the rights of the veteran, and the patent could issue only to the substitute and not to the veteran. It has happened in several cases that the veteran had become incapacitated so that he could not personally make the entry or selection. I have brought before the department one instance of that character. Mr. Smart of Toronto had become incapacitated in South Africa while on service there. On his return he suffered from rheumatism and nephritis, and he was quite incapable of going on the land and doing the settlement duties, but he is a man who hopes to go upon the land with his family and settle. He objects to being compelled to sell out. He wants no dealing with speculators; all he wants is the

privilege, if it can be called a privilege, of putting a man on the land to do the work for him that he cannot do himself. But, instead of employing an agent or putting his own servant on the land to do the work, he must do it himself, because the department says that if he is not doing it himself he must do it by a substitute and the substitute must get the patent in his own name. It seems so monstrously absurd that I can hardly explain it to intelligent people. Anybody would suppose that a man in the position of the man I refer to might beyond question employ somebody to do the work for him and take the patent in his own name. To man after man having applied to the department in Ottawa here they have said: You cannot do it, you must either go upon that land yourself or send a substitute, and if you send a substitute the patent must go to the substitute. It seems a monstrous thing to treat a deserving veteran in that way. You are giving him a bounty, you are doing something for his benefit in gratitude for what he has done, but you say to him: You are rheumatic, you cannot before the 31st December personally do settlement duty, and we will not let you do it by anybody else. If you put anybody else on the land he will get the patent and not you. It seems an absurdity that such should be possible, but it is actually the case. I placed the case of Mr. Smart in writing before the department and I had the reply of the department that they could not meet his difficulty, that they could only deal with the man who himself makes the entry. All I propose to do is to say—and I have submitted the clause to the minister, and I hope he is not going to oppose it—that 'the grantee may personally or by his agent appointed by him in that behalf in writing, and acting for him,' perform the settlement duties; that is, he may either do it by his own hand or send his own employee to do it for him. Then a veteran who wishes to sell out may do so by appointing a 'substitute,' as already provided for in the Act of 1908. This man wants no speculators. He wants to get the grant that the government has made to him, that he is entitled to, but he wants, because he is physically incapable of making that entry and doing the work by his own hands, the power of doing it by an agent. The department will not allow that. I hope there is no gentleman in this House who will say that there is anything unreasonable in making the statute operative in such a way that a veteran may employ some other person to do the work, and then claim his rights.

Mr. MEIGHEN. I have already spoken on the amendment and I only rise by reason of the remarks made by my hon. friend from North Simcoe (Mr. Currie) in which he stated that a certain implication had been levelled by the previous speaker against Mr. W. Hamilton Merritt. Inasmuch as my hon. friend from Montreal, St. Anne (Mr. Doherty) and myself were the only parties who spoke with reference to the circular to which Mr. Merritt's name was attached, I feel that I should say something. I just wish to express my regret that before the hon. member made that remark he had not waited until he had read what I had said in 'Hansard'. I made no implication against Mr. Merritt by inference the most constrained. I do not know Mr. Merritt. I have never seen him. I did not have him in mind favourably or unfavourably, and I used no words that could be so construed. I regret that my hon. friend did not wait until he had read exactly what I said in 'Hansard' because I can assure him and the House that I made no such implication; and I am sure that Mr. Merritt, if he possesses the high mental faculty and moral standing ascribed to him by my hon. friend will certainly so understand what I said.

Mr. J. A. CURRIE. I said there was an implication that this was an organization that was to benefit speculators, and that the agent of this organization was around here wire-pulling with the minister. Now, knowing Colonel Hamilton Merritt as I do, I do not believe he would be a party to anything of that kind for a minute.

Mr. DOHERTY. I hope the hon. gentleman does not think I made any such imputation?

Mr. J. A. CURRIE. I do not think you did.

Mr. DOHERTY. I certainly had no idea of it.

Mr. MOLLOY. There is a big difference between the actual veteran and the speculator. For my part, I am in favour of a year's extension to the veterans, but I also wish to go on record that I shall never vote for any extension for the speculator. So far as the speculator is concerned, I will not grant him one minute more time. I have lived in the west as long as have the majority of members in this House who come from the west, and I am opposed to the speculator from beginning to end. That the speculators have retarded progress and settlement in the west every one knows. The question has been well placed before the House by the hon. member for Portage la Prairie and by the hon. member for St. Anne (Mr. Doherty) in that this parliament is granting to the speculator more than he expected and more than he paid for. There was no arrangement made between the veteran selling his grant and

the speculator that he would have a year longer, but nevertheless parliament steps in and says: You have bought this South African grant from the man who actually earned it, and now we will give you another year to work on it. I won't support it.

Mr. W. H. SHARPE. There has been a good deal of discussion on this question which I asked a year ago. When I asked the question a year ago, it was because I heard there was going to be just such an extension of time granted by the governmet as is now proposed. At that time the scrip was worth about $800, and when I received the answer from the minister that there was not going to be any change made at all, the price of the scrip went gradually down until about a month or so ago it was only worth $500.

Mr. DOUGLAS. Where does the hon. gentleman get his quotation?

Mr. W. H. SHARPE. From the grain exchange in the city of Winnipeg, and scrip was sold in that city as low as $400.

Mr. DOUGLAS. To my knowledge the price in western Canada has never been under $625.

Mr. W. H. SHARPE. I know it has been lower than that in western Canada, and right here in the city as well.

An hon. MEMBER. And in Toronto.

Mr. MOLLOY. And many of them less than $500.

Mr. W. H. SHARPE. Yes. But the moment it was known that this Bill was going to be introduced, the price went up to $800, and the speculative price to-day is from $800 to $900. I want to say, Mr. Chairman, that the people of western Canada are against this Bill from start to finish. The grain growers at Prince Albert passed a very strong resolution against it. All the grain growers' associations throughout western Canada are against it, because it retards the settlement of that country. The fact is there has been scrip issued by this government covering over 2,000,000 acres, and less than ten per cent of that is settled by actual volunteers who went to South Africa. I am decidedly against the extension of this time to the speculators, but I will support my hon. friend from St. Boniface in his proposal that an extension should be given to the men who actually went to South Africa.

Mr. NESBITT. Would the hon. gentleman mind telling me how the extension of time for a year retards settlement?

Mr. W. H. SHARPE. Surely the hon. gentleman does not want an answer to that question?

Mr. NESBITT. I do.

Mr. MOLLOY.

Mr. W. H. SHARPE. Why, if the time is not extended, all this land will be settled before next fall, and if it is extended, settlement will be held back for another year. That's why.

Mr. HUGHES. As the intention to-night is merely to submit proposals for amendment, I shall not now take up the time of the House in discussing the question in detail. I may say as to this circular sent out in Colonel Merritt's name, that the names of the committee at the head of the circular which was read by the minister are no indication that any one of these gentleman ever saw the resolution or ever heard of it. As a matter of fact, it is a matter of physical impossibility that they all could have seen it, because some of them live on the Atlantic coast and some on the Pacific, and there is no evidence that they did see it. I have received circulars from gentlemen in Toronto—I will not call them speculators, but they are land agents and very decent fellows—asking in the interest of the volunteer who has already sold that the time be extended, and they tell me that a lot of the poor volunteers have already bought the scrip back from the speculators and are wanting an extension.

Mr. GUTHRIE. I suppose the hon. member (Mr. Hughes) admits that Colonel Merritt, who sent out that circular, knew what was in it. I have received a personal letter from Colonel Merritt in connection with it.

Mr. HUGHES. I am not at all referring to Colonel Merritt. Colonel Merritt is a very fine gentleman.

Mr. GUTHRIE. If he signed it, you would think it would be genuine and that you could depend on it.

Mr. HUGHES. So far as Colonel Merritt is concerned, it is genuine enough, but the circular is presented here to influence the House and to make us believe that the gentlemen whose names are on the top of the circular, signed it. We have a perfect right to discuss that circular without referring at all to the gentlemen whose names are printed on top of it. We can do that without any disrespect to Colonel Merritt, who is a very fine fellow, or to the others.

Mr. NESBITT. Will the hon. gentleman let me ask him a question?

Mr. HUGHES. With great pleasure.

Mr. NESBITT. How do you know that the gentlemen whose names are signed to that circular did not know about it?

Mr. HUGHES. In the first place these gentlemen did not sign the circular; their names are printed at the head.

Mr. NESBITT. How do you know they did'nt see the circular?

Mr. HUGHES. It is a physical impossibility that they could have read the circular.

Mr. CONMEE. That would mean that there was a misrepresentation on the part of Colonel Merritt.

Mr. HUGHES. Nothing of the kind. If you look at the circular you will see that the names of these gentlemen are merely printed at the head of it, and there is nothing to say that they ever signed it or saw it.

Mr. J. A. CURRIE. That is a charge that must involve the honour of these gentlemen.

Mr. HUGHES. There is no question of the honour of these gentlemen about it in any sense, and I object to the interruption.

Mr. J. A. CURRIE. I would like to inform the hon. gentleman.

Mr. HUGHES. I don't wish to be interrupted.

Mr. DEPUTY SPEAKER. The hon. gentleman (Mr. Currie) has no right to interrupt without the permission of the gentleman who has the floor.

Mr. HUGHES. The question of honour was dragged in by the hon. member for North Simcoe when there was no necessity for it at all. Are we going to let that circular go on record as an argument for giving the speculator an extension of time, because the member for North Simcoe says that somebody's honour is involved? I will not for one.

Mr. J. A. CURRIE. The hon. member has said that these gentlemen did not know anything about the circular, and I may say that I presented a petition to this House on behalf of one-half of these gentlemen in favour of the principle involved in that circular.

Mr. HUGHES. I do not want to be interrupted by the hon. member.

Mr. DEPUTY SPEAKER. The hon. gentleman (Mr. Currie) cannot interrupt.

Mr. HUGHES. At the proper time, I will propose an amendment to this effect:

The provisions of this Act, and of the Volunteer Bounty Act of 1908, shall apply to any volunteer whose domicile was in Canada at the time of the opening of the war, and who produces indubitable evidence of his service in the field in South Africa, although he may not have been duly sworn in and enlisted.

My objection in this is to meet a number of cases that I think should be covered. The case of the doctors who went out and did splendid service will be covered by another amendment. Then, I wish to mention the case of a lad named Devine, from Halifax, who went out in one of the corps under Capt. Beardmore. He was too young when he started to be enrolled; but he served all through South Africa, wore the uniform, answered the roll-call every day; but owing to the fact that he was not technically enlisted and properly sworn in, he is not entitled to the benefit of the Bounty Act.

Mr. GUTHRIE. The circular read by the minister was one dated the 18th of April, 1910. The circular and correspondence to which I have referred was some months earlier. The circular which the minister read is signed Wm. Hamilton Merritt, lieutenant colonel, secretary, and the names of the committee are at the beginning of the circular. The association is not specifically named in the circular, but I think it is of some importance to the committee to know whether this circular is authentic or not. I assume that it is authentic, and that it expresses the views of the officers whose names are at the head of it. I assume also that the secretary had instructions to send that circular, and I think this committee might very well be guided by what that circular contains. If any one makes the imputation that the circular is not authentic, I think we should have some definite information on that point. I for one shall take it as authentic, and shall be guided by its contents.

Mr. HUGHES. The hon. gentleman and the hon. member for North Simcoe are the only ones I have heard to-night throw any discredit on the circular. I shall deal with that matter to-morrow on its merits, and not on any ideas that may be promulgated for the extension of the Act for the benefit of the purchasers.

Mr. S. SHARPE. In regard to the circular, I understand that there was a South African committee appointed some years ago, and this is no doubt the same committee whose names are at the head of this circular, which was sent out by the secretary and no doubt expressed only his own personal views. No doubt the members of that committee are in favour of the Bill, as we are, in a restricted form. I understood that this Bill was on behalf of men who performed a service to the country, South African veterans, but not for speculators.

Mr. CONMEE. How are you going to draw the line?

Mr. S. SHARPE. It can be very easily drawn; make them produce their scrip and have it certified by the department.

Mr. CONMEE. Take the case mentioned by the hon. member who moved the amendment. There are hundreds of such cases.

Mr. S. SHARPE. In reference to that specific case, the young man is now in the west farming, and, being right on the ground, he can surely locate his land before December, 1910. I have an amendment which I submitted to the minister some time ago, enlarging the scope of the Act. There were certain civil surgeons who served in the war, who were in active operations in the field with the Canadian forces, and endured all the hardships; and if any persons who were not properly enlisted are entitled to the benefits of the Act, I think they were. If the benefits of the Act are to include nurses, I think surgeons should also be included. Then, there were certain volunteers who died on their way to South Africa. My amendment includes them, so that the scrip will go to their heirs. The effect of my amendment is very limited; it does not extend to more than eight or ten men; but if the minister wishes to do substantial justice to the men who served in South Africa, he should accept this amendment, and I commend it to his favourable consideration. I understand that under the regulations of the department existing at the time this Act first passed, the members of the families of two of those who died on the way to South Africa did receive scrip. My amendment is only to make the Act general in that respect. It reads as follows:

Section 2, subsection 2 shall be amended by adding thereto the following words, viz.: Canadian civil surgeons who served in South Africa during the war, and persons enrolled with any Canadian corps proceeding to South Africa on active service, and who died before such corps reached its destination.

Mr. HERRON. When we come to deal with the Bill clause by clause, I wish to move an amendment which will be number six of the present Act changing section 2 of the original Act. It is meant to cover such cases as those who enlisted for South Africa, and received injuries while on duty which caused them to be invalided home, before they reached South Africa. I have just a few words in clause 2, that I wish to be inserted; in the 5th line after the word 'Africa,' I would insert the words 'Or began the journey thereto,' and in the 6th line after the word 'War,' there might be added 'or injuries received on the journey.' That is the change I suggest, and it will make this difference that all the men who enlisted, and entered upon their duties, but who received injuries while on duty and were invalided home would receive the privileges of the Act to which I think they are entitled just as much as the men who went to the front, in many cases much more so, because some of the men invalided home are still unfit to earn a livelihood for themselves. I do not think there are many cases, there is only one or two to my knowledge in the whole Dominion. Of course, this amendment will also cover the cases of those who died on the journey. That is all I wish to say until we come to deal with the Bill clause by clause.

Mr. CROSBY. This is a favourable time to make propositions, and amendments to the Bill which we have before us. Last session I think I asked the Minister of the Interior to take into consideration the case of the men who garrisoned Halifax, and enabled the imperial troops to go to South Africa. These men enlisted, and were liable to be called at any moment to the front; in fact they were desirous of being called to South Africa, but they were not permitted to go there. I would urge the Minister of the Interior to take this matter up in connection with this Bill so that we will have the Bill made perfect. I think that last session the minister was good enough to tell me that he would bring the matter before the attention of his colleagues in the government so that I hope that when the Bill comes back he will have an amendment to the effect I have suggested, for I would rather it came from him as I know it would be more likely to go through.

Mr. GEO. TAYLOR. As the hour of twelve o'clock has now arrived, and as I presume the minister has heard all the suggestions he wants to hear to-night, we may adjourn, and he will be able to bring a perfect Bill before us at another time.

Mr. PATERSON. If none of those amendments are intended to be moved to section 1, perhaps section 1 should pass.

Mr. DEPUTY SPEAKER. I intended to say that it was only at the invitation of the minister that these amendments should be made at this stage, and none of them are to section 1, and none are before the House at the moment. They will appear in 'Hansard,' and will have to be moved when the Bill comes up again.

Mr. DOHERTY. Section 1 might pass, if the amendments proposed are to section 4.

Mr. S. SHARPE. The second one deals with section 3 of the Act, and my amendment deals with section 2, consequently mine would come in prior to this section.

Mr. OLIVER. I am quite willing to accept the suggestion of the member for Leeds, but if there are any other gentlemen who have an amendment in mind or a suggestion to make, I thought perhaps we might get it to-night, and it would appear in 'Hansard,' as the Chairman has said. It would be convenient for reference and might shorten the discussion on a future occasion. If there is no other proposition to be placed before the House, however, I

would move that the committee rise, report progress, and ask leave to sit again.

Motion agreed to.

Mr. PATERSON moved the adjournment of the House.

Mr. GEO. TAYLOR. Before the House adjourns will the hon. minister say what business will be taken up to-morrow?

Mr. PATERSON. We will take some of the Bills that are upon the order paper, and then Supply.

Mr. GEO. TAYLOR. I understood there was an arrangement between the leader of the opposition and the Prime Minister that we would take Supply early, because an hon. member on this side of the House has something to say. I think there is an arrangement to that effect.

Mr. PATERSON. I think there has been notice of a motion that will be made on going into Supply, but I think perhaps that in the forenoon we might take up some Bills that we are anxious to get through, and send to the other Chamber.

Mr. GEO. TAYLOR. Some non-contentious ones?

Mr. PATERSON. There are one or two I think that are non-contentious, and they may be taken up first.

Motion agreed to, and House adjourned at 12 o'clock (midnight.)

HOUSE OF COMMONS.

WEDNESDAY, April 27, 1910.

The SPEAKER took the Chair at Eleven o'clock.

THE LOBSTER FISHERIES.

Mr. J. H. SINCLAIR (Guysborough). Mr. Speaker, I desire to move the motion of which I gave notice on Monday morning for the adoption of the report with regard to the investigation of the lobster industry. It will be known by the hon. gentlemen who have kept track of this matter that there has been a good deal of dissatisfaction on the coast of the maritime provinces for some years past in regard to this question. Certain regulations were objected to, such as the refusal of the department to grant further licenses to packers. This policy was commenced some three of four years ago, and it was felt by men who wished to start in the business for the first time that they should have an opportunity, like other people who had been formerly engaged in the business. There was also a good deal dissatisfaction in regard to the size limit of lobsters. In some of the districts on the coast of the maritime provinces the law fixes the size limit of lobsters at eight inches. West of Halifax the limit is fixed at nine inches and in parts of the Bay of Fundy at ten and a half inches. But the regulations regarding the enforcement of this rule were found to be difficult and almost impossible to work out. Accordingly, this matter was referred to the standing committee on Marine and Fisheries last year. The committee commenced its meetings on the 8th of March last year, a large number of meetings were held, witnesses were examined and their examinations taken down and reported to the House. The officers of the department furnished the committee with all the information that was in the possession of the department and they also submitted themselves to examination on oath. The witnesses examined by the committee were : Professor E. E. Prince, Commissioner of Fisheries; H. E. Baker, Sydney, N.S.; F. H. Cunningham, Superintendent Fish Culture; R. N. Venning, Superintendent of Fisheries; Wm. Whitman, M.P.P., Guysborough, N.S.; George Walsh, Canso, N.S.; Alexander Keating, Canso, N.S.; Lewis Connors, Blacks Harbour, N.B.; John S. Cousins, Park Corner, P.E.I.; W. F. Tidmarsh, Charlottetown, P.E.I.; John McLean, Souris, P.E.I.; Meddie Gallant, Tignish, P.E.I.; Thomas Canty, Bathurst, N. B.; Onésiphore Turgeon, M.P., Gloucester, N.B.; J. J. Hughes, Souris, P.E.I.; M. H. Nickerson, M.P.P., Clarks Harbour, N.S.

These witnesses were all examined and cross-examined by the committee and their evidence was compiled, making a volume of 300 pages of printed matter, and reported to the House. The committee had not proceeded very far, however, until it appeared that they had undertaken a task of very considerable difficulty, and that they would require some further evidence in order to come to a correct conclusion on this question. There was a great deal of conflict of testimony or opinion with regard to these matters and it was felt that the committee could not, by the cumbersome methods of a parliamentary inquiry, find out what would be required in order to come to an intelligent decision on this disputed question. They recommended therefore that a commissioner be appointed to travel the coasts of the four provinces on which this industry is carried on, that he hold public meetings at various points on the coast, these meetings being advertised, that all parties presenting themselves and willing to give evidence be examined and that the evidence be reported to the committee. This recommendation was carried out by the minister and Commander Wakeham, the officer in charge of the gulf division of

the fisheries in the province of Quebec, was appointed by the department to perform that duty. In my opinion no better selection could have been made. Commander Wakeham's long experience in the fisheries, as an officer, and in conducting investigations and taking evidence, qualified him for the position and no one can read his report without feeling that he performed his task in a very able manner. He visited a large number of places on the coasts of the four provinces. He examined no less than 261 witnesses and no less than 175 of these witnesses were fishermen. A good many of them were representative fishermen, men who came there to disclose the views not only of themselves but of other people who were not in a position to attend personally. He began work at the Magdalene Islands on the 12th day of July, he then came across to the mainland in the province of Quebec and continued along the coast until the 22nd of September when he closed the investigation at Grand Manan, N.B. During this time, as I have said, he examined 261 witnesses, the evidence was taken down, compiled and printed and it is now before the members of the House. It comprises two volumes of 1,227 pages. From this mass of evidence the committee were endeavouring to arrive at some conclusion when it was felt that a great deal of the evidence was a matter of opinion, that many men would say that in their opinion the size of lobsters caught in their district was so and so. It was felt by the committee that something more exact and definite was required in order to ascertain with certainty what the sizes of lobsters were in the different districts where the business was carried on. The committee therefore recommended that the officers along the coast, during last season (1908), be instructed to measure the lobsters taken at the different points and report the measurements to the department. These instructions were sent out and a large number of officers were employed in different districts along the coast of the maritime provinces to make these measurements. They measured in all 600,000 lobsters down to the exactness of half an inch and they tabulated each measurement and reported these measurements to the department. From these measurements the committee have collected their information. That information of course, is exact and authentic, the officers of the department have compiled these figures and reduced them to percentages, showing the percentage of undersized lobsters caught in the different districts. From the figures thus compiled it is seen that, in some districts, of the lobsters caught more than one half were undersized. I think in one district two thirds of the lobsters taken were under the legal size. The evidence disclosed that the rules and regulations regarding the size limit were totally disregarded and had been constantly violated ever since they were made 36 years ago, that no attempt had been made by the officers for many years—

Mr. SPEAKER. I do not like to interrupt the hon. member, but I think the procedure he is now adopting is a new one. I see that the committee in their report ask that the regulations concerning fisheries be changed. If this motion be adopted, the House would be committing the government to a new procedure. The procedure is a new one altogether. There are two reports from the committee, one is for the printing of the report, to which I suppose there would be no objection, and the other is asking for an alteration of the rules governing the fisheries. I am informed it is a new procedure.

Mr. SINCLAIR. I do not understand why it is irregular for me to support the motion and show the reasons why the committee arrived at their decisions.

Mr. SPEAKER. I am informed the procedure is a new one. If there is no objection——

Sir WILFRID LAURIER. If you have any doubt as to the regularity of the procedure, it would be well to have the motion stand over in order that the matter may be examined during the day and the hon. member could proceed to-morrow.

Mr. SPEAKER. I have inquired of the minister in charge and he informs me that he is not in a position to deal with the matter to-day.

Mr. TEMPLEMAN. The report, as far as I am aware, has had no consideration by the department. I understand it recommends very radical changes in the regulations. Whether the experts in the department and the minister would be prepared to put in force all these regulations or not, and whether by the adoption of this report the department would be bound to put them in force is a matter on which I am not very well advised, but I would think it would be prudent that the department should have cognizance of the report before it is adopted, particularly if the adoption means the acceptance of every recommendation. I would suggest that the report stand for a day or two.

Mr. SINCLAIR. I would suggest that I be allowed to lay before the House my reasons why the report has been made, and at the conclusion of my remarks the minister might move the adjournment of the debate or deal with it in some way, so that the report would not be adopted until the department has had ample time to consider it.

Mr. TEMPLEMAN. Yes.

Mr. SPEAKER. I understand that the hon. member is moving that the report be printed.

Mr. SINCLAIR. That is the motion.

Mr. R. L. BORDEN. That is the only motion, that the report be printed.

Mr. SINCLAIR. That is one of the motions.

Mr. SPEAKER. There are two motions, one for the printing of the report, and the other for the adoption of the recommendations.

Mr. R. L. BORDEN. The hon. gentleman cannot speak to both at once.

Mr. DANIEL. What motion is now before the House?

Mr. SPEAKER. The motion, I understand, is for the printing of the report of the committee.

Mr. SINCLAIR. The regulations regarding the size limit for lobsters has been disregarded ever since it was introduced by the department some 36 years ago.

Mr. G. TAYLOR. Are we to understand that if the hon. gentleman makes a speech some hon. gentleman on this side can keep up the discussion?

Mr. SPEAKER. There is a motion before the Chair which can be discussed.

Mr. G. TAYLOR. The motion is for the printing.

Mr. SPEAKER. The motion for the printing can be discussed.

Mr. G. TAYLOR. He must confine himself to the printing.

Mr. SPEAKER. The hon. member will have to confine himself to the motion he makes, his remarks must have relevancy to that motion.

Mr. SINCLAIR. If the Speaker decides that I am not at liberty to show the reasons why the report was introduced and should be printed, I will have to reserve my remarks. I think there are good reasons for making these recommendations and I want to show why I lay such a report before the House.

Mr. G. TAYLOR. When we see it printed——

Mr. SINCLAIR. It has been printed. It was presented to the House last Monday morning and at the time notice was given to the House that I would move its adoption to-day at the opening of the House, so no mistake should have been made by any member and every member should be ready to discuss it.

Mr. SPEAKER. The motion is regular, only I thought it my duty to call attention to it. I understand that the hon. member will move now for the adoption of the report of the committee.

Mr. SINCLAIR. That is what I would like to do.

Mr. SPEAKER. If there is no objection to it——

Sir WILFRID LAURIER. I understood my hon. friend to intimate that this report contains recommendations in relation to the regulations which may or may not be accepted by the government. These suggestions are merely recommendations of the committee. The minister says he is not prepared to give assent to these regulations to-day, and therefore my hon. friend (Mr. Sinclair) would perhaps do better not to proceed with the motion now; he could take it up to-morrow. The motion of the printing could be proceeded with.

Mr. SINCLAIR. It is understood that I may take the matter up on motions tomorrow. I move the printing of the report of the investigations into the lobster industry which I presented the other day. The committee have asked for the printing of 6,000 copies of their own report and also of the evidence of Commander Wakeham, given in connection with his report.

Mr. SPROULE. That is the report presented on Monday last and includes the report of Commander Wakeham as well as the evidence connected therewith.

Mr. SPEAKER. The hon. member (Mr. Sinclair) moves that rule 72 be suspended and the report be printed forthwith.

Mr. SPROULE. As this report entails an expenditure of a considerable amount, involving a charge on the consolidated revenue, on what ground can we adopt it without dealing with the proposed expenditure by resolution? Is it sufficient that a vote for printing be passed in the estimates, and that the expenditure be taken out of that?

Mr. SPEAKER. The custom, as I understand, has been, and it has been repeatedly done every session, that this rule must be suspended before any document may be printed at all. It is for the House to decide whether the rule shall be suspended or not.

Mr. DANIEL. Mr. Speaker, it is already printed.

Mr. SPROULE. It is not the question of suspending the rule that I refer to. It is the question of any motion passing this House for the expenditure of money out of the consolidated revenue without the expenditure being authorized by a resolution of the House.

Sir WILFRID LAURIER. This report is printed in the Votes and Proceedings, and the motion that the rule be suspended and that the papers be printed, is simply in order that this report may be printed in the appendix of the Journals of this House as well as in the Votes and Proceedings.

Mr. LENNOX. Does not the Joint Committee of both Houses on Printing decide what papers shall be printed?

Sir WILFRID LAURIER. Yes. Rule 72 provides that the Joint Committee on Printing shall determine what reports shall be printed in the Appendix to the Journals, and the motion asks for the suspension of that rule and an order of the House for immediate printing.

Mr. URIAH WILSON. This is frequently done, with the result that a great deal of printing is done that is not necessary. I think the matter should be referred to the Joint Committee on Printing for them to decide.

Mr. SPROULE. I do not know whether the Prime Minister understood the point I raised. It was whether this motion can be passed without a resolution voting money out of the Consolidated Revenue for the purpose.

Sir WILFRID LAURIER. In the estimates for the House of Commons which are voted each year there is a sum provided for the printing of documents of this kind.

Motion agreed to.

QUESTIONS.

ST. LAWRENCE POWER COMPANY.

Mr. S. SHARPE:

1. Has the St. Lawrence Power Company complied with section 13 of the Act of Incorporation, 1901?
2. Has the government investigated the facts in regard to this question?
3. If so, in what way and what conclusion has the government reached?
4. If not, does the government propose instituting any investigation with the view of ascertaining whether the powers of the Company under the Act of 1901 have become null and void?
5. Does the government entertain the view of the Solicitor General, that the amendments inserted in the St. Lawrence Power Transmission Company's Bill dealing with the St. Lawrence Power Company, created by the Act of 1901, cannot possibly control or affect the Company under the Act of 1901?
6. Do any of the amendments inserted in the St. Lawrence Power Transmission Bill, in the opinion of the government, have the effect of reviving any of the powers of the St. Lawrence Power Company under the Act of 1901, which may have become null and void by reason of the said company not complying with the provisions of said Act?
7. Was it the intention of the government or the hon. member who had charge of the Bill, by any of the amendments, to revive said rights?
8. If the said company had forfeited any of the rights, is it the intention of the government to claim the benefit of such forfeiture?

Hon. WM. PUGSLEY. When this question was asked at a recent sitting of the House in the absence of the hon. gentleman (Mr. Sharpe), I referred to the fifth portion of the question, and stated that the government was not aware that the Solicitor General had expressed the view stated in the question, and my hon. friend from Peel (Mr. Blain) said that he would ask the hon. gentleman to give me the information as to when and where the Solicitor General had made the statement. As this is an allegation of fact, it ought not to be put into a question. I am informed that it is an erroneous statement, that no such view has been expressed by the Solicitor General, and unless my hon. friend gives me the information, I think he will see the propriety of withdrawing the question and submitting a new one if he so desires.

Mr. S. SHARPE. When the question was being discussed by myself, I understood the Solicitor General to interject that opinion. I also understood from the words of the hon. member for West Lambton (Mr. Pardee) that he entertained the same opinion, and I think the hon. member for Hochelaga (Mr. Rivet) also interjected the same opinion; and, if I am not mistaken, the Minister of Public Works expressed the same opinioin.

Mr. PUGSLEY. Not at all.

Mr. S. SHARPE. However, I accept the denial of the Solicitor General, and I will eliminate No. 5.

Mr. PUGSLEY. If I am in order, I may say that the hon. gentleman is entirely in error. I expressed no such opinion, and I find that the Solicitor General is not reported in 'Hansard' as having expressed any such opinion. Indeed, I do not find that the Solicitor General expressed any opinion or took any part whatever in the debate.

Mr. S. SHARPE Mr. Speaker——

Mr. SPEAKER. I cannot allow a debate on this question.

Mr. S. SHARPE. Leave out the words 'Solicitor General.'

Mr. PUGSLEY. I insist on the point of order. I think it is very much better to have questions put that do not contain allegations of fact that are not correct.

Question dropped.

LT.-COL. B. A. SCOTT.

Mr. GIRARD:

1. In what years was Colonel or Lieutenant-Colonel B. A. Scott at the head of the 18th Regiment?
2. In what year did he cease to be in that position?
3. Did he resign? If so, for what reasons?

Sir FREDERICK BORDEN:

1. From February 1, 1900, to January 7, 1903.
2. January 7, 1903.
3. Resigned the command and was transferred to the reserve of officers. The records do not show the reason for the resignation.

REVENUES FOR 1909-10.

Mr. GEO. TAYLOR:

What are the exact figures of dutiable and free imports, respectively, and the amount collected in customs, excise and other revenue, respectively, for the year ending March 31, 1910?

Hon. WM. PATERSON:

The figures are not yet finally completed, but I have the unrevised figures, which are nearly correct. The unrevised total imports and exports for the fiscal year ending March 31, 1910, were as follows:

Imports, dutiable	$241,912,200
Imports, free	149,891,136
Total	$391,803,336
Exports, domestic	$279,211,537
Exports, foreign	22,146,992
Total	$301,358,529

The unrevised amount collected as customs duties during the year was, $61,031,336.90.

CHARGES AGAINST QUEBEC OFFICIAL.

Mr. MEIGHEN:

Does the Minister of the Interior purpose investigating the charges made against Mr. Lavoie, agent at Quebec, by J. J. O'Flaherty? If so, when and how?

Hon. FRANK OLIVER. I will read the report of the Superintendent of Immigration :

Hon. Frank Oliver,
Minister of the Interior.

I have received the letter addressed to you by Mr. J. J. O'Flaherty, No. 38 St. Anne St., Quebec, formerly an employee in the immigration service there.

Mr. O'Flaherty was dismissed for cause and I do not think that any attention at all should be paid to his letter making charges against Dr. Lavoie.

There are only two of these charges that concern the department in the slightest degree: (1) the charge of discourtesy towards the public having business with the Quebec Immigration Office; (2) the charge that Dr. Lavoie exhibits antipathy towards Protestant ministers performing missionary work among the immigrants.

The reference to his granting holidays to the staff and falsifying the attendance certificates has already been gone into in connection with the Stein case, and there is simply nothing in these allegations.

The statement that in the summer seasons of 1908 and 1909, foreign immigrants, especially Galicians, were drastically treated and that one Oscar Bliss was allowed to have dealings with them, is explained by the negotiations which took place, resulting in the release from detention of a number of immigrants going to railroad work on a guarantee of such work being obtained for them, the immigrants themselves being desirous of taking this work in preference to going back to Europe. Dr. Lavoie simply carried out the instructions of the department in this connection.

The first of the two charges enumerated above, viz., that of discourtesy towards the public, was gone into in connection with the Stein case and thoroughly disproved.

In support of charge 2, viz., that Dr. Lavoie exhibits antipathy towards Protestant ministers, Mr. O'Flaherty states specifically that: 'Upon one occasion, June 6, 1909, on the arrival of the Allan Line steamship 'Virginian,' Dr. Lavoie publicly and wantonly insulted the Rev. Mr. Caffin, the Church of England minister and missionary.'

This is worthy of investigation, and I am writing to the clergyman referred to to get his statement of the affair, which I will communicate to you in due course.

(Signed) W. D. SCOTT,
Superintendent of Immigration.

SATURDAY SITTING.

Sir WILFRID LAURIER. I beg to move that when this House adjourns on Friday, the 29th instant, it stand adjourned to the following day, Saturday, the 30th, at 11 o'clock a.m.

Mr. GEO. TAYLOR. Before the motion is adopted might I ask the hon. the Prime Minister if his intention is to prorogue next week on Wednesday?

Sir WILFRID LAURIER. Yes, that is our intention.

Mr. HUGHES. Do you intend to carry it out ?

Sir WILFRID LAURIER. I see no reason why it cannot be carried out. Can my hon. friend see any?

Mr. HUGHES. None.

Motion agreed to.

AID TO CANADIAN NORTHERN ALBERTA RAILWAY COMPANY.

Hon. GEO. P. GRAHAM. I beg to move that on Friday next I will move that the House go into Committee of the Whole to consider the following resolution, the sub-

ject matter of which has been submitted to His Excellency the Governor General who has approved of the same :

Resolved, That it is expedient to provide:

1. That the Governor in Council may aid and assist the construction of the line of railway of a company to be incorporated under the name of 'Canadian Northern Alberta Railway Company,' from a point at or near Edmonton or Strathcona, in the province of Alberta, thence in a generally western direction to the coal areas, situated at or near the Brazeau river and the headwaters of the McLeod river, for a distance not exceeding one hundred and fifty miles, by guaranteeing the principal and interest of the bonds, debentures, debenture stock or other securities, hereinafter called securities, secured as hereinbefore mentioned, of the company, to the extent of thirteen thousand dollars per mile for the first fifty miles of the line so aided, and, for the remainder of the said line, to the amount of twenty-five thousand dollars per mile, not exceeding in all one hundred and fifty miles, the interest upon the said securities to be at the rate of three and one-half per cent per annum, payable half-yearly, the principal to be payable in fifty years; and that the aid granted or authorized by Chapter 25 of the Statutes of 1908, intituled: An Act respecting aid for the extention of the Edmonton, Yukon and Pacific Railway,' be cancelled.

2. That the said securities so guaranteed shall be secured by a deed or deeds of trust, by way of mortgage or charge to a trustee or trustees, approved of by the Governor in Council, and such deed or deeds of trust shall respectively grant a first mortgage or charge upon the said line of railway so aided, and the right of way, station grounds, or other real estate and interest therein, buildings and other structures and improvements, rolling stock and equipment, plant, machinery, tools, supplies, materials and other personal properties, present and future, acquired for the purposes of the said line so aided, and in connection with operating, repairing and maintaining it, and the tolls, incomes and revenues of the company arising and to arise from the said line, and the rights, privileges, franchises and powers of the company now or hereafter held with respect to and in connection with the said line and the operation, maintenance and repair thereof.

3. That the kind of securities to be guaranteed as aforesaid, and the forms thereof, and the form and terms of the deed or deeds of trust securing them, and the times and manner of the issue of securities and the disposition of the moneys to be raised thereon, by sale, pledge, or otherwise, pending the expenditure of such moneys for the purposes of the line of railway so aided, and the forms and the manner of guarantee, shall be such as the Governor in Council approves and such terms, provisions and conditions may be included in such deed or deeds of trust, as the Governor in Council deems expedient or necessary.

4. That the said guarantee shall be signed by the Minister of Finance or such officer as is designated by the Governor in Council to sign it; and upon being so signed the Dominion of Canada shall become liable as guarantor for the payment of the principal and interest of the securities so guaranteed according to the tenor thereof, and the said payment shall form a charge upon the Consolidated Revenue Fund.

5. That any moneys paid by the Dominion of Canada under any guarantee herein provided for shall be held to be paid in discharge of the liability of the Dominion and not in discharge of the liability of the company under the securities so guaranteed, or under any deed of trust securing them and the moneys so paid shall be held to be still secured by the said securities and deed of trust, and the Dominion shall be subrogated in and to all the rights of the holders of such securities, the interest upon or the principal of which has been paid by the Dominion, and the Dominion shall, with respect to all moneys so paid, be in all respects in the position of security holders with respects to whose securities default has been made in payment to the extent of the moneys paid by the Dominion.

6. That the decision of the Governor in Council as to the length of the mileage of the said line of railway so to be aided shall, for the purposes hereof, be final.

7. That the books of the company shall at all times be open for inspection for and on behalf of the government by any person named in that behalf by the Governor in Council or the Minister of Finance.

8. That the Canadian Northern Railway Company shall, by guarantee included in the said deed or deeds of trust, or in some other instrument agreed to by the Governor in Council or the Minister of Finance and the last named company, in such form as the Governor in Council shall approve, guarantee to His Majesty the due payment by the company of the principal and interest of all securities issued and guaranteed under the provisions hereof, according to the tenor and effect of such securities, respectively, and in accordance with the terms of the said deed or deeds of trust, and shall also guarantee to His Majesty the due payment by the company of all loss or costs which His Majesty may sustain or be put to in enforcing, after default, the provisions of the said deed or deeds of trust against the line of railway and premises thereby mortgaged and charged.

9. That the company may acquire the line of railway constructed or partially constructed or located by the Edmonton, Yukon and Pacific Railway Company, or by the Canadian Northern Railway Company as its successor by amalgamation, between the points set forth in paragraph 1 hereof, and all properties, works, surveys, plans and locations, held, made, approved or established in connection therewith; and the same shall, for the purposes hereof and the guarantee hereby authorized, be taken to form part of the line of railway hereby aided. The deed of transfer or acquirement (which the respective companies interested are hereby authorized to execute) shall be executed and deposited in the office of the Secretary of State of Canada before any securities are issued or guaranteed hereunder in respect of the line of railway and incidental properties so acquired; and the said deed upon being so executed and deposited shall, without further formality, be taken to vest in the company all the properties, works, surveys, plans and locations held,

made, approved or established by or for the transferring companies, or either of them, in respect of the line of railway or portions thereof so transferred, with the same rights, privileges and priorities as were at the time of the execution of such deed held by the transferring companies respectively.

Motion agreed to.

DRY DOCK SUBSIDIES.

Sir WILFRID LAURIER. On behalf of Mr. Fielding I beg to move that to-morrow the House go into Committee of the Whole to consider the following resolutions which have been brought to the attention of His Excellency the Governor General and approved by him :

1. Resolved, that it is expedient to authorize the repeal of chapter 24 of the Acts of 1908, the Dry Dock Subsidies Act, and that in substitution therefor it be provided, as an aid to the construction of any dry dock approved as to location and capacity by the Governor in Council, that a subsidy, as hereinafter set out, may be paid out of consolidated revenue fund to any incorporated company, approved by the Governor in Council, which shall enter into an agreement with His Majesty to construct the same with all necessary equipment, machinery and plant, the cost on which subsidy is to be calculated to be determined by the Governor in Council before the agreement for construction is entered into, the Governor in Council being satisfied that such dry dock is needed in the public interest.

2. That for the purpose of constructing a dry dock under the provisions of any Act founded on these resolutions the company may utilize, or acquire for the purpose of utilizing, the works and property of any existing dry dock company whose dock has been constructed under the provisions of chapter 17 of the statutes of 1882, chapter 9 of the statutes of 1899, chapter 116 of the Revised Statutes, or chapter 24 of the statutes of 1908, and the value of any such works and property so far as the same may be useful in constructing a dry dock of greater dimensions or capacity shall be deemed to be for the purposes of subsidy calculation a part of the cost of the dry dock to be constructed, such value being fixed and determined by the Governor in Council, upon the recommendation of the Minister of Public Works, based upon a report of the chief engineer of the Department of Public Works, before the agreement for construction is entered into:

Provided, that the aggregate amount of all subsidies paid under the provisions of any of said Acts by the Governor in Council on account of the dock so utilized shall be deducted from the subsidy payable under the provisions of any Act founded hereon, such deductions being made in equal annual portions during the period in respect of which subsidy is payable under the provisions of such Act; and that the remaining payments, if any, of subsidy called for by the agreement entered into under either of said chapters shall not be made;

3. That dry docks constructed under the provisions of any Act founded on these resolutions, shall, for the purposes of such Act, be divided into three classes;

1. Dry docks of the first class, for naval and general purposes, costing for the purposes of subsidy calculation not more than four million dollars, being—

(a) Dry docks, other than floating dry docks, of dimensions when completed not less than the principal dimensions next hereinafter mentioned, that is to say, clear length on bottom from caisson groove or hollow-quoin to head 900 feet; clear width of entrance, 100 feet; depth of water over the sill at high water ordinary spring tides, 35 feet;

(b) Floating dry docks of a lifting capacity of at least twenty-five thousand tons, and in which vessels can with ease and safety be received and repaired:

Provided, however, that any dry dock shall not for the purposes of such Act be deemed to be a dry dock of the first class unless capable of receiving and repairing therein the largest vessels or ships of the British navy existing at the time at which the contract is entered into;

2. Dry docks of the second class, costing for the purposes of subsidy calculation, not more than two and one-half million dollars, being—

(a) Dry docks, other than floating dry docks of dimensions when completed not less than the principal dimensions next hereinafter mentioned, that is to say, clear length on bottom from caisson groove or hollow-quoin to head, 650 feet; clear width of entrance, 85 feet; depth of water over the sill, 30 feet at high water ordinary spring tides if constructed on tidal waters, and 25 feet at ordinary low water if constructed on non-tidal waters;

(b) Floating dry docks of a lifting capacity of at least fifteen thousand tons, and in which vessels can with ease and safety be received and repaired;

3. Dry docks of the third class costing for the purposes of subsidy calculation not more than one and one-half million dollars, being—

(a) Dry docks, other than floating dry docks, of dimensions when completed not less than the principal dimensions next hereinafter mentioned, that is to say, clear length on bottom from caisson groove or hollow-quoin to head, 400 feet; clear width of entrance, 85 feet; depth of water over the sill, 22 feet at high water ordinary spring tides if constructed on tidal waters, and 18 feet at ordinary low water if constructed on non-tidal waters;

(b) Floating dry docks of a lifting capacity of at least three thousand five hundred tons, and in which vessels can with ease and safety be received and repaired;

4. That the subsidy payable in respect of dry docks, which have been constructed under the provisions of any Act founded on these resolutions, shall be,

(a) If of the first class, a sum not exceeding 3½ per centum of the cost of the work as fixed and determined by the Governor in Council each year during a period not exceeding thirty-five years from the time the Governor in Council has determined under the provisions of the Act that the work has been completed;

(b) If of the second class, a sum not exceeding three and one-half per centum of

the cost of the work, as fixed and determined by the Governor in Council each year during a period not exceeding twenty-five years from the time the Governor in Council has determined under the provisions of the Act that the work has been completed;

(c) If of the third class, a sum not exceeding three per centum of the cost of the work, as fixed and determined by the Governor in Council each year during a period not exceeding twenty years from the time the Governor in Council has determined under the provisions of the Act that the work has been completed;

5. That the work of construction be done under the supervision of the Department of Public Works.

6. That the Governor in Council be empowered, after a subsidy becomes payable, if such dry dock is not in a state of efficiency and repair, to take possession thereof, and to expend out of Consolidated Revenue Fund a sufficient sum to repair the same, and thereafter operate such dock until the cost of such repairs, after payment of operating expenses and maintenance, is received by the Crown;

7. That the tariff of tolls and rates for the use of the dock prescribed by the company shall be subject to the approval of the Governor in Council, and that the company shall make an annual statement to the Governor in Council of the operations of the company with a statement of receipts and expenditures in detail;

8. That provision be made in the agreement under which a floating dry dock is to be constructed for the annual setting aside by the company of a sum which the Governor in Council may deem sufficient to provide a fund wherewith to renew the whole of the floating part of the dock at the expiry of the time at which that part of the dock shall have ceased to be serviceable;

9. That, on the application of the government of Canada, or any minister thereof, ships in the British naval service, in the naval service of Canada, or other vessels the property of or employed by His Majesty, shall at times be entitled to the use of such docks in priority to all other vessels.

Motion agreed to.

QUESTION OF PRIVILEGE.

Mr. BLONDIN. Before the orders of the day are called I desire to rise to a question of privilege. I see in the Ottawa 'Citizen' of April 25, 1910, the following statement: It is headed:

'Like Irish Party—French Canadian recommendation for Ottawa House.' Montreal, April 24. D. E. Blondin, M.P., for Champlain, speaking at a meeting held at Coteau Landing to-day, advocated the formation of a French Canadian party from the province of Quebec at Ottawa on the same lines as the Irish party at Westminster. Mr. Blondin, who declared himself as a supporter of Mr. Monk on the naval policy, said that a French Canadian party should eventually hold the balance of power at Ottawa as the followers of John Redmond now hold the balance of power in the British Commons.

Sir WILFRID LAURIER:

Mr. Speaker, I give the most emphatic denial to all that is said there. 'La Patrie' and 'Le Devoir' the only two newspapers represented at the meeting have given the full sense of my remarks, and their reports which are exact do not contain anything of the kind. I did not say a single word which could justify in any way, such a statement as that made by the 'Citizen.'

PERSONAL EXPLANATION.

Mr. A. C. MACDONELL. I desire to rise for the purpose of making an explanation in connection with the Bill that was passed yesterday afternoon by the Minister of Labour, for the purpose of amending the Industrial Disputes Act. I have to say on behalf of certain constituents of mine that in the latter part of last session and again in the early part of this session, I introduced a Bill for the purpose of amending the Industrial Disputes Investigation Act in certain respects. The Bill was not reached last session, being introduced too late, and this session after the Bill was introduced by myself, I had a conversation with the Minister of Labour, and in the course of that conversation, the minister stated his intention of bringing in a Bill to amend the same Act in substantially similar respects. I had an understanding with the hon. minister, which is contained in 'Hansard' of December 9, by which it was agreed that these two Bills should come on together and should be discussed at the same time. Since that date my hon. friend and myself have had several conversations, during which he notified me that his Bill would not be proceeded with in my absence as the Bills were largely the same, and I desire to be present for the purpose of discussing my Bill, which was the prior Bill, in accordance with the understanding I have mentioned. My Bill has been side-tracked and cannot be reached this session, but the Minister of Labour put through his Bill yesterday. I received no intimation from the minister of his intention to give his Bill the second or third reading yesterday and I was not present on the occasion which I regret. It is a distinct breach of the understanding contained in the arrangement I have referred to on December 9, at page 1341 of 'Hansard.' I regret that the hon. minister should have taken this course in dealing with his Bill without giving any notice to me.

Mr. KING. I am very sorry that the hon. member should think there has been any breach of understanding. As I remember the understanding he refers to, it had reference to the Bill he introduced last fall, the understanding reached in January did he say?

Mr. MACDONELL. December.

Mr. KING. The understanding had reference to the question of how far his Bill should proceed at that time and after conferring with the hon. member and mentioning that I was introducing a government measure, it was agreed that if I would allow his Bill to go as far as the committee he was prepared to leave it there until my Bill reached the same stage. That was the extent of the understanding I think.

Mr. MACDONELL. Your Bill was read the third time yesterday.

Mr. KING. Yes, but the understanding was that the hon. member's Bill should not proceed further until my Bill reached the same stage as his had. There was no further understanding than that. As to my Bill going on yesterday, I can only say I was as much in the dark as to proceeding with the measure as he was until the afternoon. I took my chances here, and, seeing it was so near the end of the session, I watched for the first opportunity to get through the committee stage of my Bill. I found that opportunity when we got through with—I think it was—the Bill relating to the water carriage of goods. I had only a few minutes notice myself. I had no understanding with the hon. member (Mr. Macdonell) to notify him when that stage should be reached—

Mr. MACDONELL. Yes.

Mr. KING. I am sorry if the hon. member thinks so. I do not remember giving him any promise to notify him. I assumed that, if he was following the legislation he would——

Mr. MACDONELL. I ask the privilege of reading what took place——

Mr. SPEAKER. A discussion on the matter cannot be allowed at this stage.

Mr. MACDONELL. All I desire is to read 'Hansard' showing what took place.

Mr. SPEAKER. But the minister (Mr. King) may desire to answer, and so this may be the beginning of a discussion, and discussion is not in order at this stage. It is only by the courtesy of the House that it can be permitted.

Mr. MACDONELL. With the permission of the House, I desire to read what took place. I read from the same page, 1341, of 'Hansard' to which I have already referred:

Mr. MACDONELL moved the second reading of Bill (No. 23) to amend the Industrial Disputes Investigation Act, 1907. He said: The hon. Minister of Labour (Mr. King) has some amendments to consider in connection with the Industrial Disputes Act which may conveniently be considered at the same time with the amendments which are contained in this Bill, and as I am anxious to advance the Bill to the committee stage I move the second reading with the understanding that it shall be allowed to stand until the Minister of Labour is prepared to consider this Bill and his own amendments.

Mr. KING. The hon. gentleman has correctly stated the position, and I am entirely agreeable to what he proposes.

Mr. KING. That is exactly what I have just said, and exactly what took place.

INQUIRIES FOR RETURNS.

Mr. W. H. SHARPE. I desire to ask the Postmaster General (Mr. Lemieux) when I may expect the return in connection with Windygates post office?

Mr. LEMIEUX. I was under the impression that I had brought that return down. I will see to it at once.

Mr. CROCKET. I desire to ask the Minister of Public Works (Mr. Pugsley) when the return respecting the St. John river channel survey may be expected?

Mr. PUGSLEY. I will make inquiry. This morning I brought down a large return, the preparation of which has taken a good deal of time, and, no doubt, the staff has been busy.

Mr. ARMSTRONG. When may I expect the return, which, the minister was good enough to say I could have in a few days—with reference to printing and advertising?

Mr. PUGSLEY. Did the hon. member (Mr. Armstrong) ask me? I think that is with the Secretary of State.

Mr. ARMSTRONG. It has reference to the Department of Public Works, and I understood that the deputy minister of Public Works was having it prepared.

Mr. PUGSLEY. That is a matter in charge of the Secretary of State. I will make inquiry about it.

THE AIR-BRAKE MAGAZINE.

Mr. HUGHES. Some time ago, the Postmaster General will remember I drew attention to the air-brake magazine, and the question of postage. Has any conclusion been arrived at in that matter?

Mr. LEMIEUX. Yes; I will communicate with the hon. member (Mr. Hughes).

MAIL MATTER CARRIED BY FREE DELIVERY.

Mr. J. D. TAYLOR. On Monday last, I asked a question of the Postmaster General with regard to the delivery of parcels

in places where free delivery is carried on. The question was in part, as follows:

Has the Post Office Department established any regulations respecting free delivery of matter, other than letters? If so, have such regulations been made public and where?

And the answer—or, rather, the response—was as follows:

The only class of people affected are the business men, senators and members of parliament, living in cities, who are perfectly aware of the rule.

Mr. Speaker, I take exception to that answer under two heads. In the first place, it is a violation of the rule of the House which provides that no opinion shall be offered in answer to a question or anything stated beyond what is called for by the question. In the second place, it is not a correct statement of the facts. For, I may tell the Postmaster General, the question was based on complaints that I had received from New Westminster that small packages and even magazines addressed to residents of the city, were not delivered. Mail received for which there is supposed to be free delivery is held at the post office, and a card is delivered by the carrier notifying the addressee that a parcel is there, and asking that it be called for. Now, I am a businessman and a member of parliament, and I had no knowledge of the regulation. When I put a question here in a courteous manner relating to the Post Office Department, I think I am entitled to a courteous answer and not a statement asserting that I have the information I ask for. I desire to have an answer to my question.

Mr. LEMIEUX. If the hon. member (Mr. J. D. Taylor) thinks there was any intention to show discourtesy in the answer, I assure him there was no such intention, nor do I believe that the answer given by me to the hon. member's questions bears any mark of discourtesy. What is the question? Everybody is aware that parcels of large size are carried through the mails. Such parcels are sent, especially after the session is over, to members and senators—blue-books and matter of that kind. Is it expected that the letter-carriers shall deliver the same on their regular routes? It would cripple the service to attempt to do so. Therefore, in places where there is free mail delivery, we have long had a regulation in force in the department under which a card is delivered to the addressee making him aware of the fact that there is a parcel of large size addressed to him lying at the local post office. The addressee sends for it. As I have said, if we were to force the letter-carriers in the cities to deliver these large parcels, we should cripple the service and delay the delivery of mail matter. Under these circumstances, I cannot see my way clear to change the regulation. As I stated in that answer, members of the House, senators and some business men are affected by this regulation. But it is a case of force majeure.

Mr. J. D. TAYLOR. The minister has not yet answered my question, which is, whether there is any regulation, and where it is to be found?

Mr. LEMIEUX. I have just answered that. I said that it was a regulation of the department, established many years ago, that, in the case of large parcels addressed to people in cities, a card should be sent to the addressee and he should send for the parcel to the post office. But small parcels are delivered. If this is not carried out, my hon. friend is justified in making his complaint. But I say that the regulation exists, and rightly exists, in the case of large parcels. Small parcels are delivered every day by the letter-carriers. But the House will agree that it would be unfair to impose on the letter-carriers in their every-day delivery such a load as would be involved in the delivery of large parcels.

HARBOUR OF ST. JOHN.

Bill (No. 204) to authorize the erection of certain wharfs and buildings in the harbour of St. John—Mr. Pugsley—read the second time, and House went into committee thereon.

On section 1,

Mr. DANIEL. I understand that this Bill is introduced at the instigation of the common council of the city of St. John, that they have passed the order to transfer a certain amount of the property referred to from the city to this Mr. Durant. I might ask the Minister of Public Works if this Bill was drawn by the common council or by the recorder of the city or by whom?

Mr. PUGSLEY. This Bill has been drafted by the recorder of the city of St. John and by Mr. Taylor, solicitor for Mr. Durant, of the Atlantic Sugar Refining Company, which he is organizing. It was submitted to me, I made some suggestions as to slight changes in it and it was approved by them, so it represents the views both of the city of St. John and of Mr. Durant. It is simply carrying out what has been agreed to and what has been already confirmed by the legislature of the province of New Brunswick.

Mr. LANCASTER. Briefly, what is the object of the Bill?

Mr. PUGSLEY. The city of St. John owns a piece of property on the eastern side of the harbour, a portion of which is

covered with navigable water. The government of Canada owns the piece of land immediately to the south where the Ballast wharf now is. Mr. Durant has made a proposition to the city of St. John for the erection of a very large sugar refinery on the condition that the city would procure for him a suitable site for the erection of his refinery, the building of wharfs, and the making of other improvements in connection with the undertaking. He has thought it desirable that the property should be erected upon property immediately to the south which is owned by this government and an arrangement has been made under which that property owned by the city shall be exchanged for the property owned by the government and occupied by the Intercolonial railway. The matter has been under consideration for a good many months and an agreement has been arrived at under which the city and the government through Mr. Durant are to make an exchange of the respective properties, and the refinery will actually be erected on the property owned by the government, but the city will convey to the government a property which is regarded under all these circumstances as of equal value and giving equal advantages to the Intercolonial railway. The matter has been agreed upon by the city of St. John, Mr. Durant and the Intercolonial railway authorities, and has been approved of by the legislature of the province of New Brunswick. The object of this legislation is to supplement or implement the legislation of the legislature of New Brunswick. It is thought necessary by reason of the fact that a portion of the land is covered by navigable water. That is the reason and the only reason for coming to parliament for the purpose of obtaining this legislation.

Mr. DANIEL. The minister is satisfied, and I presume the city of St. John is satisfied that the financial ability of Mr. Durant is capable of carrying out what he proposes, that is, to build a large sugar refinery there. Is the minister quite satisfied in regard to that?

Mr. PUGSLEY. I may say I have preferred to take the request of the city of St. John as my guide in the matter.

Mr. DANIEL. I just wanted to know if the minister had any better knowledge than some of the members of the common council, because some of them did not appear to know very much about the matter.

Mr. PUGSLEY. The legislation of the province of New Brunswick contains ample safeguards protecting the interests of the city. If the undertaking is not carried out in good faith in accordance with the terms of the agreement the transfers become void and the respective properties become revested in the city of St. John and the Crown. I may say that I believe Mr. Durant is acting in good faith, and that he has the financial ability to carry out the undertaking, but I give no pledge of that to this House. As I have said, the city of St. John, represented by the common council, has gone into the matter very thoroughly, has satisfied itself of the bona fides and ability of Mr. Durant, and of the desirability of entering into this arrangement. I think the interests of the city are thoroughly safeguarded, as are also the interests of this government.

Mr. DANIEL. If this exchange of property should be made, I presume it would be made before any building took place. Suppose the arrangement becomes void by non-fulfilment of duties by Mr. Durant, and the exchange of property has already been made, then how could it be undone? The property could not revert because in that case the government, as represented by the Department of Railways and Canals, would have possession of this property which is being transferred to the city and Mr. Durant would have possession of the property transferred by the Department of Railways and Canals. That is the one feature I have not been able to understand.

Mr. PUGSLEY. Under the statute of the legislature of New Brunswick if there is any failure to carry out the terms of the agreement, the property, by operation of the law, becomes re-vested in the government of Canada and the city of St. John respectively. That is the provision of the statute of New Brunswick.

Mr. HUGHES. Has the legislature of New Brunswick the authority to dispose of the property of the Dominion in that way?

Mr. PUGSLEY. I propose adding an amendment to implement that legislation, as section 3. I have submitted it to the Minister of Justice and the Minister of Railways, and they approve of it. It reads:

3. All conditions and limitations which may be contained in such conveyance from the city of St. John to the said Frederick C. Durant or in any conveyance from His Majesty to the said Frederick C. Durant of adjoining lands are hereby declared and shall be deemed legal and valid, and shall be binding upon the said Frederick C. Durant, his heirs and assigns, and any failure to comply with the conditions contained in such conveyances from the city of St. John and from His Majesty shall have the effect of revesting the title to the lands respectively conveyed by such conveyances in the said city and in His Majesty respectively; provided, however, that in the event of the happening of the contingency hereinbefore mentioned under which the city would be entitled to

have revested in it the said property so conveyed by it to the said Frederick C. Durant, and His Majesty should be entitled to have revested in His Majesty the said property so conveyed by him to the said Frederick C. Durant, His Majesty may elect to retain either one property or the other.

I put in that provision for His Majesty having the election, because the Crown might make certain improvements in the meantime upon the property which is now owned by the city, but which is to be transferred to the Crown. I think it better to safeguard the interests of the Crown by giving it that right of election. Thus, taking together the legislation of the province of New Brunswick and of this parliament, I think the interests of both the city and the Crown will be thoroughly safeguarded.

Mr. SPROULE. What would happen if Mr. Durant encumbered that property very heavily in the meantime?

Mr. PUGSLEY. It would make no difference, it would come back to the city and Crown respectively, and persons who would advance money on mortgage if there were a mortgage, would do so subject to the provision of the statute and would take the risk.

Mr. HUGHES. How long has the Intercolonial railway been in possession of it, what was the cost of it, and what is the present value?

Mr. PUGSLEY. I am not able to give that to my hon. friend. I may say that the negotiations for this undertaking, and for the exchange of the property were carried on for a good many months by Mr. Butler, of course, under the direction of the Minister of Railways and Canals. Mr. Butler was the deputy minister, and the opinion of the Railway Department was that it would be of advantage not only to the city of St. John to secure the erection of a large sugar refinery which will have a capacity of 2,000 or 3,000 barrels per day, and which will employ several hundred hands, but that, being situate right at the deep water terminus of the Intercolonial railway, the Intercolonial railway would get the benefit of the freight. The sugar will naturally be forwarded by the Intercolonial railway, as it will be the only railway connecting with the refinery, and the opinion of Mr. Butler was that the erection of a refinery with a capacity of 2,000 barrels a day at the terminus of the Intercolonial railway would be the means of giving the Intercolonial railway a very large trade, and presumably a profitable freight. The property which it is to obtain, and which is now owned by the city, in the opinion of Mr. Butler, offers equal advantages to the Intercolonial railway in connection with its terminals.

Mr. HUGHES. Is it equal in value? Was not this property now held by the Intercolonial railway and which is being transferred in exchange for this other property purchased only a few years ago by the Intercolonial railway?

Mr. PUGSLEY. It was purchased at least 37 years ago. My hon. friend is thinking of the property at the head of the harbour.

Mr. DANIEL. Will any change be made in the Intercolonial railway trestle that passes right over this property? What is proposed to be done with it?

Mr. PUGSLEY. I have not gone into the details, but I understand that certain changes are to be made which are necessary for the most beneficial utilization of the property for the purpose of the refinery, and also for the purposes of the terminus of the Intercolonial railway, but just what these changes are I do not know. Everything was determined upon by the Department of Railways when Mr. Butler was deputy minister.

Mr. LANCASTER. I think that the point raised by my hon. friend from East Grey (Mr. Sproule) is perhaps a little more important than it appears to the minister. I have not had the advantage of seeing the new section 3 which is going in. I heard it read, and if I heard it correctly, I am afraid it does not quite go far enough to cover the point raised by my hon. friend. Section 1 of this Bill gives the title to Frederick C. Durant absolutely. There is no condition in the section that it is to be forfeited under any circumstances. By the ordinary rules, if there were a mortgage, as suggested by my hon. friend, I am afraid that the mortgagee would have the rights that the Crown had given away. I mean the Crown as represented by the Dominion parliament; I do not mean the Crown as represented by the province. I am not concerned with the province; I am only concerned in seeing that the property owned by the Crown in the Dominion is properly protected. I understand the hon. gentleman to mean that if a mortgage were to be put upon such property the mortgagee would lose his rights and could have no claim, and that under the arrangement the rights of the Dominion are protected.

Mr. PUGSLEY. Clearly so.

Mr. LANCASTER. If it were so, it would be all right, but I am afraid that the Bill does not quite protect us in that respect.

Mr. PUGSLEY. Will my hon. friend allow me just a word? I think we may facilitate the discussion. Section 1 does not confirm the conveyance or does not declare as to what the terms of the con-

veyance are, but simply says that the city of St. John is authorized to make the conveyance.

Mr. LANCASTER. That is what I am afraid of.

Mr. PUGSLEY. Both the conveyances from the city of St. John to Mr. Durant, and from the Crown to Mr. Durant, would contain this clause that if the conditions of the agreement are not fulfilled the property shall revert to St. John and the Crown respectively, and the object of the provincial legislation and to this legislation is merely to place upon the statute-book what is apparent in the deed.

Mr. LANCASTER. The usual way of doing that is to append a schedule to the Act setting out the agreement which you are proposing to have carried out. That is not being done here. There might be half a dozen conveyances. As far as section 1 goes the effect of it is to confirm the conveyance that these other people may agree to, but which is not authorized to be made with this parliament. We have not got that conveyance in this Bill as a schedule to the Bill, although we generally have such a schedule in legislation of this kind, so that we may know exactly what are the terms and obligations and conditions which are to be conformed to and which agreement declares that they must forfeit their rights if they fail to conform to them. In the absence of that schedule, section 1, authorizes any conveyance that these people may ultimately make. They may propose to make a conveyance to-day but by mutual consent they may abandon that conveyance and make a new one. I do not think this parliament ought to go it blind in that way. Section 3 would be all right if we knew exactly what the terms of the conveyance are, but what I do not like is delegating to the city of St. John and the province of New Brunswick the right to make any conveyance they like and to have that conveyance confirmed by this parliament without seeing it. I object to it as a matter of principle. We must look at the matter as dealing with the Crown land of the Dominion. We are legalizing a contract that we have not seen. The minister knows what it is supposed to be, but I would point out to him that by the ordinary rules with respect to the rights of people in contracting, they may cancel that conveyance and make another one which is not in the contemplation of the hon. gentleman, and we will be authorizing them to do anything they like in regard to it. That is what I object to in this legislation.

Mr. PUGSLEY. Section 1 of this Bill authorizes the city of St. John to make a conveyance. I did not think it was desirable to set out the conveyance or agreement in full. The agreement is fully set out in the statute of the New Brunswick legislature.

Mr. LANCASTER. You do not even mention the date of the conveyance.

Mr. PUGSLEY. No. It only authorizes the city of St. John to make the conveyance. Surely the city of St. John might well be trusted as to the conditions which it will put into this conveyance.

Mr. G. TAYLOR. It is their own property.

Mr. PUGSLEY. It is their own property, and the conveyance definitely provides that unless Mr. Durant complies with the terms of the agreement, erects this sugar refinery within a certain time and does other things which Mr. Durant stipulates shall be done, the conveyance shall become void and the property shall be revested in the city. All we do in this respect is to empower the city of St. John to make the conveyance. They will safeguard their own interests by putting the necessary provisions in it. All the conditions are put on record, and if there should be any failure to carry out the obligations which Mr. Durant has entered into, the properties shall revert to the Crown and the city respectively, and the Crown shall have the right of election as to which property it shall have—whether it will take back its own property or retain the property which it got from the city.

Mr. HUGHES. Does the Minister of Public Works think it is a work of supererogation to have a sugar refinery in St. John while the minister himself is there?

Mr. PUGSLEY. Possibly, though, you cannot have too much of a good thing.

Mr. CROSBY. Does the minister know if Mr. Durant is personally in a financial position to undertake this scheme, or is it his intention to form a company. Have we any guarantee that he is able to carry out the conditions of this agreement? I understand that the Minister of Public Works says that the sugar refinery is to turn out 3,000 barrels per day.

Mr. PUGSLEY. 2,000 is the minimum, but it is expected to have a capacity of 3,000 barrels.

Mr. CROSBY. Have we any contract that this parliament knows anything about as to the certainty of that?

Mr. PUGSLEY. Yes, the city of St. John has an agreement which is set out in the statute passed by the provincial parliament.

Mr. LANCASTER. Are all these conditions spoken of in the provincial statute?

Mr. PUGSLEY. Yes.

Mr. LANCASTER. Why does not the Bill say it is to be subject to the terms of that particular agreement. These gentlemen may make a great many different agreements, and as the agreement referred to is not specified in this Bill it is the last agreement they make that will govern, and consequently this appears to be careless legislation. We must have some guardianship over this property or we would not be asked to legislate with regard to it.

Mr. PUGSLEY. Simply because it is covered by navigable water.

Mr. LANCASTER. I am not disputing that the agreement may be fair enough, but I point out that the legislation sanctions the last agreement whatever it may be, and that in that respect the Act is defective.

Mr. DANIEL. This property is owned by the city, and there is no doubt in the world that the city has a right to alienate a portion of its property, as it is doing here, for what it considers a quid pro quo. There may be some doubt as to whether it is really necessary to come to this parliament at all, but the recorder of the city thinks it is necessary, and so they have come here. I would suggest to the minister that the words in clause 2: 'all necessary improvements,' should be stricken out, and replaced by the words: 'all improvements necessary for the undertaking.' If this is not done, it seems to me it will leave it open to Mr. Durant to build improvements for a sugar refinery or anything else, whereas the improvements he should be allowed to build should be improvements necessary for his undertaking of a sugar refinery.

Mr. PUGSLEY. I do not see the advantage of the change. The agreement sets forth that he must erect a sugar refinery. All we are doing here is to give him power to obstruct navigation upon the eastern side of the harbour line, and it seems to me that the words now in the Bill mean improvements necessary to a sugar refinery.

Mr. DANIEL. Why not state it?

Mr. PUGSLEY. It is stated. The Bill was agreed on by the city of St. John and Mr. Durant, and I do not think it advisable to change it by substituting other words which in reality make no change in the meaning.

Mr. DANIEL. Is it the minister's opinion as a lawyer that the words now in the section would confine such buildings as are put up by Mr. Durant to buildings necessary for the purposes of a sugar refinery and nothing else?

Mr. LANCASTER

Mr. PUGSLEY. Surely so.

Mr. DANIEL. If the minister gives that as his legal opinion I am satisfied.

Mr. PUGSLEY. The words are: 'for such purpose,' which is the purpose of a sugar refinery.

Mr. CROSBY. I have no desire to interfere with the city of St. John doing anything they can with their own property to encourage industries; in fact I would help them in that laudable desire, but we are interested in this legislation or else it would not be before us, and I want to know from the minister whether Mr. Durant is financially able to carry on this undertaking, or whether it is his intention to get it and turn it over to somebody else? We have had a case of that kind happen in Nova Scotia, and we have found it difficult to get the contract carried out under such conditions. I would like to know some particulars as to Mr. Durant's ability to carry out the terms of this contract. Sugar is a good sweet article to produce in St. John, and I have no doubt the personality of the Minister of Public Works, whose sweetness is well known, will augment the output of the refinery in some way; but I have not the honour of knowing Mr. Durant, and I would like some information regarding him.

Mr. PUGSLEY. I have not felt it my duty to inquire very closely into the financial standing or ability of Mr. Durant to erect a sugar refinery or as to whether he intends to form a company or not. The city of St. John, after very careful consideration extending over a great many months, and having an opportunity of inquiring into Mr. Durant's standing, having come to an agreement with him to obtain legislation from the province and to ask us to implement that legislation so far as may be necessary by reason of a portion of this property being covered by navigable water, I felt it my duty to act upon the request of the city of St. John and present this Bill to the House for its consideration. I may add that I am informed that Mr. Durant has now in process of formation a company to be called the Atlantic Sugar Refinery Company. I am also informed—I do not know whether the information is reliable or not—that that company has ample capital for the purpose of proceeding with this very important undertaking.

Mr. HUGHES. Has the minister ever had the privilege or honour of a meeting with Mr. Durant?

Mr. PUGSLEY. Yes.

Mr. HUGHES. Previous to the arrangement with the city of St. John?

Mr. PUGSLEY. While it was in progress.

Bill reported, read the third time, and passed.

BOUNTIES ON CRUDE PETROLEUM.

Bill (No. 208) to provide for the payment of Bounties on Crude Petroleum—Mr. Graham—read the second time, and House went into committee thereon.

On section 2,

Mr. GRAHAM. In order to meet the point raised by the hon. member for Kootenay (Mr. Goodeve), I move that in the eleventh line, after the word 'to,' the words 'or divided amongst' be inserted. The hon. member for South Essex (Mr. Clarke) took the matter in hand, and after consultation with the hon. member for Kootenay, decided that this would cover the point they had in view, as far as it was possible to cover it.

Mr. S. SHARPE. Would it not be possible to introduce a provision in this Bill that would make specific the proportions that would go to the different parties? I submit that one-quarter or one-half should go to each party. It seems to me that when these regulations are not standardized, they leave too much in the option of the Governor in Council.

Mr. GRAHAM. That was discussed at length the other day, and, as I pointed out, some gentlemen who are quite capable of finding a solution of the question of making a standard rule came to the conclusion that it was impossible. The conditions may vary so much that it would be impracticable altogether. After working at it for the summer. I had a Bill along these lines, but they came back to this as the only way in which it could be practically worked out.

Mr. HUGHES. Who is the officer who will make this determination?

Mr. GRAHAM. The Minister of Trade and Commerce will have charge, and he is to make regulations.

Mr. S. SHARPE. Would there be specific regulations in every case, or would there be general regulations?

Mr. GRAHAM. The regulations would largely be general, and he would have to deal practically with every case on its merits.

Mr. S. SHARPE. Is it the intention of the department to send a man to investigate the conditions on the ground, and will there be evidence produced? How will they proceed to administer the Act?

Mr. GRAHAM. The Bill provides that the regulations must be approved by the Governor in Council. which means the whole government. After full discussion, they will decide on general regulations. There is no doubt in the world that the minister will take ample means to find out all the conditions arising, whether it is a proper claim or an improper claim, and to what extent the bounty ought to apply to each individual. It will all be done under regulations approved by the Governor in Council, and nothing can be done by one minister without the approval of the whole council.

Amendment agreed to.

Mr. HUGHES. Is that not a peculiar word 'interested' in the 13th line? The Canada Land Company might be interested in this, and would not the Canada Land Company be entitled to a part of the bounty?

Mr. GRAHAM. I imagine that the Canada Land Company might get part of the bounty under their arrangement with the lessee. They lease the mining rights to a third party, and under their lease it might be that they would share in a certain portion of the bounty. These words are used to give the minister authority to divide it amongst those who are interested in any way. I think the old Act will be found to include that word as well as the new one.

On section 4,

Mr. HUGHES. Some time ago. as the Minister of Railways and Canals is aware, the committee over which he has the honour to preside, the Railway Committee, brought in a resolution that all such sections as this should be printed in full, that where we repeal a section, that section should be printed in full, and also the section proposed to be put in its place. Why does not the minister follow the rule established in the committee?

Mr. GRAHAM. This is merely repealing the old statute, and this whole Bill takes the place of the old one.

Mr. S. SHARPE. Will this Bill allow the farmer on whose property there is no oil well found to get compensation from the bounty, that is, on a property where damage has been done in digging a well, but where no oil has been found? Will this Bill make any provision for that?

Mr. GRAHAM. If the party who did the damage is entitled to a bounty for oil in any property, a certain bounty would be given though no oil was discovered.

Mr. S. SHARPE. But in the case of one who is entitled to a bounty by reason of success in other fields, is there any provision?

Mr. GRAHAM. That is a matter this parliament cannot deal with. The only pos-

sible way of getting at the lessee is by depriving him of part of the bounty for a proportion of the oil. If it were possible to pass an Act in that regard, it would have to be done by the province and not by the Dominion.

Mr. GOODEVE. The suggestion raised by my hon. friend (Mr. Sharpe) is this. Possibly this government could get a portion of that bounty to pay the farmer whose property is damaged where no oil is produced.

Bill reported, read the third time, and passed.

SUPPLY—THE BOUNDARIES OF MANITOBA.

Sir WILFRID LAURIER moved that the House go into Committee of Supply.

Mr. A. HAGGART (Winnipeg). Mr. Speaker, the subject of the amendment I propose to make a conveyance to-day, but many members of this House. We have all heard of Manitoba's claim for an extension of her boundaries. I do not propose to indulge in much declamation on the subject, I shall confine my remarks to a plain recital of the facts upon which I rely for affirmance by this House of the principle of the proposed amendment. Manitoba was formed into a province in the year 1870. It was at the time a very small province—about a hundred miles square, in round numbers, with a population of about 17,000 and an area of about 15,500 square miles. It was quite evident at the time that it was not intended to be permanent, because, during the life of the first legislature, application was made to this parliament to have the boundaries of that small province extended and the financial terms rearranged. The delegation from the first legislature came back and reported that it was not feasible at that time because the western and north-western boundaries of Ontario had not been delimited. Nothing was done until the year 1881, about eleven years later, when a Bill known as the Campbell Bill was passed by this House. That Bill extended the western boundary of Manitoba about 100 miles farther to the west, and the northern boundary about 160 miles further to the north, while the east boundary of Manitoba was made coterminous with the western boundary of Ontario. The western boundary of Ontario, as I have said, was not defined. It was thought in Manitoba that the western boundary of Ontario was the meridian running northward from the confluence of the Ohio and Mississippi rivers which would run a short distance east of Port Arthur. So, it was understood and believed that, under the extension of boundaries given by that Act, Manitoba would have a port or two on Lake Superior. At the time of the passing of that Act, it was also provided that the question of the western boundary of Ontario should be referred to the Judicial Committee of the Privy Council as arbitrators. An award was made under which, much to the disappointment of Manitoba, it was found that the western boundary of Ontario was a line running north from the northwest angle of the Lake of the Woods. On this basis, the boundaries of Manitoba were delimited and the province was made as it is now shown upon the maps hanging in the various rooms of this building. I mention the Act of 1881, because it is evident that, by reason of the eastern boundary of Manitoba being extended to be coterminous with the western boundary of Ontario, it was the intention of that Act to give to Manitoba all that territory northeast of the present boundaries of Manitoba, a part of which, I believe, is now being claimed by the province of Ontario. Nothing further was done until the year 1905. At that time, Alberta and Saskatchewan were being formed into two separate provinces. It was thought that this would be a very opportune time to have the boundaries of Manitoba fixed. It was pointed out that all that area of prairie land lying between the province of Ontario and the Rocky mountains might be divided into three provinces with about equal area, and equal resources, so that they might have an even start in the march of progress. A deputation came from the legislature of Manitoba and presented their case to the government. But this government, in a paternal way, patted Manitoba on the head, and said: 'Go home and keep quiet; we have a serious job on hand, and when we get Alberta and Saskatchewan fixed up we will attend to you. We always got fair words from this government. The answer to Manitoba was given in a report to the Privy Council, dated 21st March, 1905. That portion which refers to the matter under discussion is as follows:

> The committee are likewise of the opinion that the desire of the province of Manitoba for an extension of its boundaries to the shores of Hudson bay is not an unreasonable one, and they suggest that when the measures now before parliament for the formation of the two provinces of Alberta and Saskatchewan are disposed of, the subject of such an extension of the boundaries of Manitoba might profitably be considered.
>
> The committee therefore, recommend that at a convenient date after the formation of the provinces of Alberta and Saskatchewan, the request of the province of Manitoba for an extension northward be taken up, with the object of coming to a speedy conclusion, and trust that this suggestion may be acceptable to the government of the province of Manitoba, whose welfare and development the present ministry desire to promote in every way compatible with their obligations towards the other provinces of the Dominion.

There was nothing for the Manitoba delegation to do but to go home and wait to see what the government would decide. Nothing further was done until January, 1908. The Manitoba legislature memorialized this parliament and government, and a copy of that memorial I have in my hand. It set out all the facts and circumstances, all the documents, all the interviews, and stated the grounds on which Manitoba made its claim for increased territory and increased indemnity. In the prayer of that memorial, they ask for all the territory lying west of the northwestern boundary of Ontario and for an extension northward to Hudson bay. This, I have said, was in January, 1908. Now, we come to July of that year. The question was a live question in Manitoba; both parties in that province were interested. On the main question, there was unanimity of feeling, and as the Dominion parliament was soon to expire, it became necessary to attend to this Manitoba question. It became necessary for the then representatives of Manitoba, if they could not go back with increased boundaries and increased indemnity, to take back some fair speech at least from the government of the day. On the 13th of July, the right hon. Prime Minister (Sir Wilfrid Laurier) moved a resolution which I have recited in the amendment, which I intend to move, the substance of which was that it would be proper to give to Manitoba, not the area asked for, but a smaller area. The eastern boundary was to be the present eastern boundary to the northeast corner, and then an arbitrary line to be drawn northeasterly to the shore of Hudson bay at the intersection of the 89th meridian. Nothing further was covered by that resolution except that the increased indemnity should be the subject of negotiation. Parliament was dissolved. The election took place, and nothing was done further until the following February, 1909.

In February, 1909, the right hon. the First Minister sent to the Premier of Manitoba, with a letter, a copy of the proposed Bill which enacted that the boundaries as described in the resolution of January 13, 1908, should be the boundaries of the province of Manitoba, and that in lieu of the lands which the government intended to retain they should get a sum of —— dollars. There was some other correspondence between the right hon. gentleman and the Premier of Manitoba, and the result of the correspondence was that a day was appointed for meeting the delegates of the province of Manitoba. The delegates were the Hon. Robert Rogers, Minister of Public Works, and the Hon. Colin Campbell, Attorney General. At one of the interviews the right hon. the Prime Minister was accompanied by the Minister of Finance and at another by the Minister of Agriculture. That conference was practically abortive. Here I may say there is a difference as to what took place in that conference between the recollection of the right hon. the First Minister and the recollection of the representatives of Manitoba, but I do not think anything depends upon that at this date. We will accord to the gentlemen upon each side honesty in stating what may be their recollection. Of course, the Manitoba delegation came here for a specific purpose and for that purpose alone, and after the interviews in Ottawa were over they returned to Manitoba and reported to the executive in Manitoba and the legislature. I will read the report of these gentlemen so that there may be no doubt, as I want to be accurate to the very letter. The following is their report.

We, the undersigned, appointed to represent the executive of the province of Manitoba at the conference with the federal government, report as follows:—

Pursuant to an appointment made by the Right Honorable Sir Wilfrid Laurier, we met in conference at his office on Friday, the twelfth day of March, 1909, Hon. W. S. Fielding being also present, representing the federal government.

Sir Wilfrid suggested that the first thing necessary for us to consider would be the resolution of the House of Commons in respect to the allocation of our boundaries. We urged the position taken by the government and by the legislative assembly of this province, pointing out that this allocation was depriving Manitoba of a large territory which had already been given to us by an Act of the parliament of Canada, passed in 1881, and afterwards confirmed by the Judicial Committee of the Privy Council, and that it was not as large as the government and the legislative assembly of this province thought fair and equitable.

Sir Wilfrid then stated that he could not and would not make any change in this resolution of the House of Commons delimiting the area to be given to us, in view of the fact that it was an arrangement made between the Liberal members in the House of Commons from Manitoba and himself before being introduced into the House of Commons, and was, therefore, unchangeable, nor would he discuss the merits of a larger area as urged by us.

At this point, it being one o'clock, Sir Wilfrid proposed that we adjourn until the sixteenth, in order that we might consider this first essential of the conference, viz., the settlement of the territory to be added.

On Tuesday, the sixteenth of March, Sir Wilfrid being indisposed, the conference was further postponed, and it was not resumed until the nineteenth.

On re-assembling on that date, your delegates, believing that the refusal of the parliament of Canada might afford some reason for further delay in the settlement of the matter under consideration, accepted the area so suggested by Sir Wilfrid Laurier in the hope that by so doing we would have removed

every obstacle that we considered could possibly be raised against the settlement of the whole question.

The allocation of the territory thus being disposed of, we proceeded to discuss the financial terms that ought to be given this province. We presented the memorandum of the legislative assembly of this province, which, in a word, was to the effect that we simply asked for a position of equality in respect to financial terms with our sister provinces to the west, the provinces of Saskatchewan and Alberta.

"To this Sir Wilfrid most strenuously objected, claiming that we were not entitled to similar treatment. We then pointed out to him that, inasmuch as he had determined the territory and offered the same by resolution it was incumbent on him to suggest the financial terms, and we pressed him to name what he considered would be adequate compensation and proper financial terms, when he suggested the amount of ten thousand dollars a year, which amount, of course, we regarded as ridiculously absurd. We strongly urged upon him to give us some reasonable definite statement that we could submit to the government and the legislature of this province for their rejection or approval, but he made no other suggestion than the one indicated above.

"The discussion continued, and we then made the alternative offer of accepting equal treatment with Ontario and Quebec along the line of ownership of lands, timber, ore. etc., in the territory to be added, and a like ownership of the undisposed-of Crown lands in Manitoba, that we might have equality of treatment with Ontario and Quebec in this respect, so that, if it was more desirable from the federal point of view to give us equality of position with Ontario and Quebec, we would agree to recommend the same for acceptance to the executive of the province and through them to the legislative assembly.

"The conference then adjourned, to meet again on the twenty-third of March, Sir Wilfrid and Hon. Sydney Fisher representing the federal government. No further progress was made, Sir Wilfrid still refusing to consider the propositions of equality of treatment, either with Saskatchewan and Alberta or Ontario and Quebec, so set out, nor could we obtain from him any further statement as to the financial allowance he would make to the province on addition of the territory.

"Sir Wilfrid then informed us that he considered there was no object to be gained by further continuing our conference.

(Signed) R. ROGERS,
(Signed) COLIN H. CAMPBELL.

At one o'clock the House took recess.

House resumed at three o'clock.

Mr. A. HAGGART. Mr. Speaker, just before the adjournment, I had given to the House the report of the Manitoba delegates to the conference held in March, 1909, which was presented by them to their associates in the government and the legislature, and which set forth the result of that conference. There has been some subsequent correspondence between the right hon. the First Minister and the Premier of Manitoba. That correspondence shows that there has been a difference as to the recollection of the Manitoba delegates and the right hon. gentleman as to what took place at that conference. I am willing to accord to all parties honest motives, and I concede that each now states what he believes to have been the result of the proceedings of that conference. The different parties were naturally biased in a different way. They left the conference, perhaps, with different impressions. but those differences, I believe, now cut no ice in the matter. As to the offer of Manitoba to accept a smaller area, the correspondence shows that the right hon. gentleman had no recollection. The Manitoba delegates came here with a specific object, and they went back and reported. The right hon. gentleman says that he thinks the Manitoba people are not serious in the statement that $10,000 was mentioned to them. That, I think, makes no difference now, and although some things have been said in the newspapers since that time which are not very pleasant, I think we can dismiss all this. Remember that this conference took place in March, 1909. We will come to November, 1909, when the right hon. gentleman, in answer to a question put by the hon. member for Marquette (Mr. Roche), said:

On February 26 last the Prime Minister sent to the government of Manitoba for their consideration a Bill to increase the boundaries of Manitoba as outlined in the said resolution, and until the government and legislature of Manitoba have signified their acceptance of these boundaries, and until the Dominion government and the provincial government had come to an understanding as to the financial conditions consequent thereon, the government has no authority to introduce any legislation to give effect to the above resolution.

That appears in 'Hansard' of that date. The Premier of Manitoba asks the right hon. gentleman if he has been correctly reported, and he says in reply, that the report is absolutely correct. He also calls his attention to the financial consideration of $10.000, and the right hon. Prime Minister makes a denial of that in a very nice way. He says in reference to the $10,000:

I have further to observe that it cannot be seriously contemplated to ask parliament to enact legislation which would be final and which might be thrown aside as unsatisfactory by the province of Manitoba.

It is this parliament which must take the initiative. The statute under which the boundaries of any province may be increased, diminished or altered, is the imperial statute, 35 Victoria, chapter 28:

The parliament of Canada may, from time to time, with the consent of the legislature of any province of the said Dominion, in-

crease, diminish or otherwise alter the limits of such province, upon such terms and conditions as may be agreed to by the said legislature, and may, with the like consent, make provision respecting the effect and operation of any such increase or diminution or alteration of territory in relation to any province affected thereby.

Thus, the initiative has to be taken by the Dominion parliament, but there can be no finality until the terms are accepted by the province affected. The province of Manitoba, in the memorial presented in the early part of 1908, asked for the whole territory lying west of Ontario. The Dominion parliament offered them the lesser area described in the legislation. Manitoba said in the same memorial: Give us the same financial terms as you have given Alberta and Saskatchewan. The Dominion parliament have not done that. At the conference the delegates said: If you cannot do that, then give us the terms that have been accorded to Ontario and Quebec; give us the land, give us the natural resources; it may all be barren rock and muskeg, but we will take our chances and do what we can to devolp what is given us. Then, if you will not give us that, do not take the position that was taken by the right hon. First Minister in February last—do not say: We will not give you an answer at all. Name what you will give. It is not fair for the government to say: We cannot do anything. It is true you made propositions which we cannot accept, but we will not make any compromise. That is practically the situation. Now, I think that the whole matter is placed very clearly in the last letter, which is a part of the correspondence brought down in the legislature of Manitoba in response to an order, in which the Premier of Manitoba writes to the right hon. First Minister, and I may add that this closes the correspondence. This is from Mr. Roblin to the right hon. leader of the government:

> You, yourself, will agree that Manitoba is not asking for anything but that which is fair and just; for certainly if we did not think our claim to be such, we would not be making it.
>
> In regard to our claim, we will be entirely satisfied whether you elect to give us a position of equality under the terms and conditions that govern your treatment of the provinces of Alberta and Saskatchwan to the west or of Ontario to the east.
>
> I cannot see why you should hesitate to name such terms and conditions by resolution of your parliament. This would only be following the same form which you adopted in the case of the allocating of our boundaries. You have our proposition, approved by resolution of our legislature; now then, if this is not satisfactory to you, let us have your alternative proposition, when I will at once submit same to our legislature which meets about the first of February.

That is the position and that closes the correspondence. To show that the people of Manitoba are a unit upon this question I will now refer to what took place at the last session of the legislature of Manitoba. The Liberal opposition there is composed of 13 members—an unlucky number, but it is an opposition. It ought to be loyal to and avoid creating any trouble for this ministry because of the 13, according to a return brought down to this House, 11 were in the pay of this government. That does not disqualify them, but it is a circumstance that it may be well to know. That opposition no doubt desire to place themselves in harmony with the best public opinion, at least they want to place themselves abreast or in front of the dominant public opinion in the province. And during last session of the legislature they moved a resolution in the House with reference to the Manitoba boundaries, and the substance of that resolution was—it recited the acceptance by the delegates of the boundaries as defined in the resolution of this House of the 13th of July, 1908, and the resolution then resolved that: 'The Manitoba legislature accepts this territory, and requests the Dominion parliament to enact legislation this session enlarging the boundaries without prejudice to the claims for financial arrangements, and that the claims for financial arrangements be presented to the government of the Dominion by a committee of the legislature'.

That is, that legislation be passed by this House fixing the boundaries of Manitoba according to the smaller area. And then they were to appoint a committee to press their financial claims. The government party moved an amendment to that resolution, and that amendment after reciting all the steps that had been taken: the claims of the province under the statute of 1881, the various conferences, the resolution of the House of the 13th of July, 1908, the holding of the conference, the report of the delegates, the subsequent correspondence, offered to accept equality of treatment, and it was resolved: 'That the legislature consents to affirm and ratify the acceptance of the smaller area, and it affirms the right to equality of treatment with Alberta and Saskatchewan, or with Ontario and Quebec, and urges the government to make an offer, and name the terms it might deem just'. That main amendment was subsequently carried and it was the deliverance of the legislature of Manitoba. But, to that amendment, the opposition moved an amendment to the effect: 'That the financial arrangements should be either equality of treatment with Alberta and Saskatchewan, or equality of treatment with Ontario and Quebec by receiving the land, and that a committee be appointed to re-

port as to which of these two would be best for Manitoba'. The amendment to the amendment was lost, and the main amendment was carried, and that was the deliverance of the House. Now, that is what Manitoba asks to-day. But the Liberal party did not stop there. The House adjourned, and the Liberal party had time to think. They shifted their ground. The 13 opposition members with all the Liberal stalwarts outside met in convention—they think there is an election coming on—and they want to leave no doubt as to where they stand on the question of the Manitoba boundaries. They put planks in their platform with reference to economy and efficiency, and good roads and education but there was a special plank constructed by that convention on the question of the extension of the Manitoba boundaries. In the convention it was moved by the leader of the opposition, and it was seconded by Mr. J. W. Defoe.

Mr. HUGHES. Who is the leader of the opposition?

Mr. A. HAGGART. Mr. Norris. He is a gentleman who is in the employ of this government; he is a very fine gentleman, and he is the leader of the opposition, and the fact that he receives large sums by way of compensation for selling the school lands in that country does not disqualify him, and I do not see why it should. The plank in the platfrom adopted at that Liberal convention relating to the Manitoba boundaries is this:

'That the Liberals of Manitoba in convention assembled believe that a satisfactory adjustment of the boundary question consists in the acceptance of the extension of the boundaries as offered by the Dominion government provided it is accompanied by the transfer to this province, of the lands, minerals, timber, fisheries, and other natural resources of the added territory.

Mr. BRADBURY. Who is Mr. Dafoe?

Mr. A. HAGGART. He is the managing editor, I believe, of the 'Free Press' newspaper; at least he is so reputed to be. Now, we can see from this that the people of Manitoba—the government party and the opposition party—all the people of Manitoba are anxious for the extension of the boundaries; they have a laudable ambition to have their boundaries extended, and to have the same terms that are given either to their sister provinces to the west, or to their sister provinces to the east. That was the deliverance of the Liberal convention held some weeks ago in the province of Manitoba. Now, Sir, I know that the right hon. the Prime Minister cannot be responsible, and ought not to be held responsible for all the utterances made in the press, even in the press supporting the government. But this 'Free Press' newspaper of Winnipeg has an article here in which the right hon. gentleman's name is associated with the very question which we are now discussing, and the 'Free Press' newspaper ought to be loyal to this government because it is a beneficiary of this government; it does a large amount of work for, and it gets a large amount of money from this government. I believe that during the life of this government it has got something like $68,000 for printing and lithographing and advertising; in one year they received from the public funds the sum of $36,791.09, so that that paper ought to be careful not to embarrass its employers in this House. I refer to this article in order that the right hon. gentleman may disavow it. I think it is published in the issue of February 21 last. It is referring to this $10,000 which is supposed to be offered to Manitoba, and after accusing the delegates from Manitoba of manufacturing lies out of whole cloth it speaks of the matter in this way—Of course it eulogizes the Prime Minister, and for my part I do not think that we can do too much honour to our leaders in this parliament, or in the provincial parliaments. It speaks in high appreciation of the right hon. gentleman, but it does not speak so highly of the politicians of Manitoba, and then there is a gross threat that while the Conservatives are in power in Manitoba, Manitobans may expect nothing; there is a veiled threat that when we send delegates to this government we need not expect to have very fortunate results. Here is the part of the article to which I refer:

Sir Wilfrid Laurier has doubtless had many experiences with public men during his long official life; but it is probable that he regards the Manitoba politicians as in a class by themselves. Unwearied as is his patience, illimitable though his courtesy may be, he would doubtless prefer to discuss these grave matters of state—in the successful settling of which the future of this province is largely involved—with representatives of this province who have not got the morals of Ananias, the manners of chimney sweeps and the diplomatic methods of deckhands. It is imperative that at the next conference to be held between Manitoba and the Dominion government this province should be represented by gentlemen. If the present government cannot supply such representatives this is an additional strong reason for a change of administration in this province at the earliest possible moment.

And then we would be represented by gentlemen like the gentleman who wrote that dirty stuff. Now, Sir, Manitoba deserves not to be discriminated against; she deserves not to be penalized. Her people were the pioneers in that country, her pioneers endured the hardships and the vicissitudes that are incident to early settlers. They solved the problems of that western country, on the solution of which the prosperity of Manitoba and the other provinces to the west depend. They

solved the question of transportation by securing transportation rates that would make agriculture a paying industry. They taxed themselves, they taxed their credit and their future to its utmost limit, and they could not benefit themselves without benefiting their neighbours to the west. Manitoba stands to-day at the bar of this House, not pleading or praying, not threatening or whining, but relying on the justice of her cause, asking to be treated with equality, as the other provinces are treated. By complying with this fair and reasonable demand this House will do more to solidify this Dominion than it can do by any other measure that can be introduced during the present session. I think the facts I have set forth should be sufficient for this House in affirming the proposition set forth in the motion which I now submit in amendment to the motion to go into Committee of Supply.

That all the words after 'that' to the end of the motion be left out and the following be substituted therefor:

Whereas, this House did, on the 13th day of July, 1908, pass the following resolution delimiting the area to be offered the province of Manitoba;

Whereas petitions have been presented to the government and to this House from the legislative assembly of Manitoba, praying for an extension of the boundaries of the said province northward and eastward, and for an additional subsidy to the said province in lieu of the ownership of public lands in the territory to be so added.

'Be it resolved,

'That it is expedient that the prayer of the said petition should be acceded to, and that upon such terms and conditions as may be agreed to by the said legislative assembly and by parliament, the boundaries of Manitoba be extended as follows:

'The northern boundary to be the sixtieth parallel of latitude; the western boundary to be the present eastern boundary line of the province of Saskatchewan to the said sixtieth parallel; the eastern boundary to be the present eastern boundary as far north as the northeast corner of the province, thence on a straight line to the most eastern point of Island lake, and thence on a straight line to the point where the eighty-ninth meridian of west longitude intersects the shore line of Hudson bay.

'And be it further resolved:

'That whereas notwithstanding the extension of territory above described, the ungranted lands of the Crown in the territory so to be added to the said province will still continue to be administered by the government of Canada for the purposes of the Dominion; and the said province will not have the public land as a source of revenue.

'It is just and equitable to recognize the increased cost of civil government which such extension of territory will occasion to the province, and in view of the premises, to make to the said province an increased allowance by money payment, the amount of which should be the subject of negotiation between the government of Canada and the government of Manitoba.

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'And be it further resolved:

'That, upon the legislature of the province of Ontario consenting thereto, it is expedient to extend the boundaries of the said province, upon such terms and conditions as may be agreed to by the said legislature and by parliament, so as to include all the territory to the north of the said province lying between the extended boundaries of Manitoba above described and the waters of James bay and Hudson bay.

'And be it further resolved:

'That, upon the legislature of the province of Quebec consenting thereto, it is expedient to extend the boundaries of the said province, upon such terms and conditions as may be agreed to by the said legislature and by parliament, so as to include all the territory to the north of the said province now known as Ungava, and extending to the waters of James bay and Hudson bay, and the entrance thereto from the sea.

'And whereas at a conference subsequent to said date the delegates of the province of Manitoba did offer to accept the said area upon receiving equality of treatnent either with the province of Saskatchewan and Alberta to the west of the said province of Manitoba or upon a basis of equal treatment with the provinces of Ontario and Quebec, lying immediately to the east of the province of Manitoba. And whereas the legislative assembly of the province of Manitoba did subsequently agree and confirm the said offer of the said delegates of the said province of Manitoba.

Now, therefore, be it resolved, that this House affirms the province of Manitoba is entitled to equality of treatment with either the said provinces of Alberta and Saskatchewan to the west or with the said provinces of Ontario and Quebec to the east, and regret that the government of the Dominion did not agree to give to Manitoba such equality of treatment.'

Sir WILFRID LAURIER. Mr. Speaker, if the object of my hon. friend who has just addressed the House (Mr. Alex. Haggart), was as he asserted to plead the cause of Manitoba for what he called equal justice with the other provinces, I am sure that on reflection he will agree with me that the method he has adopted of presenting his case to the House was not calculated very effectively to achieve the object he had in mind. My hon. friend knows that by the rules of this House a motion presented under the circumstances under which this motion is presented, that is, as an amendment to go into Supply, cannot be amended, and therefore, cannot be met in all its bearings, and in all its different aspects. If there be in this motion, as I think there are, statements of fact which are true, and statements of fact which are wrong, if there be conclusions which can be accepted, and conclusions which cannot be accepted, they have all to be accepted in the whole or denied in the whole. My hon. friend, since his sole object, as he says, was to plead the cause of Manitoba, would have been better inspired if in the early stages of this session he had brought

his motion forward as a notice of motion, which could have been met in all its bearings, accepted in part or amended in part, accepted in the whole or rejected in the whole; whereas, as his motion is presented now, it leaves us no option, but to reject it, because there are parts in it which it would be impossible to accept. I sympathize with the statement of my hon. friend, that the province of Manitoba has been anxious for years past to have its territory extended. We can all agree that the territory of Manitoba from the beginning was altogether too exiguous; we can all agree that it should have been extended, which it would have been easy to have done at the time, to the north, and to the west. Years ago the province of Manitoba came to the doors of this House, and the last time it was successful. That was in the year 1905, when it submitted a petition to this House, supported by a delegation from the province of Manitoba which waited on the government, including seven members from the other side of the House, asking for an extension of its boundaries. Unfortunately for Manitoba at that time, it set up a pretention which encroached on the west, on the pretentions of the province of Saskatchewan, and which encroached on the east on the pretentions and claims of the province of Ontario. The province of Manitoba, in that petition, asked that its boundaries should be extended westward beyond the limit which was then under the jurisdiction of the legislature of the province of Saskatchewan, and that legislature protested, and protested vigorously, against its territory being encroached on, and any portion of it being given to the province of Manitoba. Later on it also protested against any part of the territory north of the boundary of the province of Manitoba being given to that province. Under these circumstances we thought it advisable—and I think everybody will agree that it was a wise step—that we should have a conference of the three provinces interested—Manitoba, Saskatchewan and Ontario—to discuss the question. That conference took place, if I remember rightly, in the fall of 1906, unfortunately, we could come to no agreement. I may state what took place, because it is a matter of history. The province of Saskatchewan asked that its boundary should be extended north of the present boundary of Manitoba to the shore of Hudson bay. The federal government, after giving the matter due consideration, could not come to such conclusion. We thought that according to the geographical condition of the country the territory north of the present boundary of Manitoba should be given to Manitoba itself. Upon this ground we set aside the claim of Saskatchewan, and we gave to Manitoba what it asked for in that part of the territory. At the same time we could not agree to extend the territory of Manitoba westward further than its present boundaries. Then we came to the question of the claim of Manitoba eastward. The claim of Manitoba eastward was that the boundary of the present province should be extended north to the present boundary of Ontario, north of the Albany river up to a line drawn from the confluence of the Mississipi and Ohio rivers, which would bring the province of Manitoba into the vicinity of Fort William at the head of Lake Superior. The province of Ontario asked that the present boundaries of Ontario should be extended to the waters of the Churchill river, and that the Churchill river should be the boundary between Manitoba and Ontario. After giving this matter the best consideration we could, and with no other object than to do substantial justice to all the parties interested——

Mr. HUGHES. The hon. the Prime Minister does not mean that the Churchill river was to be the boundary between Manitoba and Ontario?

Sir WILFRID LAURIER. I am not in error. My hon. friend may smile, but he has only to look at the proceedings to see that the claim put forward by Sir James Whitney was that the province of Ontario should be extended westward to the waters of the Churchill river, and that the Churchill river should be the boundary between Ontario and Manitoba. We could not agree to this. We thought the pretensions of the province of Ontario on that point were exaggerated. On the other hand, we thought that the pretensions of the province of Manitoba were exaggerated also in asking that their boundary should be extended to the vicinity of Lake Superior, and we brought a resolution before the House which is recited in the resolution my hon. friend has quoted, extending the boundary of the provinces of Manitoba and Ontario, the present boundaries at least, forward to the 88th and 89th degree of longitude on the shores of Hudson bay.

'The Northern boundary to be the 60th parallel of latitude; the western boundary to be the present eastern boundary line of the province of Saskatchewan to the 60th parallel; the eastern boundary to be the present eastern boundary so far north as the north east corner of the province, thence on a straight line to the point where the 89th meridian of west longitude intersects the shore line of Hudson bay.'

This proposed line seemed to meet with the fair judgment of the members of this House and was adopted by the unanimous resolution of it. Then the question arose as to how far the territory of Manitoba was to be extended, as it was to be given

the administration of a larger area than it had at that time. It was fair and reasonable as we thought that the province of Manitoba should be given for that purpose, for the civil administration of that territory added to its present territory, fair compensation. We were not prepared to say what should be the amount of that compensation, but the resolution went on to say upon this point that the compensation should be determined as follows:

That whereas notwithstanding the extension of territory above described the ungranted lands of the Crown in the territory so to be added to the said province will still continue to be administered by the government of Canada for the purposes of the Dominion; and the said province will not have the public land as a source of revenue.

It is just and equitable to recognize the increased cost of civil government which such extension of territory will occasion to the province, and in view of the premises, to make to the said province an increased allowance by money payment, the amount of which should be the subject of negotiation between the government of Canada and the government of Manitoba.

This resolution therefore affirms one thing, that for the civil administration of the new territory which was to be given to the province of Manitoba as an extension of Manitoba, and as the public lands in its territories did not belong to the province but to the Dominion, we should give it a money compensation and that this being determined as a principle that amount should be determined by negotiation between the two governments, that is to say the government of the Dominion and the government of Manitoba. This was in the month of July, 1908. In the following month of February I wrote in these terms to Mr. Roblin, the Premier of Manitoba:

Ottawa, 26th February, 1909.

Dear Mr. Roblin:—

I have the honour to inclose the draft of a Bill for the extension of the boundaries of the province of Manitoba. This Bill is on the line of the resolutions adopted by the House of Commons at the last session. The amount of the allowance to be paid to the province in lieu of lands, has been left in blank. According to aforesaid resolution of the House of Commons, this amount should be fixed by negotiation between the Dominion government and the government of the province.

We will be happy to confer with you at any time that may be convenient to yourself and to your government.

Yours respectfully,
WILFRID LAURIER.

The Hon. Mr. Roblin,
Prime Minister's Office,
Winnipeg, Man.

The Bill which was inclosed as a draft Bill was on these lines:

An Act to provide for the increase of the limits of the province of Manitoba.

Whereas a petition has been presented to the House of Commons on behalf of the legislative assembly of the province of Manitoba praying, amongst other things, for an extension of the boundaries of that province northward and eastward and for an additional subsidy to the province in lieu of the ownership of public lands in the territory to be added to the province by such extension, and it is expedient to grant the prayer of such petition to the extent and in the manner provided in the enactments hereinafter contained; therefore His Majesty, by and with the advice of the Senate and House of Commons of Canada, enacts as follows:—

1. Upon the legislature of the province of Manitoba consenting thereto, the limits of the said province shall be increased so that the northern boundaries of the province shall be the 60th parallel of north latitude; the western boundary shall be the present eastern boundary of the province of Saskatchewan; the eastern boundary shall be the present eastern boundary of the province to the northeast corner thereof, thence in a straight line to the most easterly point of the Island lake, and thence in a straight line to the point where the 89th meridian of west longitude intersects the shore line of Hudson bay, thence following the said shore line to its intersection with the 60th parallel.

2. And whereas in accordance with the provisions of the Act establishing the province of Manitoba the ungranted lands of the Crown in the territory so to be added to the said province will continue to be administered by the government of Canada for the purposes of Canada, and the province will not have such lands as a source of revenue, it is further enacted that there shall be paid by Canada to the province an increased allowance by money payment to an amount to be agreed upon between the government of Canada and the government of the province.

3. The increase of limits hereunder shall take effect upon the date to be fixed by proclamation of the Governor in Council.

Having by the letter which I have just read inclosing this draft Bill to Mr. Roblin, invited a conference between his government and the Dominion government, the conference took place here some time in the spring of 1909. I should say before I go further, that this conference was attended on behalf of the government of Manitoba not by Mr. Roblin, who unfortunately was away in poor health, as I understand, but by Mr. Rogers and Mr. Campbell, Mr. Rogers, the Minister of Public Works and Mr. Campbell, the Attorney General. My hon. friend has read a report which was made after the conference by Mr. Rogers and Mr. Campbell to their government. I have only this to observe to my hon. friend on this point at the present time. A conference took place between the government, represented by myself, and on the first day, by my hon. friend the Minister of Finance and on the second day by my hon. friend, the Minister of Agriculture, with the two gentlemen I have just named, Mr. Rogers and Mr. Campbell.

We separated without effecting anything, but they gave a report of the proceedings of what they conceived to be the proceedings, to their government.

I have only this to observe to my hon. friend on this report: It is customary—and everybody will agree that there is no necessity for defending the practice—when a conference has taken place between two parties, that a common report should be made so that, if there is a difference of opinion, that difference of opinion can be settled then and there, and, if it is not possible to agree upon an identical statement, each party can state its own version. I never heard of the report being made by Messrs. Rogers and Campbell until I saw it in print. Perhaps I shall not surprise my hon. friend if I state that Messrs. Rogers and Campbell had told us at the end of the conference that, as we had not agreed, each should prepare a report for our respective governments, I would have agreed to that. We might, or we might not have agreed upon the report; we might or we might not have differed upon the facts; but, at all events, I think it would have been only fair, since Messrs. Rogers and Campbell intended to make a report that they should ask us whether we thought it was advisable to make a report or not. In the report made by Messrs. Rogers and Campbell to their government, it was stated that I had offered, as compensation to the government of Manitoba, for administering justice and the civil requirements of that community, the sum of $10,000. When my attention was drawn to this I refused to discuss the statement; I refused to take it seriously. Whatever may be the opinion of my views held by hon. members on the other side, or by hon. members on this side, I think that all will give me credit for some common sense—I should expect that at all events. Messrs. Rogers and Campbell state in the report, as read by my hon. friend in the House, that they thought this offer was ridiculous. I would agree with them—such an offer would have been ridiculous. I have nothing more to say. The fact is, we never came to any conclusion, no offer was made on one side or the other. After the report had been made, my attention was called to this question by my hon. friend from Marquette (Mr. Roche) who asked me last session if it was our intention to introduce a Bill to extend the limits of Manitoba. To that question I gave the answer read by my hon. friend from Winnipeg (Mr. A. Haggart) that we were not in a position to bring in a Bill until we had agreed upon the financial terms, and no agreement had been reached. Thereupon, Mr. Roblin wrote to me on the subject. My hon. friend (Mr. A. Haggart) stated in his opening remarks that he intended to give a complete history of the negotiations on this question, but he has omitted to give this letter of Mr. Roblin's and my answer to it. I think hon. members will agree with me that the history of these negotiations is not complete without that correspondence. Mr. Roblin's letter to me was as follows:

Province of Manitoba,
Premier's Office,
Winnipeg, Nov. 19, 1909.

Rt. Hon. Sir Wilfrid Laurier, K.C.M.G.,
First Minister of Canada,
Ottawa.

My dear Sir Wilfrid,—My attention was called to the press despatches in the morning papers, reporting your remarks in reply to an inquiry from Dr. Roche, member for Marquette, regarding extension of the boundaries of Manitoba.

I am disposed to think that you are misquoted, as the despatch says as follows:—

On February 26 last, the Prime Minister sent to the government of Manitoba for their consideration a Bill to increase the boundaries of Manitoba as outlined in the said resolution, and until the government and legislature of Manitoba have signified their acceptance of these boundaries, and until the Dominion government and the provincial government had come to an understanding as to the financial conditions consequent thereon, the government has no authority to introduce any legislation to give effect to the above resolution.

If you are correctly reported, you must have forgotten that representatives from the province consisting of Messrs. Rogers and Campbell waited on you at your request as stated and agreed to the boundary extensions as proposed by your government.

As to the financial consideration, you intimated, according to their report, that $10,000 would be adequate for the additional responsibilities assumed by said extension of boundaries.

Permit me to call to your attention that what we ask for in so far as financial consideration is concerned, is embodied in our memorial of 1908 in which we ask, the area now having been agreed to, for equality in finance with our sister provinces of Saskatchewan and Alberta.

Again permit me to say that you also have the memorial from the legislature of 1909, which left here on the 10th of March last, in which we repeated that we request the same financial terms as those allowed to the provinces of Saskatchewan and Alberta.

We cannot accept (and I do not think you could have been serious when you suggested it) $10,000 as compared to what our claim is based upon—equality with Saskatchewan and Alberta.

You further say that you cannot take any action until an agreement is reached between the government of Canada and the government of Manitoba. In this you surely are misquoted; because you cannot be unaware of chapter 12 of the Revised Statutes of Manitoba, Vol. I., which reads as follows:—

Further Enlargement.

Section 4. The legislature of Manitoba agrees and consents that the bounds of the province may be increased and enlarged to such an extent as shall be enacted by the parliament of Canada, and on such terms and conditions as to the effect of such increase of territory with regard to an increase of subsidy granted to the said province and with regard to other purposes and subjects as may be provided by the said parliament of Canada:

Provided always that such increase of territory shall not take effect until such terms and conditions have been approved by the legislature of Manitoba.

From this, therefore, you will please note that special provision has been made by the province of Manitoba, enabling the parliament of Canada to enlarge the boundaries upon any terms and conditions that in their wisdom may appear just and proper; with the proviso that it shall not go into effect until it has been approved by the legislature of Manitoba. Therefore, you will see that you are at liberty to pass any Bill with any terms and conditions that you choose, and then it will be for the legislature of this province to decide whether it will be accepted or otherwise.

If you are correctly reported, I would suggest that you correct the statement; because I presume the members from the other provinces who have not studied the question are not familiar with the statute (chapter 12, Consolidated Statutes of Manitoba) which provides for parliament to make any extension of boundaries upon any terms and conditions they choose, subject to the approval of the legislature of the province.

I think it well that the law and the facts should be placed fairly before parliament, and then there can be no ground for complaint from any of the parties to the negotiations.

With assurances of my personal regard,

Yours very respectfully,

R. P. ROBLIN.

My reply to this letter was as follows:

Ottawa, 30th November, 1909.

Dear Mr. Roblin,—I have the honour to acknowledge the receipt of your letter of the 19th instant.

I am surprised that you should think that the answer which I gave to the inquiry of Doctor Roche was not correctly transmitted in the press despatches. The report was quite accurate and indeed the existing conditions of things did not admit of any other answer.

You assert that we have sufficient authority to legislate in chapter 12 of the revised statutes of Manitoba, wherein it is enacted that the legislature of Manitoba agree and consents that the bounds of the province may be increased and enlarged to such an extent as shall be enacted by the parliament of Canada, and on such terms and conditions as to the effect of such increase of territory with regard to an increase of subsidy granted to the said province and with regard to other purposes and subjects, as may be provided by the said parliament of Canada.

The authority would have been quite sufficient for immediate action to be taken, if your statute had stopped there, but the enactment is mullified by the provision which immediately follows that such increase of territory shall not take effect until terms and conditions have been approved by the legislature of Manitoba.

In other words, you tell us that we may ask parliament to legislate, but you reserve to yourself the right to object to such legislation.

I have only to observe that the above mentioned statute does not give us any power to deal with the question that we had not before, and that does not by a single step advance the solution.

I have further to observe that it cannot be seriously contemplated to ask parliament to enact legislation which would not be final, and which might be thrown aside as unsatisfactory by the province of Manitoba.

Everybody who will dispassionately review the situation must agree that, as I stated in answer to the inquiry of Doctor Roche, we are not in a position to act until the Dominion government and the provincial government have come to an understanding.

In one respect your letter is quite satisfactory. You therein assert that our conference with Messrs. Rogers and Campbell, 'they agreed to the boundary extensions as proposed' by us. My colleagues and I had not understood that they had so asserted. We are glad to learn that such indeed was their intention. This point may therefore be now considered as settled.

There remains to agree upon the financial conditions, and we are ready as we have always been to discuss these terms within the lines of the resolution of the House of Commons. As to the report of Messrs. Rogers and Campbell that on this question I intimated that $10,000 would be adequate for the responsibilities assumed in consequence of the extension of your boundaries, I hope I will not be taxed with discourtesy if I do not think the report can have been made seriously.

Believe me, dear Mr. Roblin,

Yours sincerely,

(Sgd.) WILFRID LAURIER.

The Hon. R. P. Roblin,
Premier's Office,
Winnipeg, Man.

To this I received the following reply:

Winnipeg, 9th December, 1909.

My Dear Sir Wilfrid:—

I returned this morning from a trip to Toronto and found your favour of the 30th ultimo on my desk. I have read the same very carefully and hasten to reply.

I shall not attempt to conceal my astonishment at the position you take in it as well as your understanding of the conference held between yourself and Mr. Fielding, representing the Federal government, and Messrs. Rogers and Campbell, representing the government of this province, regarding the extension of the boundaries of Manitoba.

The ministers from this province made an official report of the conference to the executive council under date of April 14, 1909, in which they advised that they had accepted the delimitation of boundaries as proposed by your resolution in the Commons, although

satisfied that both in law and equity we were entitled to what the legislature of the province had set out in its memorial.

They further say in said report that you only offered $10,000 as financial consideration for the lands, timber, minerals, etc., covered by such extension. Your intimation that you did not so understand it appears extraordinary to me in view not only of the official report aforementioned but the newspaper announcements made at the time. The Toronto 'Globe' of March 20 contained a statement which appears to me to be an authoritative and inspired one from your point of view. I may say that every other newspaper in Canada that made any reference to the matter, published a similar report.

The 'Globe' article reads as follows:—

'Ottawa, 19th March—Hon. Robert Rogers and Hon. Colin Campbell, who have been in the capital for the past week to press the claims of Manitoba in connection with the proposed extension of the provincial boundaries, had an interview with Sir Wilfrid Laurier to-day, who had sufficiently recovered from his illness of last week to again be at his office. The proposed terms of the Dominion government's Bill to extend boundaries were discussed. In respect to the question of the division of territory in the district of Keewatin between the provinces of Ontario and Manitoba, the Manitoba ministers stated that they would accept under protest the boundary line as defined by the resolution of last session. It was pointed out by Sir Wilfrid that this allocation of the territory in question had been considered as satisfactory by the Manitoba members last session, and to give Manitoba any greater proportion of the territory to be divided would certainly be resisted by Ontario. With respect, therefore, to the territorial division, the Manitoba government is now willing to abide by the terms of the resolution.

The chief issue now is as to the financial terms, and the Roblin Ministry is evidently holding out for the full measure of the demand made for the additional cash subsidy, similar to that given to Saskatchewan and Alberta, in lieu of the withholding of the Dominion lands in these provinces.

I regret that your recollection of the matter is different from the facts as reported both officially and in the public press at that time. Also permit me to say that your recollection of the financial matters discussed is equally at variance with the published fact and the report made by Messrs. Rogers and Campbell to the executive council in April last.

Their statement was that you offered $10,000, which they positively declined to entertain, but pressed for an offer which they could submit as an alternative to the legislature for their demand of equality with Alberta and Saskatchewan. You declined, so they report, to amend your original offer of $10,000 and when they suggested placing Manitoba in the same position as Ontario in relation to public lands, you also declined to consider that.

A moment ago I used the words 'authoritative and inspired' for the reason that Messrs. Rogers and Campbell informed me that Senator Jaffray was seated in your secretary's room when they arrived for the conference of the 23rd of March and remained there until the conference was concluded when he immediately entered your office after Messrs. Rogers and Campbell withdrew. The next morning, the 24th, the 'Globe,' owned by the Senator, contained the following, and which agrees absolutely with the official report of Messrs. Rogers and Campbell:

Special despatch to the 'Globe.'

'Ottawa, 23rd March—The Manitoba Ministers, Hon. Messrs. Rogers and Campbell, had another interview with Sir Wilfrid Laurier to-day, relative to the province's demands for better financial terms in connection with the proposed extension of the provincial boundaries. Sir Wilfrid said the government could not agree to Manitoba's request for an extra cash subsidy similar to that given Alberta and Saskatchewan, and that the bargain made when Manitoba entered confederation, with reference to the ownership of the Crown Lands, should not now be revised. Manitoba, Sir Wilfrid maintained, could not, after the lapse of so many years, be considered as being on the same footing as the new provinces just starting in to administer vast territories, with all the incidental expense of organization, to maintain law and order, build roads, etc. But in lieu of granting Manitoba the ownership of the Crown Lands in the territory to be annexed to the province, he said the government was willing to allow an annual cash subsidy sufficient to cover the cost of administration of the new territory. At present the enforcement of law and order in the portion of Keewatin to be allocated to Manitoba only costs about $1,500 per year. It is understood the Dominion government is willing to make an annual grant of $10,000 or any reasonable amount necessary to cover all expense to the province in this connection. The Manitoba Ministers are, however, still disatisfied with the government's terms, and are holding out for the full measure of their demands for an annual cash subsidy as set forth in the memorial presented to the Federal government last year. They are evidently desirous of keeping their grievance for campaign purposes when the Roblin government next appeals to the electors.

In view of the refusal of Manitoba to accept the terms offered by the government, it is practically certain that there will be no Bill brought down this session to extend the provincial boundaries.

Hon. Messrs. Rogers and Campbell left tonight for Winnipeg.

I can understand how in the multitude of cares incident to your office, details such as these could have escaped you; but presume that your mind, freshened with these records, will enable you to recall all the circumstances and facts as they occurred.

However, be that as it may be, the fact remains that we have received nothing that we can submit to the legislature in the way of financial terms. The power and authority to initiate is vested in you and the commons.

The legislature asked in their memorial for certain area and certain terms; you said 'No' to our area, but moved a resolution outlining certain other boundaries. We have accepted your alternative in boundaries, subject to legislative approval, and ask you to bring a resolution regarding terms, to the Com-

mons on the same authority as you did the one regarding area.

We respectively press for this for the reason that the legislature of this province meets in a few weeks, and I desire in the public interest to submit to it a complete proposition. There is no reason, so far as I know, why you should not do this and thus place the responsibility of accepting or rejecting the proposition on the legislature which is the final arbiter in the matter. You assumed the responsibility for determining the area; I assume you will have no hesitation in taking similar action respecting the financial terms.

I think you will agree with me, the province of Manitoba is suffering from the delay and, therefore, it is in the public interest desirable that a complete, final and satisfactory conclusion be reached not later than the approaching session of the provincial legislature.

In conclusion, allow me to summarize as follows: Manitoba has stated what she desires, both as to area and terms. You have offered us an alternative of area, which was accepted by our delegates; but nothing (I consider $10,000 nothing) as to terms. We respectively ask you to accede to our proposals or make an alternative offer. I shall await your action with considerable anxiety.

With assurances of my personal regards and wishing you the compliments of the season,

Yours very respectfully,
(Sgd.) R. P. ROBLIN.

The Right Honourable
Sir Wilfrid Laurier,
Ottawa.

In reply, I wrote to Mr. Roblin as follows:

Ottawa, 27th December, 1909.

Dear Mr. Roblin,—In reply to yours of the 9th instant, I have only to observe that I persist in believing that the report that we offered at a conference with Messrs. Rogers and Campbell $10,000 for the financial terms to be granted to Manitoba, cannot be taken seriously.

You will pardon me if I will not take part in a discussion of the inference which you desire to be drawn from the fact that Senator Jaffray was in my office when Mr. Rogers and Mr. Campbell came to the conference and was still there after the conference was over. The suggestion that there was a breach of confidence somewhere is one which might be averted between honourable men and, moreover, if the inference is to be drawn, it might be placed on other shoulders, for if you look at the newspapers at the same date as the 'Globe' you will find that the item was in most of the eastern papers.

You suggest that we bring in a resolution in the House of Commons fixing such financial terms as to us may seem advisable, leaving them to be afterwards accepted or rejected by the legislature of Manitoba. The same suggestion was made by you in your previous communication. I still believe that in my answer I conclusively showed that such a course would be unwise and impracticable.

I have only to add that we are ready to reopen negotiations, with the full assurance on our part that we are anxious to meet Manitoba in a fair and generous spirit.

With my best wishes for the coming year,

Believe me, dear Mr. Roblin,
Yours very sincerely,
(Sgd.) WILFRID LAURIER.

The Hon. R. P. Roblin,
Premier's Office,
Winnipeg, Man.

The House is now in possession of all the facts. I shall resume them in a few words. In 1908 this House passed a resolution fixing the western boundary, the northern boundary, and the eastern boundary of Manitoba. By so doing we had to deal with the respective pretensions of Ontario on one side and Saskatchewan on the other side. The pretensions of the province of Saskatchewan we ignored altogether, we could not accept them. The pretensions of Ontario we ignored in part, but we had to take action and we believe that the boundaries which we proposed were fair to Manitoba, fair to Saskatchewan and fair to Ontario, and I am glad to say that at the present time the province of Manitoba at all events thinks them fair and is disposed to accept them.

Then there was the consideration of the financial terms to be granted to Manitoba. I was impressed a moment ago by the statement made by my hon. friend that the province of Manitoba came here asking simply for justice. I am disposed to treat Manitoba in no other spirit. Manitoba has a fair claim to make, and we are disposed to meet that claim. The question is what is fair in this matter. We disputed first of all with Manitoba as to the extent of the claim which she presented, and which she wanted to have accepted. Now, I believe that my hon. friend himself who has presented this motion to the House must agree, must admit that the claim put forward by the province of Manitoba with regard to territory, when she wanted to infringe upon the territory of Saskatchewan, was not fair. I think he will agree also that when the claim of the province of Manitoba went so far as to seek to have its eastern boundary in the vicinity of the head of Lake Superior, that too was not fair. But we determined to do the best that could be done for the province of Manitoba, and I think on the whole we can invite the judgment of friend or foe that the territory which we offered to Manitoba was as much as we could do for her.

There was another question to be considered. The province of Manitoba was given a territory. The lands which are now in that new territory which is to be added to Manitoba cannot belong to Manitoba under the constitution which was given to Manitoba. Here is section 30 of the Act of Manitoba:

All ungranted or waste lands in the province shall be from and after the date of the

said transfer vested in the Crown and administered by the government of Canada for the purposes of the Dominion, subject to and except in so far as the same may be affected by the conditions and stipulations contained in the agreement for the surrender of Rupert's Land by the Hudson Bay Company to Her Majesty.

When Manitoba was taken into the family of the confederation, the family of provinces, the parliament of that day decreed that the lands should belong not to Manitoba, but to the Dominion. My hon. friend (Mr. A. Haggart) stated in the course of his observations that Manitoba had been discriminated against and he wanted Manitoba not to be discriminated against or penalized. I have to say to my hon. friend, if Manitoba has been discriminated against, if Manitoba has been penalized, who has discriminated against Manitoba? Is it this government?

Mr. W. H. SHARPE. Yes.

Sir WILFRID LAURIER. Yes? What government was in power when this Act was passed? It was not the Laurier government, it was not the Mackenzie government, it was the Macdonald government.

Mr. MOLLOY. A Tory government.

Sir WILFRID LAURIER. The Tory government of 1869. That was the government which imposed these terms on Manitoba. My hon. friend may say we have given terms to Saskatchewan and Alberta. When, Sir, we gave terms to Saskatchewan and Alberta which appeared to be just and fair to every member in this House——

Mr. LAKE. No.

Sir WILFRID LAURIER. If Sir, the terms were not fair and just that is the first intimation I have had of it. I maintain that the terms which we offered in 1905 in respect the money compensation were fair in the judgment of every member in this House. There were men who contended that Saskatchewan and Alberta should be given lands. That is another matter. So far as the terms were given they seemed to everybody to be fair and just. But my hon. friend says: But these terms are in excess of what is given to Manitoba. I shall come to that presently. The question we have now to deal with is this: What are we to do to give satisfaction to Manitoba? What are we to do to give to that province the extension of its limits for which it asks? In 1908 we passed a resolution offering them certain limits. I understand now that Manitoba has accepted those limits. We passed a further resolution that Manitoba should be given a money compensation to carry on the civil government. That has been agreed to by every member in this House.

Sir WILFRID LAURIER.

The amount of the compensation was left to be determined by negotiation between the two governments. We could not agree. There was a conference, and I do not put any blame upon this person or that in connection with it. We could not agree. Then, what are we going to do? The government of Manitoba say to us: Bring in a Bill, such as you have in your mind, and we will accept it or reject it.

Mr. A. HAGGART. A resolution, is it not?

Sir WILFRID LAURIER. No, a Bill. Mr. Roblin asked us to bring in a Bill. Here is the last letter which he wrote upon the subject.

Mr. R. L. BORDEN. Resolution in the last letter.

Sir WILFRID LAURIER. Very well, let us say that it should be a resolution. The terms of the resolution that we have before us are that there should be a negotiation between Manitoba and the Dominion government. We had a preliminary negotiation, but we did not agree. Then, I invited a new negotiation with the government of Manitoba. The government of Manitoba said to us: Pass a resolution; we will accept it or reject it. Now, I place myself in the judgment of every man in this House, whether he sits on that side, or on this side, is it not more reasonable, before we pass a resolution of this kind, that we should follow the policy of the resolution passed in 1908, and have another conference with the government of Manitoba to see whether we can or can not agree? We had a conference in 1909 which lasted two days. On the first day, I am glad to say that we discussed the boundaries of Manitoba and the boundaries were accepted. That much was accomplished. But upon the second day we did not agree. Is it not possible that upon another conference we can agree? Is it not more reasonable that we should have a conference and try to agree than to ask parliament to pass a resolution, which may be rejected by the legislature of Manitoba? Suppose we say that we offer $100,000, and suppose the legislature of Manitoba say: We do not accept it, but we reject it. Then Sir, it seems that it is not in conformity with the dignity of this parliament, it is not good business either that we should ask parliament to agree to certain terms unless we have beforehand the satisfaction of knowing, a perfect knowledge, that what we offer is satisfactory to Manitoba. I ask my hon. friend: Does he not believe that his friends would have been better advised if they had acted upon the suggestion of my letter of the 21st December, in which I said to Mr. Roblin: Come again, let us have another conference and try to come to an understanding rather than try

to force this parliament to pass a resolution suggesting that the federal parliament should contribute any amount, let it be $50,000, $100,000, $150,000 or $200,000 without knowing whether or not such a resolution would be accepted? I think, Mr. Speaker, that we are in a strong position when we say that we are ready to confer with Manitoba, that we are ready to negotiate with them, that we are ready to discuss with them and see what we shall give to them and upon what we can agree. Now, my hon. friend says in this resolution that Manitoba asks for two things. First it asks:

Now, therefore be it resolved, that this House affirms that the province of Manitoba is entitled to equality of treatment with either the said provinces of Alberta or Saskatchewan to the west or with the said provinces of Ontario and Quebec to the east, we regret that the government of the Dominion did not agree to give to Manitoba such equality of treatment.

First of all let us look at the two alternatives we have here. The province of Manitoba asked that they should be given equality of treatment with Ontario and Quebec; in other words, that the province of Manitoba should be given the land. We have before us the memorial which was passed by the legislature of Manitoba on January 20, 1908, and if in this memorial of the legislature of Manitoba the province was asking for the land in the new territory to be added to Manitoba there would be something to be said in favour of it. But I want to call the attention of my hon. friend, and not only of my hon. friend from Winnipeg, but of all my hon. friends from Manitoba, to the fact that what is asked for in this resolution is that they be granted the lands, not only in the new territory which is to be given to Manitoba, but the lands in the whole province of Manitoba as originally constituted in 1869. That is what they are asking——

Some hon. MEMBERS. Hear, hear.

Sir WILFRID LAURIER. I am glad that I have stated the position correctly. Or they ask that they be given the same terms as were given to Alberta and Saskatchewan; in other words, what is asked by our friends on the other side of the House is not only that they be given an addition to their territory, but that the financial terms upon which Manitoba was organized in 1869 should be absolutely and completely revised and that new terms should be given to them altogether. They do not ask simply that they should have the lands in the new territory, but that the whole terms of confederation, under which they have been in this Dominion for forty years, should be revised and that new conditions altogether should be made. Is that reasonable? Here is the province of Manitoba asking, and I think asking with good cause, to have their territory extended. Well, then you and I, in the simplicity of our souls, would suppose that they would ask for the land in that territory. No, they are not content to ask us to give them the land in the territory, but they say that we should revise our whole policy of the last forty years of keeping the control of the lands in the hands of this Dominion, set that policy aside and give to Manitoba the lands, not only in the new territory, but in the whole province. That is the position taken by Manitoba, is it not? I ask if there is, for such a position, any ground that can be taken upon this request for new territory. If the province of Manitoba is entitled to have the land of the whole province vested in the government of Manitoba it is not in consequence of this demand for new territory. It must be done, whether the territory is extended or not, but I submit that it is simply absurd to pretend that as a consequence of the extension of the territory of Manitoba the land should be given to the province, not in the new territory alone, but in the whole territory of the province. I can understand that the province of Manitoba has a good case when it says: If you give us new territory give us the means of administering it. We are prepared to do that, and that is what we did under the resolution of 1908, but Manitoba says: No, we will not do that; the parliament of Canada was wrong in 1869. When the government of Sir John Macdonald incorporated the province of Manitoba and brought it into the Dominion, parliament was wrong in keeping to the Dominion the lands of Manitoba. That is altogether another proposition, and that is a proposition that for my part, I say it to our friends, and I say it to our foes on the other side, to the members from Ontario, from Saskatchewan, from Quebec, and from all the provinces, that we are not prepared to reverse the policy which was adopted in 1869 by the government of Sir John Macdonald, and which has been followed ever since by all successive governments. Now, Sir, I am prepared to meet my hon. friend upon this, that Manitoba is entitled to compensation either in land or money in the new territory which is to be annexed, and the amount of compensation must be such as will give Manitoba the facilities and the means of administering that new territory. I am prepared to meet them upon this, and that is the reason we are asking for a new negotiation of these terms, because if Messrs. Roblin, Rogers and Campbell ask us—I will not discuss what took place in the conference—but if they ask that we should revise the whole terms of Manitoba, not only with respect to the territory to be annexed, but with respect to the whole province nobody should be sur-

prised if we could not agree. But I hope that in a new conference, Mr. Roblin and his ministers will understand that we are to deal with new territory and nothing else.

My hon. friend, in his resolution, also asks that we shall not only give to Manitoba the lands in the whole province, but that we shall give to Manitoba the terms that we have given to Alberta and Saskatchewan. That is to say, that we should revise the financial terms which have been given to Manitoba. Well, Sir, I have only to observe that these financial terms have been revised again and again and again; they have been revised four or five times already. The last time they were revised was in 1907, by a resolution adopted by this House on the 25th of March of that year, and since embodied in an imperial statute which has fixed for all time the terms and conditions and financial arrangements which are to exist between the government of the Dominion and the provincial governments. The resolution which was passed in this House on the 25th of March, 1907, was in the form of a petition to His Majesty the King, asking that the financial terms which had been fixed at confederation for the provinces, should be revised for Manitoba as well as for all the other provinces; and revised they were. The petition went on to say:

> We pray that your Majesty may be graciously pleased to cause a measure to be laid before the imperial parliament at its present session, repealing the provisions of section 118 of the British North America Act, 1867, aforesaid, and substituting therefor the scale of payments above set forth, which shall be a final and unalterable settlement of the amounts to be paid yearly to the several provinces of the Dominion for their local purposes and the support of their governments and legislatures.

This House so determined in 1907, and it is embodied in an imperial statute, and forms the law and the constitution at the present time. As far as that goes, to me it is final. But again, I repeat, as far as new territory is concerned which may be added to the province of Manitoba, it is fair and reasonable that compensation should be made to the province, either in land or money, to enable it to administer civil government for that territory, and that territory alone; and if my hon. friend with his friends come to Ottawa and have a new conference with us on this question, we are ready to meet them; and if it is our good fortune to come to a satisfactory agreement, we shall be only too happy to introduce legislation to give effect to the result of the negotiations which may take place between us. But, in the meantime, I do not see how my hon. friend can expect such a resolution as he has moved to be adopted by parliament when the whole matter is still open and we are still waiting for the answer of the Manitoba government.

Mr. R. L. BORDEN. Mr. Speaker, my right hon. friend the Prime Minister found some fault with the mode in which this matter has been introduced to the House by the hon. member for Winnipeg. Resolutions in amendment to the motion to go into Committee of Supply have frequently been accepted by the government. I have within my reach a dozen cases, within the last dozen years, in which the government has accepted such amendments, not only from hon. gentlemen on the other side of the House, but from hon. gentlemen on this side of the House as well. Therefore, the only question is whether or not the proposal presented to this House by the hon. member for Winnipeg is a just and reasonable proposal, one which the government ought to accept, having regard to the just rights of the province of Manitoba. My right hon. friend the Prime Minister has gone over a great deal of ancient history in the somewhat lengthy and discursive remarks which he has addressed to the House. I am not going over the question of the delimitation of the boundaries. It was not necessary that the Prime Minister should go over that question at all. That question has been settled and determined. The government of Canada made a certain proposal by resolution presented to this parliament, and afterwards, if I remember correctly, embodied in an Act passed by this parliament. The province of Manitoba had made its proposal to which the Prime Minister has alluded. The province of Manitoba, for the purpose of bringing about a settlement of this question, which had been delayed by the inaction of this government for so many years, yielded a portion of its claims and accepted the limited extension of its boundaries proposed to this parliament by the right hon. gentleman and his colleagues. In that regard, I would like to make one observation and ask one question of hon. gentlemen in this House. The Prime Minister has taken strong ground upon the position that it is not a proper course for the government to present the financial terms to parliament by resolution, and then forward them to the government of Manitoba for its acceptance or rejection. I would like to ask any man in this House possessing ordinary reasoning faculties to tell me what the difference is between presenting the boundaries to parliament by resolution and then leaving them to be accepted or rejected by the legislature of Manitoba, on the one hand, and on the other hand, presenting the financial terms to parliament by resolution, and then leaving them to be accepted or rejected by the legislature of Manitoba? If there is any reasonable difference of

principle between the two courses, I will be glad to take my seat and let the Prime Minister explain what it is.

Sir WILFRID LAURIER. The difference is very obvious. There was a dispute between Manitoba, Ontario and Saskatchewan as to what should be the limits. We had a conference on the subject, and we had to decide on our best judgment, since they could not agree.

Mr. R. L. BORDEN. There it is in a nutshell. Because there was a disagreement between this government and the government of Manitoba in respect of the boundaries, because the government of Manitoba insisted upon certain territory which this government thought should go to Ontario and to Saskatchewan, the government brought its proposals by resolution into parliament and passed it. There is an exactly similar difference of opinion between this government and the government of Manitoba with regard to the financial terms. Why, then, should not the government of Canada follow exactly the same course—bring in its proposals, have them embodied in a resolution of parliament, and then leave them to be accepted or rejected? There is no difference between the two positions.

But I would like to submit two or three further considerations to my right hon. friend. As I understand him, he takes the ground that conference No. 1, having absolutely failed, that conference No. 2, having absolutely failed, the government of Manitoba, having made a distinct and plain, and as it seems to me a reasonable proposition to this government, a further conference should be had without this government making any reply whatever to the proposals of the government of Manitoba. Indeed, my right hon. friend was so carried away by his imagination at the close of his remarks as to say that he was waiting for a reply from the government of Manitoba, when only fifteen minutes before he had read a communication from the Prime Minister of Manitoba to which up to the present time this government has not, so far as I understand, made any reply whatever. It is not the government of Canada that is awaiting a reply from the government of Manitoba; it is the government of Manitoba that has been waiting for more than a year for a reply from the government of Canada to a most reasonable proposition made by the government of Manitoba to the right hon. gentleman at the conference alluded to. My right hon. friend has said that a certain report in the press of a report made by the delegates of the province of Manitoba to the government of Manitoba is so absolutely absurd that it cannot be taken seriously. In that criticism, my right hon. friend involves more than the delegates of Manitoba. He involves in that criticism the able and intelligent correspondents of many Liberal newspapers in Canada, who took that report so seriously that they telegraphed it to all the great Liberal journals throughout this country, and did not regard the proposals as so supremely absurd as the right hon. gentleman would have us believe.

Sir WILFRID LAURIER. It did not come from me.

Mr. R. L. BORDEN. I am not suggesting that it came from the right hon. gentleman. I accept his word unequivocally, but I would like to ask one question. There was a question about the boundaries of Manitoba, and Manitoba gave way. It accepted the boundaries as proposed by this government. There was then I presume a discussion as to financial terms. We know that the government of Manitoba made a proposal. Did the government of Canada make any proposal? Has it at any time up to the present made any proposal or offered any financial terms. I think that is a fair and reasonable question. My right hon. friend of course has a right to decline to answer it if he prefers.

Sir WILFRID LAURIER. What is your question?

Mr. R. L. BORDEN. My right hon. friend declares that he made no such proposal as that, namely, $10,000. Did he offer any sum whatever or make any proposal?

Sir WILFRID LAURIER. We made no offer whatever.

Mr. R. L. BORDEN. Has my right hon. friend arrived at any conclusion up to the present time as to what he is willing to offer?

Sir WILFRID LAURIER. No.

Mr. R. L. BORDEN. Would it not be well, then, instead of imputing any blame to the government of Manitoba or passing any criticism upon the course it has taken to make up his mind as to the financial terms which he is willing to offer to the province of Manitoba? There is no need of any further conference. When he has made up his mind and consulted his colleagues and obtained their approval as to the financial terms which he is willing to offer to the province of Manitoba, all that he has to do is to go to his office and write a letter to the Prime Minister of Manitoba and say to him: These are the terms which the government of Canada are willing to offer to the province of Manitoba and we propose to submit them to the parliament of Canada for its approval. That is what the government of Manitoba is waiting for in these negotiations at the present mo-

ment. The government of Manitoba has made up its mind as to the boundaries and has accepted the proposal of this government. It has made up its mind as to the financial terms. It has said: We will take either one thing or the other. We will take either the treatment you have accorded to Saskatchewan and Alberta, or the treatment which has been accorded to Ontario and Quebec. We will take either the one or the other. The right hon. gentleman did not at the conference say what he would do. He did not at the first conference say what he would do. He did not at the second conference say what he would do, and up to the present time he has not come to a conclusion as to what he will do, and up to the present time he has given no answer whatever to the proposal of Manitoba made to his government through him more than a year ago. That is the situation. This question has been hanging in the balance for years. Why does not my right hon. friend arrive at a conclusion? The first essential step he must take for the purpose of arriving at a conclusion is to make up his mind as to what he is willing to recommend to this parliament as fair and reasonable and just treatment to the province of Manitoba. My right hon. friend has spoken of the giving up of the lands of Alberta or Saskatchewan or Manitoba to provincial administration as if it were some unheard of and terrible thing which would bring about calamity not only to the provinces in question, but to the Dominion as a whole. What is the position of affairs? There are nine provinces in Canada to-day. In six of those provinces the lands of the Crown are disposed of by the Crown according to the advice of the provincial ministers and under the authority of the provincial parliaments. In three of those provinces the lands of the Crown are disposed of upon the advice of the ministers of His Excellency the Governor General and upon the laws and by the authority of the laws enacted in this parliament. They are lands of the Crown in the one case as much as in the other, the only distinction being that in the disposal of those lands the Crown in the three cases I have mentioned acts by the advice of the government of Canada, the members of the cabinet of Canada, and in the six other cases the Crown acts by the advice of the provincial ministers. Is there any reason why the government of Manitoba should not exercise the same wisdom and the same prudence and the same discretion in disposing of its public lands as the government of Ontario or the government of Quebec? My right hon. friend says we are asked to give up those lands. They are lands of the Crown in either the one case or the other, and the only question for consideration is as to the advice by which those lands may be disposed of in the one case or the other. For my part as I have said in this parliament over and over again and on the public platforms of this country, I see no reason why the public lands of Alberta should not be dealt with by the provincial legislature of Alberta, I do not see why that course should not be taken in respect of Saskatchewan, and I see no reason why it sould not be pursued in respect of Manitoba.

I further say that the attitude of the provincial government of Manitoba in this matter seems eminently reasonable, because they say: Do either the one thing or the other, accord us the same treatment that you have accorded to Alberta or Saskatchewan on the one hand, put us in that class, or accord us the same treatment that you have accorded to the two other provinces, Ontario and Quebec, and put us in that class; but bring this to a conclusion, and bring it to a conclusion according in either one or the other way.

My right hon. friend has spoken of the antiquity of the arrangement under which the government of Canada administers the public lands of Manitoba, and Alberta, and Saskatchewan. It is perfectly true that in 1869 under the administeration of Sir John A. Macdonald, this arrangement was in the first instance made, but I have not the slightest doubt that if Sir John A. Macdonald had been alive and in control of the destinies of Canada during the past 12 or 14 years, the public lands of Manitoba, Alberta and Saskatchewan would have been handed over to the adminstration of the provincial legislatures. Conditions to-day are not as they were in 1869. My right hon. friend knows we have made some advance and when he speaks of this matter having been settled in 1869, more than 40 years ago, I want him to remember that according to the very precedent which he stated only a little while ago, the financial terms which were settled at confederation between the government of Canada and the various provinces were entirely changed at the instance of his own government and after a conference with the provincial governments. Well, if that arrangement made at the time of confederation could be altered no longer ago than 1905 or 1906, what is there in the action of a Canadian government in 1869, that justifies my right hon. friend in regarding that as a law of the Medes and Persians one that is absolutely unalterable and final? He alludes to the fact that in the Act of the imperial parliament passed three or four years ago, by which that alteration in the subsidies was confirmed it was declared to be final and unalterable. But, he knows equally well that these words are vain and meaningless words. It would be an absolute absurdity for any parliament to say that an enactment passed by that parlia-

ment is final and unalterable. The same power that makes the enactment can repeal it. The imperial parliament to-morrow, if in session, could repeal the enactment which the right hon. gentleman has declared to be final and unalterable. I have assumed that the words alluded to are in the statute as finally passed, but my hon. friend from Vancouver (Mr. Cowan) reminds me that these words were struck out of the body of the statute, but are, in the schedule.

Sir WILFRID LAURIER. They never were introduced into the Bill. Our petition has been added as a schedule to the Bill.

Mr. R. L. BORDEN. That is what I say—they are not in the body of the statute, but they are in the schedule. As I understand it, the Bill as originally prepared included these words, but I think that Mr. Churchill, in presenting the Bill to the House of Commons, stated that they had been struck out for the very reason I have suggested.

Sir WILFRID LAURIER. The hon. gentleman (Mr. R. L. Borden) is in error. They were not in the Bill as presented to the House, but, at our request, they were put into the schedule.

Mr. R. L. BORDEN. My right hon. friend (Sir Wilfrid Laurier) has misunderstood me, if he understood me as saying that they were in the Bill as presented to the Imperial House of Commons. I say they were not in the Bill as presented to the House of Commons, but they were in the Bill as presented to the imperial government. I understood that they were in the draft Bill as presented to the imperial government by this government for enactment by the imperial parliament. And my recollection of the debate, as I read it at the time, is that Mr. Churchill, under Secretary of State for the colonies, explained that they had been included in the draft Bill presented by this government to the imperial government, but, for the reason, I have alluded to, it was thought they should not be included in the Bill, though, as my right hon. friend (Sir Wilfrid Laurier) says, they were retained in the schedule—that is, in the peition presented by this parliament for the enactment of this legislation.

I have nothing more to say. I think that the amendment of my hon. friend from Winnipeg (Mr. A. Haggart) points out a just and reasonable course to be pursued by this government and this parliament in dealing with the province of Manitoba in this respect. I think that the amendment ought to be supported. And, in concluding, I desire to congratulate my hon. friend from Winnipeg, on the remarkably clear and forceful way in which he has presented this matter to the House. I may venture also, I think, to say that his treatment of it was characterized by the utmost fairness and courtesy to the right. hon. Prime Minister and to every hon. gentleman who sits upon the government side.

House divided on amendment (Mr. A. Haggart).

YEAS.

Messieurs.

Armstrong,	Lalor,
Arthurs,	Lancaster,
Barker,	Lennox,
Beattie,	Macdonnell,
Best,	McCall,
Blain,	McCarthy,
Borden (Halifax),	Magrath,
Boyce,	Meighen,
Bradbury,	Middlebro,
Broder,	Nantel,
Burrell,	Northrup,
Campbell,	Owen,
Chisholm (Huron),	Perley,
Cowan,	Rhodes,
Crosby,	Roche,
Crocket,	Schaffner,
Crothers,	Sexsmith,
Currie (Simcoe),	Sharpe (Lisgar),
Daniel,	Sharpe (Ontario),
Doherty,	Sproule,
Donnelly,	Stanfield,
Edwards,	Staples,
Elson,	Taylor (Leeds),
Fraser,	Taylor (New Westminster),
Goodeve,	Thornton,
Haggart (Lanark),	Wallace,
Haggart (Winnipeg),	White (Renfrew),
Henderson,	Wilson (Lennox & Addington),
Herron,	Worthington,
Hughes,	Wright.—63.
Jameson,	
Kidd,	
Lake,	

NAYS.

Messieurs.

Allard,	MacNutt,
Allen,	McAllister,
Aylesworth,	McCoig,
Beauparlant,	McColl,
Béland,	McCraney,
Bickerdike,	McGiverin,
Borden (Sir Frederick),	McIntyre,
Boyer,	McKenzie,
Brown,	McLean (Huron),
Carrier,	McLean (Sunbury),
Cash,	Marcile (Bagot),
Champagne,	Martin (Regina),
Chew,	Martin (Wellington),
Chisholm (Antigonish),	Mayrand,
Chisholm (Inverness),	Meigs,
Clark (Red Deer),	Michaud,
Clarke (Essex),	Miller,
Congdon,	Molloy,
Delisle,	Murphy,
Demers,	Nesbitt,
Douglas,	Neely,
Dubeau,	Oliver,
	Papineau,
	Pardee,

Emmerson,	Parent,
Ethier,	Paterson,
Fielding,	Pickup,
Fortier,	Proulx,
Fowke,	Prowse,
Gauvreau,	Pugsley,
Geoffrion,	Rankin,
German,	Reid (Restigouche),
Girard,	Smith (Middlesex),
Graham,	Ross (Rimouski),
Guthrie,	Roy (Dorchester),
Harris,	Roy (Montmagny),
Harty,	Rutan,
Hodgins,	Schell,
Hunt,	Sealey,
King,	Seguin,
Kyte,	Smith (Middlesex),
Lachance,	Smith (Nanaimo),
Lafortune,	Sperry,
Lanctot (Laprairie-Napierville),	Talbot,
Lanctot (Richelieu),	Tobin,
Laurier (Sir Wilfrid),	Todd,
Lavergne,	Tolmie,
Law,	Turcotte (Quebec County),
LeBlanc,	Verville,
Lemieux,	Warburton,
Lovell,	White (Victoria),
Macdonald,	Wilson (Laval).—102.

PAIRS.

Messieurs.

Ministerial.	Opposition.
Fisher,	Bristol,
Brodeur,	Foster,
Bureau,	Forget,
Templeman,	Thoburn,
Stratton,	Gordon (Nipissing),
Low,	Smyth,
Sinclair,	Monk,
Gordon (Kent),	Osler,
Currie (Prince Edward),	Maddin,
Gervais,	Barnard,
Richards,	Marshall,
Robb,	Stewart,
Martin (St. Mary's),	Lortie,
Carvell,	Ames,
Black,	Clare,
Conmee,	Lewis,
Devlin,	Blondin,
Loggie,	Maclean,
Smith (Stormont),	Reid (Grenville),
Turriff,	Porter,
McMillan,	Wilcox,
Rivet,	Price,
Knowles,	Russell,
Savoie.	Paquet.

Mr. J. A. LORTIE (Soulanges). (Translation.) Mr. Speaker, I would call the attention of the House to the fact that I was paired with Mr. M. Martin, the hon. member for Montreal, St. Mary. Were it not for that, I would have voted in favour of the amendment.

Mr. BARNARD. I wish to withdraw my vote, as I was paired with the hon. member for St. James division, Montreal (Mr. Gervais).

Mr. G. TAYLOR. The Solicitor General entered the chamber when you had read about half the motion in French, and he voted. He did not hear the question put. I am informed that the hon. member for Queen's, P.E.I., did the same thing.

Mr. BUREAU. I have heard and read the question.

Mr. SPEAKER. Bourinot says:

A member who has indistinctly heard the motion read may ask it to be read again, but the rule is that he should be in his place all the time, the question is being put in either French or English and he can only require it to be read again in case he did not hear it clearly on the first occasion in either language. If a question is raised after a division as to the right of a member to vote under the condition stated, the speaker will inquire if the honourable member was present in the House and heard the question put.

If the hon. member can answer to that question, yes, his vote is good.

Mr. BUREAU. I stated that I heard and read the question.

Mr. SPEAKER. The question is simply: Did the hon. member hear the question put?

Mr. BUREAU. I was not here when it was being read in English, or during the first part of the reading in French. I was here most of the time, and I sent for the question and read it.

Some hon. MEMBERS. Oh, oh.

Mr. BUREAU. I am allowed to make my statement, whatever remarks you want to make you can make afterwards. I was not here when the Speaker began to read the question in French, but I sent for the question and read the whole of it. I think that puts me in a position to give as intelligent a vote as any other hon. member.

Mr. SPEAKER. The rule according to Bourinot is that the member must hear the whole question put.

Mr. NEELY. If a member hears it in either language?

Mr. SPEAKER. Was the same point raised in connection with the member for Queens, P.E.I.?

Some hon. MEMBERS. No.

Mr. PARDEE. The hon. member for Durham (Mr. Thornton) is paired with the hon. the Minister of Inland Revenue (Mr. Templeman).

Mr. G. TAYLOR. No, it is Mr. Thoburn. On the paper I have it as Mr. Templeman and Mr. Thoburn.

Amendment negatived.

Motion agreed to, and House went into Committee of Supply.

Guelph armouries, $2,250.

Mr. PUGSLEY. My hon. friend from South Wellington (Mr. Guthrie) is in his place, and will be able to give some additional information, if it is required, as to the necessity for the room which was erected over the gun-shed. I may first say that a request was made by the Department of Militia for this building on April 12, 1907, in the following communication:

To the Deputy Minister of Public Works.

Sir,—I have the honour to state that, if possible, this department would like to have an additional storey built over the gun shed which you are now constructing at Guelph, Ontario.

It is, therefore, requested that you will have your chief architect look into this question, with a view to making the portion over the gun shed into a drill room, and let me know if it is feasible under the present construction.

I have the honour to be, Sir,
Your obedient servant,
EUG. FISET, Colonel.
Deputy Minister,
Militia and Defence.

On the 12th March, 1908, the following letter was received:

Proposed additional story Guelph gun shed.

Sir,—I have the honour to return, herewith, for action, the plans which you submitted to this department on the 30th January last, showing the proposed additional story for the gun shed at Guelph.

These plans have been approved by this department with the addition of a doorway and steps between the Assembly Hall and passage on the first floor.

I shall be glad if you can have this small change carried into effect.

I have the honour to be, Sir,
Your obedient servant,
E. F. JARVIS,
Acting Deputy Minister.

To the Deputy Minister,
Public Works Department,
Ottawa.

Mr. HENDERSON. How much has the Guelph armoury cost the country to date?

Mr. PUGSLEY. I gave that when the item was under consideration before. Up to November 30, 1909, the total amount expended was $142,464.

Niagara Falls armoury, $50,000.

Mr. PUGSLEY. This is to make provision for the erection of an armoury in Niagara Falls, which has been asked for by the Department of Militia. As hon. gentlemen know, Niagara Falls is right on the boundary, and it is desirable not only that an armoury should be erected there, but that it should be one of adequate dimensions for the accommodation of the militia.

Mr. SPROULE. This is to commence the work, is it?

Mr. PUGSLEY. Yes.

Mr. BLAIN. What will be the total cost?

Mr. PUGSLEY. $50,000.

Ottawa Government Printing Bureau, building for storing type and supplies, $7,500.

Mr. PUGSLEY. This has been urged on our consideration for a very considerable time, and we have felt that the time has now arrived when it is necessary to provide for what is now asked. It is to erect a building to store type and supplies at the Printing Bureau.

Mr. SPROULE. It would be interesting to know how much printing we are paying for outside of the Printing Bureau.

Mr. PUGSLEY. My hon. friend would not expect me to give the information upon this vote, because it is not in my department. If my memory serves me right a motion was made for a return by the hon. member for Lambton (Mr. Armstrong) and that return was brought down.

Mr. BLAIN. Partially.

Ottawa departmental buildings—improvements in lavatories, plumbing, etc., $10,000.

Mr. PUGSLEY. This is for the improvements that we are making in the buildings.

Mr. JAMESON. Is an improvement going to be made in the ventilation?

Mr. PUGSLEY. It is difficult to improve that. I think the ventilation is all right.

Mr. LANCASTER. In this room?

Mr. PUGSLEY. Yes.

Mr. LANCASTER. If the hon. gentleman thinks that the ventilation in this particular Chamber is all right he is very much in the minority amongst gentlemen in this House. I think it is the universal opinion that the ventilation of this Chamber is absolutely wretched. We work in other parts of the building, and we seem all right, but when we stay here for three or four hours at a time we get sick headaches. It has been that way for two or three years.

Mr. PUGSLEY. We had experts here who looked into the question of ventilation.

Mr. LANCASTER. They did not stay here as long as we do.

Mr. PUGSLEY. There are 200 of us in this Chamber, and there are at times a good many people in the galleries as well, and it is impossible to keep the atmosphere absolutely pure under these circumstances.

Mr. LANCASTER. That is a different thing. If it is impossible to do it, that is one thing, but what I was protesting against was the statement that it was all right. I want to register my opinion that it is not all right.

Mr. PUGSLEY. I meant relatively.

Mr. LANCASTER. We can work in the Railway Committee room, or in other parts of the building, and we seem to be all right, but when we remain in this Chamber for three or four hours we get headaches from the bad air that we are breathing. I think that is the case with nine-tenths of the members who stay in the House for a few hours at a time. It may be that there are so many of us in the Chamber that it is difficult for the hon. gentleman's engineers and architects to deal with the matter, but I think it ought to be possible to find a remedy, and if it is not we should get a larger chamber, because the conditions existing at the present time are injurious to our health.

Mr. SPROULE. To find the remedy we should know the cause. The minister says that his experts have examined the chamber, and that there is nothing wrong about the ventilation. I take it that it is all right when there is no person in it. My hon. friend from Lincoln (Mr. Lancaster) says that when we work elsewhere we have no trouble from bad air, but that when we come into the House we are in trouble. It must be, if we are all right outside, and that there is no trouble but plenty of pure air in the Chamber when it is not occupied by the members, then it must be due to the fact that we are brought into contact with the government, and that they are responsible for the impurity of the air in it.

Mr. HUGHES. This afternoon there were nine on this side of the House and fifteen on the other sound asleep when the right hon. First Minister was talking, and I do not think that he exercised a very soporific influence on the House.

Mr. PUGSLEY. That shows that the atmosphere was good.

Mr. HUGHES. That shows that the atmosphere was bad, that it was soporific. I do not like to blame any official, but when this new wing was constructed in which room 89 is located, with the exception of a few holes for windows, there was no provision made for ventilation.

Mr. PUGSLEY. Which is room 89?

Mr. HUGHES. The hole where the Conservative party is stored. I presume that the other rooms in the building are the same. There is not the first attempt at ventilation. The rooms were constructed the same as they were a thousand and fifty years before the birth of Christ.

Mr. HENDERSON. It seems to me that the chief source of difficulty is the long hours that we put in in this chamber. We are required to meet here at eleven o'clock in the morning during the latter part of the session after perhaps spending an hour in committee, and we sit here until midnight with only a slight intermission, and there is very little opportunity for the engineers to ventilate the room. I think that is the great source of the trouble, and I am sure that we are making a terrible mistake in trying to overtake the business of the country in a shorter time at the expense of our health. I have realized that fact, and I am quite sure that others must have realized the same thing. To-day we have a motion to sit on Saturday. After sitting five days in the week we are now compelled to come back on Saturday at eleven o'clock, and put in time possibly until midnight. I think it is absolutely absurd, and that the government are making a mistake in asking members of this House to work such long hours in a room where there are 200 members and, as the Minister of Public Works has said, often full galleries consuming all the fresh air that can possibly be brought in by the fans or otherwise. We are certainly acting very indiscreetly in our own interests. I see no good purpose to be gained by it. We had better put in two weeks more, and save our health than rush through the session in a shorter period for the sake of getting home a little earlier.

Mr. HUGHES. If the minister would take a trip to one or two of the public schools in Ottawa or go to any second-class town in the country and examine the schools there he would see proper systems of ventilation in use by which the air in a room can be changed in a minute or a minute and a half. To tell us that it is impossible to ventilate a building such as this is childish on the part of those who are advising the minister.

Mr. PUGSLEY. I think it speaks rather well for the ventilation of this room that we are able to stay here, and feel so brisk. I notice that on this side there is a very nice breeze circulating in the chamber.

Mr. HUGHES. There is now, but there was not this afternoon when the First Minister was talking.

Mr. JAMESON. I have been told by members who have been in the House for some years that in the last few sessions the ventilation has not been as good as it was previously. That may be due to the fact that the new wing has been opened, and that the system of ventilation has been interfered with by it. I do not think that the ventilation has been as good during the last two sessions as it was three or four years ago.

Ottawa parliament grounds—driveway pavement, $21,000.

Mr. PUGSLEY. This is around the parliament buildings. It is to complete the work of reconstructing the pavements. We had to make a new driveway by reason of the erection of the additional wing, and we have been replacing the old driveway.

Mr. SPROULE What kind of pavement is being put down?

Mr. PUGSLEY. Bitulithic pavement.

Mr. SPROULE. What is it costing per yard??

Mr. PUGSLEY. $1.90 per square yard.

Mr. CROSBY. Is that not very high?

Mr. PUGSLEY. The deputy minister informs me it is quite cheap; $2.50 was the lowest tender which we got.

Mr. CROSBY. What concerns did you have tenders from?

Mr. PUGSLEY. The different paving concerns.

Mr. CROSBY. Cannot you give us the names?

Mr. PUGSLEY. I have not them here. This was some time ago.

Mr. CROSBY. But we should know who gave tenders, and from whom you asked tenders. I know something of the bitulithic paving, and we have as well paved streets in Halifax as you have in Ottawa, and they do not cost as much as $1.90 per yard. I understand this is the main street you are paving.

Mr. PUGSLEY. No, round the parliament grounds. It has nothing to do with a street. I would be glad to give my hon. friend information as to the cost of similar work done in 1905. The lowest tenderers were the Warren Bituminous Paving Company, of Toronto. We paid them $2.25 per square yard.

Mr. CROSBY. For paving round these parliament buildings?

Mr. PUGSLEY. That was street paving on Wellington street.

Mr. SPROULE. Will the minister tell us what the thickness of this pavement is? I notice that it is very much broken up, whether by frost or not I do not know. Down in front of the buildings there are great cracks nearly an inch wide.

Mr. PUGSLEY. My hon. friend has in mind the sidewalk.

Mr. SPROULE. No, the front of the building.

Mr. PUGSLEY. I think my hon. friend is mistaken, there are no cracks in it. The cracks are in the walk built some years ago

Mr. SPROULE. They are right from the building to the steps.

Mr. PUGSLEY. I have not noticed the cracks.

Mr. RUSSELL. Would the hon. minister tell us if it is his intention to tear up the driveway at present round the grounds and replace it with this bitulithic pavement? We have now what I consider a pretty fair macadam roadway, and in my opinion a good macadam roadway is better than a bitulithic pavement in a park system of driveway. They are not to be compared, and with the use of oil, these macadam roadways are far better for driving than either asphalt or bitulithic. I think that with very little expense the surface of the present driveways could be made almost perfect.

Mr. PUGSLEY. If the hon. member will go down by the east block, he will see the new pavement we have put in there. It is exceedingly good, and has excited very favourable comment, but alongside the west block there is no pavement. There is only an ordinary earth roadway, and we propose laying down this bitulithic pavement there and around the buildings wherever there is no pavement at present, or where it is worn out. I think it is all right for horses.

Mr. SPROULE. The hon. minister has not told us the thickness.

Mr. PUGSLEY. About 6 or 8 inches of concrete underneath and then 1½ inches of asphalt on the top.

Mr. BLAIN. Why does not the hon. minister ask for tenders for this work?

Mr. PUGSLEY. We can do it more cheaply by employing the men in our own department.

Mr. BLAIN. Are you sure about that?

Mr. PUGSLEY. Yes, that has been demonstrated.

Mr. BLAIN. How does my hon. friend get round the Act?

Mr. PUGSLEY. The Act expressly states that where, in the opinion of the minister, the work can be done more economically and better by day work, it can be done without calling for tenders. We have men in the employ of the department, and we have a foreman, of course, and we find it more economical to do this class of work under the direction of our own foreman and by employing labouring men by the day.

Mr. G. TAYLOR. What Act does my hon. friend refer to?

Mr. PUGSLEY. The Public Works Act.

Mr. RUSSELL. I would like to ask the minister again if he is bound to put in

this bitulithic pavement? It's surface is so hard that it is like glass. I think if the minister were to consult the wishes of the horse-drivers and those who use public driveways, he would find that a macadam or gravel roadway would be preferred to any new form of pavement, and we have already a foundation for a good gravel road there.

Mr. PUGSLEY. I think my hon. friend will agree with me that a great deal depends on whether the roadway is level or sloping. There is a great deal of wash on this hill, and it has been found impossible to keep an ordinary roadway in good condition. That is the reason why we are putting down the pavement. I have heard no complaint from horsemen from driving on the pavement which we have already constructed.

Mr. RUSSELL. I will register a complaint now. There is only one means of safety in driving on a pavement of that kind, and that is by putting rubber boots on the horse. I know a good deal about the bitulithic pavement, and it has only one advantage that I can see, that is in regard to dust; but by sprinkling crude oil on macadamized roadways you can overcome the dust altogether and make a very satisfactory surface.

Mr. BRISTOL. I entirely concur in what the hon. member for East Toronto says, and if the minister were to take the opinion of men who have to drive, I think he would find that it is absolutely correct. In park systems, like that around Boston, where the roads are supposed to be the best in the world, you do not find such pavements, but you do find excellent macadamized roadways well looked after, and there is nothing better for a country like ours, with such extreme changes of temperature. A pavement such as we have here, if it becomes wet and suddenly freezes, is so slippery as to be dangerous to drive over, especially if it goes down hill.

Mr. SPROULE. We are hardly in a position to make a fair comparison as to the cost and quality of the pavement around this building with ordinary street pavements. The pavement on the street is much deeper and ought to be more costly. If this pavement costs $1.90 a square yard and the street pavement costs from $2.25 to $2.50, I do not think there is much evidence that this costs less than the other, because this is lighter and is not so carefully put down. I believe that if a fair comparison were made, this would be found to be the dearer at the price stated.

Mr. G. TAYLOR. I do not like to dispute the hon. minister's interpretation of the law, but I think it is so plain that a layman can see that it provides, that any work costing more than $5,000 must be done by tender and contract.

Mr. PUGSLEY. My hon. friend is wrong, and my interpretation is that put on the Act by the Auditor General. Even if the amount is over $5,000, if in the opinion of the minister from the nature of the work it can be done more expeditiously and economically by day labour, it can be done in that way.

Mr. G. TAYLOR. I know that the opinion always entertained by the ex-minister of railways was that no work costing more than $5,000 could be done by day labour, except when a dam broke away or something of that kind happened.

Mr. PUGSLEY. I think I satisfied the ex-minister of railways that my view of the law was correct, and I have received a memorandum from the Auditor General confirming my view.

Ottawa parliament building—cleaning, painting and redecorating interior of senate chamber, $15,000.

Mr. PUGSLEY. This has been urgently asked for by the Speaker and other members of the Senate, and more especially the Committee on Internal Economy of the Senate.

Mr. BLAIN. Is it to be done by tender?

Mr. PUGSLEY. I am not sure whether it can be done by tender or not. It will mean the renovating of the paintings in the panels of the Senate chamber and other work of that character, which it is somewhat difficult to do by tender.

Ottawa public buildings, Langevin block—new boilers and alterations in heating apparatus, $10,000.

Mr. PUGSLEY. The old boilers are worn out and it is necessary to replace them.

Mr. S. SHARPE. Does the department pay for the heating or is it done by contract?

Mr. PUGSLEY. We buy our own fuel and have our own men.

Mr. S. SHARPE. What kind of fuel?

Mr. PUGSLEY. Anthracite coal.

Mr. S. SHARPE. About what price does the department have to pay for it?

Mr. PUGSLEY. We invite tenders for all the coal supplied for the different buildings.

Mr. S. SHARPE. Can the hon gentleman tell the annual cost of heating the Langevin block?

Mr. PUGSLEY. I cannot tell that. We could of course take the quantity of coal consumed and the wages paid to firemen

and labourers, and in that way get at the cost. This will come up later under the item for heating, and I will then have the information for my hon. friend as to the price paid for coal.

Ottawa fuel testing building, $1,000.

Mr. PUGSLEY. This is the balance required to pay for the building for testing peat fuel.

Parkhill public building—$10,000.

Mr. PUGSLEY. This is to complete the payments.

Port Arthur armoury—revote of $10,000, lapsed, $30,000.

Mr. PUGSLEY. This is a new building which has been pressed upon our attention. An armoury is very much needed at Port Arthur. In addition to the armoury there will be a drill hall.

Mr. SPROULE. How much will that cost?

Mr. PUGSLEY. When I was at Port Arthur I discussed the character of the building which would be necessary with the officers of the militia. The city is growing very rapidly, and the military spirit is excellent, and I think we should give them a good armoury and drill hall. I do not imagine that we can do it for less than $75,000 to $100,000. If we give them a drill hall as well, it will probably run over $100,000.

Mr. HUGHES. What about Fort William?

Mr. PUGSLEY. There they said they would be willing to wait for a little. We had hoped that one building would do for the two cities, but owing to the considerable distance between them, there did not seem to be any proper place where an armoury or drill hall could be constructed that would suit both cities.

Mr. SPROULE. What is the strength of the militia who will use this building?

Mr. PUGSLEY. The city is growing so fast that we cannot tell. It is the 96th Lake Superior regiment that is there at present.

Mr. SPROULE. What is the strength of that regiment?

Mr. PUGSLEY. I have no particulars about that.

Sarnia armoury—revote of $500, lapsed, $20,000.

Mr. SPROULE. What is this going to cost?

Mr. PUGSLEY. We have not prepared the plans yet. Of course, we will confer with the Militia Department, but my hope is that it will not exceed $50,00.

Mr. HUGHES. What troops are there?

Mr. PUGSLEY. It is the headquarters of the 27th Lambton regiment, the St. Clair Borderers, 'G' and 'H' companies, and the headquarters also of the 14th Field Ambulance.

At six o'clock, committee took recess.

After Recess.

Committee resumed at eight o'clock.

Toronto drill hall—additional accommodation for new corps and armouries, $20,000.

Mr. DANIEL. What new corps is to be accommodated in Toronto?

Mr. PUGSLEY. The medical corps.

Uxbridge public building—revote of $6,740, lapsed, $15,000.

Mr. BLAIN. How much will this cost?

Mr. PUGSLEY. We hope to complete this for about $15,000.

Wallaceburg public building, $5,000.

Mr. BLAIN. What will be the total cost of this?

Mr. PUGSLEY. Probably about $20,000.

Mr. BLAIN. Does that include furnishings, fittings, heating and lighting?

Mr. PUGSLEY. It will include heating and lighting, but not furnishings.

Waterloo public building—revote of $2,970, lapsed, $20,000.

Mr. BLAIN. What will be the total cost of this building?

Mr. PUGSLEY. Waterloo is a very important place. The population even in 1901 was 3,500, and it is growing rapidly. There is a very large public revenue. This will be for a post office, customs and inland revenue. I think the cost of this building will run up to $35,000.

Mr. HENDERSON. There is no customs there.

Mr. PUGSLEY. Perhaps this is for inland revenue and post office only. But it is a growing place and there is a large business.

Mr. HENDERSON. And it is represented by a minister of the Crown.

Mr. PUGSLEY. Quite true. The revenue there is extraordinary for the size of the place. The inland revenue alone last year amounted to $509,000.

Mr. HENDERSON. Not very surprising when you have there one of the largest distilleries in the country.

Mr. PUGSLEY. Surprising or not, it means a large business.

Mr. BLAIN. Tenders will be called for by public advertisement for this building, I suppose.

Mr. PUGSLEY. Yes.

Whitby public building—$15,000.

Mr. BLAIN. What is to be the total cost of this building?

Mr. PUGSLEY. It is estimated that the total cost will be $41,645.86, including site, heating, electric wiring, furnishings, etc.

Mr. BLAIN. Whitby is only a small place.

Mr. PUGSLEY. Well, Whitby is quite an important place. There is Whitby town and West Whitby, and the population of the two is considerably over 4,000. It is the county town, as well.

Mr. BLAIN. Is this building to serve the two places?

Mr. PUGSLEY. I think so.

Mr. BLAIN. What constituency is it in?

Mr. PUGSLEY. South Ontario.

Mr. HENDERSON. Before we leave this item of Ontario public buildings, I would like to point out that the minister has been very generous to some counties. Take, for instance, the county of Wellington. Besides the armoury at Guelph, which the minister told us this afternoon would cost over $140,000, we find estimates here for public buildings for Elora, Fergus, Harriston and Mount Forest.

Mr. PUGSLEY. They are not in the same riding.

Mr. HENDERSON. But they are in the same county. Harriston and Mount Forest are in North Wellington, and Elora and Fergus in South Wellington. Here is one county getting four buildings. True, it is represented by two Liberals. To the victors belong the spoils—that is the principle on which the Minister of Public Works proceeds. And I do not know that I should find fault with him. Sarnia is given a public building—and that constituency is represented by a Liberal. Seaforth—also, I think, is represented by a Liberal. I am almost afraid the minister made a mistake—Tilbury is given a public building; I am not sure whether that is represented by a Liberal or not.

Mr. ALEX. McCALL. It is.

Mr. HENDERSON. And Tilsonburg?

Mr. BLAIN. That is in South Oxford.

Mr. HENDERSON. Also represented by a Liberal. And Whitby, represented by a Liberal.

Mr. PUGSLEY. The hon. member (Mr. Henderson) passes over Toronto.

Mr. HENDERSON. It was quite impossible for the minister to overlook Toronto. They are only reaching out the long arm trying to capture Toronto.

Mr. PUGSLEY. And Uxbridge, in North Ontario.

Mr. HENDERSON. I suppose that was started before the last general election.

Mr. PUGSLEY. It is not started yet.

Mr. BLAIN. The amount was put in the estimates before the last general election.

Mr. HENDERSON. It was one of these items carried over, I presume. I am not making a plea for the county of Halton. But here is a county that has never had a public building. I suppose it is the mistake made by the people in sending a representative who does not support the hon. gentleman.

Mr. BICKERDIKE. Hear, hear.

Mr. HENDERSON. The hon. gentleman says 'hear, hear.' He approves of that policy. The money spent on these public buildings is the money of the people; Conservatives contribute to the revenue of the country just as well as Liberals, and I submit that to erect public buildings on political lines is hardly in keeping with what I would think the good judgment of the minister under ordinary circumstances would be. I think he has allowed himself to be carried away when he puts a public building in a small place like Elora with a population of 1,200, and in Fergus, Harriston and Mount Forest, four public buildings in one county in a year, and leaves other counties that never had a public building without any consideration. Does it not appear to the minister that there is something political in the whole matter? I do not know that I have any right to complain. The hon. gentleman thinks he has a right to serve his friends. Does he think it will require four public buildings in the county of Wellington to bring back two Liberal members at the next election? He must think there is some doubt about the result of the next election or he would not spend so much money in one county. The money belongs to the people and it is the duty of the minister to consider the necessities of the country, independent of political considerations. If the minister will frankly state that he is guided by politics in this matter I shall rest the matter there and not complain, but every district in the country has a right to some consideration in the distribution of public money whether it sends a supporter of the government or one not in sympathy with them. I do not say this to try to influence the minister because I have no idea that I would in-

fluence him. He apparently has fixed on a decided policy. If that is his policy, I would like him to make an announcement, do not do it in a concealed way, do not try to keep away from the point by saying: Oh look at Toronto, and make Toronto a scapegoat for everything. Toronto is a big city, but it is not the whole country and there are other parts of the community just as much entitled to consideration as Toronto.

Mr. PUGSLEY. I am sure that on reflection my hon. friend will not feel he has been very happy in his address to the committee. When I mentioned Toronto, I did it in good faith, simply to show that we are not generous to Toronto, but that we are just, as we are seeking to be just to all parts of the country. We cannot erect all the public buildings required at once, nor improve all the harbours. My hon. friend will recognize that I did not allow the fact that his constituency sends a Conservative to this parliament to interfere with my doing justice to the port of Oakville. I have made provision for improving that port. I would not allow the fact that my hon. friend represents that constituency to influence me. The hon. friend speaks of Toronto, and says that we are making a strong bid to win some seats in Toronto by erecting public buildings. If we had a vote here for a public building in the constituency of my hon. friend, he would say to his electors: The Minister of Public Works is trying to capture you by holding out a bribe to you, and are you, the independent electors of Halton, not going to resent such an attempt as that to bribe you by the erection of a public building? It was not a happy speech of my hon. friend, and I am surprised that he should so forget himself as to depart from his ordinary practice of speaking with judgment.

Mr. HENDERSON. I have heretofore taken the other stand. I have said to my people that I did not believe this government was corrupt enough to do that sort of thing and would only erect public buildings in ridings represented by Liberals. But, I am sorry to say I have lost my good opinion of the Minister of Public Works to-night, notwithstanding, that he has given us a very respectable grant for the harbour at Oakville, which I think was generous and just. Oakville was entitled to it, Oakville has never had a public building and it is a very small sum, yet I feel thankful the minister did that, because it is an important port. It is a sort of harbour of refuge between Toronto and Hamilton, where boats can call and in the event of a storm can go in and ride at anchor in the harbour and be protected. Heretofore, I have defended the minister as I have said, and I am sorry that I had to-night to change my mind on that question.

Portage la Prairie public building—revote, $50,000.

Mr. BLAIN. When was the first amount put in the estimates for this building?

Mr. PUGSLEY. At the session of 1907-8.

Mr. BLAIN. Immediately before the election?

Mr. PUGSLEY. The election happened to take place afterwards. This is urgently asked for by the people of Portage la Prairie.

Mr. STAPLES. Has the minister given any further consideration to the erection of a public building in the town of Carman, in the constituency I have the honour of representing? I have brought this to the attention of the Public Works Department every year since I have had the pleasure of sitting in this House. Carman is a town of over 2,000 inhabitants. It is a progressive little town, the citizens have expended a large amount of money in putting in a sewage system and water works, and if there is a town in Manitoba entitled to a public building, Carman is. The minister on former occasions, agreed that I had a good case, and said he would look into it and would undoubtedly give it the consideration to which it is entitled. Taking the minister at his word, I now have to say that if he has looked into it he certainly will have to come to that view and erect a building. Carman is a railway centre. Three lines of railway run through it, the Canadian Northern, the Canadian Pacific railway and the Great Northern, and I was in hopes that the minister would have placed in his estimates, an appropriation towards the construction of a customs office and post office there. Other towns throughout the Dominion which are much inferior to this have been given consideration. The postal revenue is somewhere in the neighbourhood of $5,000 a year, and the amount of business that goes through the post office is greater by 50 or 75 per cent than that of a large portion of the towns which have got public buildings. I bring it to the attention of the minister, and I hope that he will, before this House rises, see fit to put an appropriation in the supplementaries towards the construction of a public building in the town of Carman.

Mr. PUGSLEY. There are a great many places, without speaking particularly, where, I think, public buildings might be erected without exciting any just criticism. I do not say that they would not excite criticism, because my experience has been that no matter what care we exercise there will be some criticism. But, I have been obliged to omit them from the estimates. The supplementary estimates have been brought down, I do not anticipate that

there will be any more during the present session, and therefore, I am unable to give my hon. friend the assurance that he would like to have.

Mr. STAPLES. You might give us a promise and probably we will live on that for a year if you cannot go any further.

Mr. PUGSLEY. That is what I am not able to do.

Mr. STAPLES. Will the minister look into the case I have cited before the end of the session of parliament?

Mr. PUGSLEY. I have already looked into it.

Mr. STAPLES. Do you not think it is entitled to the consideration I have asked?

Mr. PUGSLEY. I can say to my hon. friend that if I had decided to have a public building at Carman I would not expect that I could be very justly criticised for providing for it. But, outside of what my hon. friend has said, I have not had it urged upon my attention very strongly from the people. I have had no intimation from the Post Office Department that the people are suffering any particular inconvenience at Carman. But, I may say to my hon. friend that I will continue to give the matter consideration.

Mr. STAPLES. The minister has said that he has had no pressure brought upon him by the citizens of Carman. I might call his attention to several resolutions that, if he will take the trouble to look at the records, he will find either in his department or the Customs Department, passed by the board of trade and other organizations of Carman, and I might go a little farther, and say that I think he has strong letters from the citizens of Carman who are of the same political faith as he is. When he says that he had no representations from the city of Carman, if he will take the trouble to look at the records, he will find that what I have said is correct.

Mr. PUGSLEY. I will have the matter inquired into.

Mr. HENDERSON. I suppose the Minister of Public Works is perfectly willing to say that he does not refuse to put a public building in a town, because it is represented by a Conservative.

Mr. PUGSLEY. I did not intend to make any such statement.

Mr. HENDERSON. I think perhaps the minister would state that that would not be a guiding feature in his policy, that he does not decide where a public building shall be located by the character of its representation. What does he say in respect to that?

Mr. PUGSLEY. I always feel it to be my duty to give very careful consideration to the representations of our friends.

Mr. HENDERSON. That hardly answers my question.

Mr. PUGSLEY. I think so.

Mr. HENDERSON. I want the minister to say whether or not the fact that a county is represented by a Conservative is to be taken as a reason why a public building should not be erected.

Mr. PUGSLEY. No, these estimates prove the contrary to that.

Mr. HENDERSON. These estimates prove that where a county is represented by a Liberal public money is expended.

Mr. PUGSLEY. And where represented by a Conservative, if a building is needed in the public interest, provision is made for it.

Mr. HENDERSON. Just as freely?

Mr. PUGSLEY. In quite a number of cases.

Mr. HENDERSON. Will the minister say just as freely?

Mr. PUGSLEY. Well that is a pretty hard question to put to me.

Mr. HENDERSON. I will be perfectly satisfied if the minister will say so.

Mr. PUGSLEY. We would hear of it from the county of Halton.

Mr. STAPLES. I might further say that the citizens of Carman have been put to a great deal of inconvenience. Dutiable goods have been coming in there, and the fact that there is no port of entry has made it very inconvenient. The minister will find a requisition along those lines for a public building if he will look at the records.

Mr. PUGSLEY. That will be in the Customs Department.

Mr. STAPLES. Carman is one of the oldest towns in Manitoba. It is the first town that was established south of the Assiniboine river, and I state again that if there is a town in that province that is deserving of consideration at the hands of this government it is Carman.

Winnipeg examining warehouse (new), $25,000.

Mr. HENDERSON. Will that complete?

Mr. PUGSLEY. Yes, it will complete the building.

Mr. HENDERSON. Is this on Main street?

Mr. PUGSLEY. It is on McDermott street, a little off Main.

Winnipeg Post Office building (old)—fitting up ground and first floors, $50,000.

Mr. PUGSLEY. This is to fit up the post office building for savings bank and customs purposes.

Mr. HENDERSON. Is $50,000 the entire cost of the alterations?

Mr. PUGSLEY. We expect that will complete the alterations.

Winnipeg immigration buildings—government's share of cost of asphalt pavement laid by municipal corporation on Maple street, between Higgins' Avenue and C. P. Ry., in front of buildings Nos. 1 and 5, $871.28.

Mr. A. HAGGART. The city collector of taxes sent me several communications about the pavement in front of several other public buildings in Winnipeg. I left these papers with the proper officer in your department, and I would request that the matters be expedited.

Mr. PUGSLEY. Pursuant to my direction the matter has been taken up by the proper officer in my department, and he is now in communication with the authorities of the city of Winnipeg on the subject.

Estevan—public building, $15,000.

Mr. BLAIN. What will be the total cost?

Mr. PUGSLEY. About $36,000. Estevan is quite an important and growing town, and the cost of building is greater there than in the east. We have to build for the future, perhaps more so than in the small towns in the east, because of the rapid growth.

Mr. S. SHARPE. I do not like to trouble the minister, but I tried to be here at eight o'clock and missed it. On the item for Uxbridge, Ontario, does the minister object to give me a little information about that?

Mr. PUGSLEY. No objection at all. We propose erecting a public building there, the cost of which will run to about $15,000. We expect to call for tenders during the present season as soon as plans and specifications can be prepared.

Mr. S. SHARPE. Is there a proposition before the minister in reference to having an armoury in the basement of the building?

Mr. PUGSLEY. Yes. There has been a suggestion made that there should be an armoury in a portion of the building. That, of course, will increase the cost, probably about $3,000.

Mr. S. SHARPE. I would like to urge that upon the minister. Uxbridge is quite a market town, and a good sized town. It is the headquarters of Company 5 of the 24th Regiment, and for a number of years, as captain of that company, I have paid out of my own pocket the rental of an armoury. The young man who is in charge now is a mechanic and he cannot afford to pay the rental. I could not afford to pay it, but I did. I do not think it is fair, where a public building is being erected, for the government to ask the 'officers' to pay for the rent of an armoury when it could be constructed in conjunction with this building. I think the idea would meet with the approval of the citizens. I would urge upon the minister that when they are drawing the plans they should draw them with the idea of having an armoury in the basement of the post office.

Mr. PUGSLEY. The matter will be noted, and carefully considered.

Mr. S. SHARPE. Then I would like to ask the minister if there were any objections taken to the site which has been selected?

Mr. PUGSLEY. The site has been purchased.

Mr. S. SHARPE. Were there any resolutions or petitions sent in to the minister objecting to it?

Mr. PUGSLEY. I do not at this moment recall any.

Mr. S. SHARPE. Upon whose recommendation was the site purchased?

Mr. PUGSLEY. We sent an inspector from the department to look over the different sites that were available, and it was upon his recommendation that this site was chosen. The price is very reasonable, $1,200. The property is a corner lot, 60 feet on one street by 90 on the other.

Mr. S. SHARPE. I understand that the majority of the citizens object to the present site because it is not central enough, it is off at one end of the town. The central site is the O'Neill site that the department had an option upon. What is the price of the O'Neill site?

Mr. PUGSLEY. I have not a memorandum of that. But the gentleman whom we sent there is an expert in the business of selecting sites.

Mr. S. SHARPE. Did he receive any recommendations from public bodies?

Mr. PUGSLEY. I cannot tell my hon. friend, but if he desires I will have the matter looked up to-morrow and let him know.

Mr. S. SHARPE. Did he receive any legal expenses?

Mr. PUGSLEY. $52.74 for the legal expenses, including the travelling expenses of the inspector.

Mr. S. SHARPE. Have you the expenses separate?

Mr. PUGSLEY. I could not say as to that.

Mr. S. SHARPE. Was it Mr. Ormiston?

Mr. PUGSLEY. I have not any memorandum of that.

Mr. BLAIN. He got $49.45.

Mr. S. SHARPE. Would there be any chance of the minister changing the site? I understand that sometimes when citizens object to the site purchased the department make a change. The overwhelming sentiment of the town is that the central site at the market building should have been selected by the government. Three parts of the population reside in that part of the town, and if the central site had been selected it would have met with the unanimous approval of the citizens. I was wondering if the department had any petitions or objections registered against this site?

Mr. PUGSLEY. I am satisfied that the site selected is a good one. I think it would be very objectionable now to attempt to make a change in the site; it would mean selling this piece of land, and it would mean dividing the people on the question of the site, which is always unfortunate. The site has been bought; it had better go on the present site.

Mr. S. SHARPE. I thought perhaps the department in selecting the site might have consulted the representative of the constituency, and the residents of the town.

Mr. PUGSLEY. No doubt the inspector consulted the people of the town; that is his duty, and those were his instructions.

Mr. BLAIN. Surely my hon. friend did not select the site in the town of Uxbridge without consulting the member for the county?

Mr. PUGSLEY. Yes, the sitting member was consulted.

Mr. S. SHARPE. What was his answer?

Mr. PUGSLEY. I do not know, but I know he was consulted.

Mr. BLAIN. What sitting member, may I ask?

Mr. PUGSLEY. Mr. Grant.

Mr. BLAIN. When was the site purchased?

Mr. PUGSLEY. It was purchased in 1909; it was decided upon before that, in 1908.

Mr. S. SHARPE. About what date was it decided on?

Mr. PUGSLEY. Some time in the summer of 1908, I think.

Mr. S. SHARPE. I think the minister is in error about the time of deciding upon the site. On the eve of the election there were three or four options taken on various sites, the options were allowed to expire, and after the election they took up this lot again. So it was not decided until after the election in 1908.

Mr. PUGSLEY. I do not know as to that. I can say that the gentleman who selected it is a man who would consult with the people, he would examine different sites, and he would give his judgment, as I have no doubt he did in this case. He is a man of very excellent judgment, and is not influenced by personal considerations at all.

Mr. S. SHARPE. Were there any public bodies sending in requisitions for this building, or did the Post Office Department ask for a new building?

Mr. PUGSLEY. There was a public meeting in the town as early as December, 1907, and they passed a resolution, and a memorial was sent in urging that a public building should be erected for a great many reasons, which are set forth in the memorial.

Mr. BLAIN. Would my hon. friend read that memorial?

Mr. PUGSLEY. It would take too long. I will send it over to my hon. friend.

Lethbridge immigration building—removal of building to new site, and repairs, renewals, etc., $6,000.

Mr. U. WILSON. This requires some explanation. We want to know why the building was removed, and how far it has been removed. This is a considerable amount for removing a building of an ordinary size.

Mr. PUGSLEY. The cost of the site was $2,200; and the estimated cost of moving the building to the new site, and repairing the same, and putting it in a state of completion, as per tender of Smith Brothers and Wilson, is $3,650; contingencies, $150, making a total of $6,000.

Mr. U. WILSON. How far was it moved, and why was it moved?

Mr. PUGSLEY. It was because the Interior Department urged that it should be moved. In these western cities, which are growing, some of them with great rapidity, it becomes necessary sometimes to move the buildings to more convenient situations or for other reasons. In this particular case, I believe the Canadian Pacific Railway Company, who owned the land and leased it to the department.

wanted it, and it became necessary to move this building to another lot.

Mr. U. WILSON. I am sorry you are so poor in a country where you own so much land.

Mr. PUGSLEY. It is to be regretted

Mr. HERRON. Has the minister had any representations from the Post Office Department regarding a public building in the town of Macleod? I have had very serious complaints from there in regard to the post office, which is certainly not suitable to the place. The Postmaster General has spoken to me several times on the subject, and has said that he hoped that something would be done in the near future.

Mr. PUGSLEY. I may say that quite recently, and only quite recently, I did receive a representation from the people of Macleod, urging that a public building should be erected, but it was too late to take the matter up during the present session.

Mr. HERRON. Is it under serious consideration for next year, and may the people hope that it will be erected then?

Mr. PUGSLEY. There are degrees of consideration.

Mr. HERRON. The town is a very important one, with a population of nearly 2,500, and with two railways. The mail is distributed in a small room about six feet by ten feet, and the condition is most serious. The place is not at all suitable for a post office in a town of its importance. It is a disgrace to the department.

Mr. PUGSLEY. I may say to my hon. friend that I have directed that a report be obtained from the Post Office Department as to the condition of affairs at Macleod with the view of giving the matter my serious consideration between now and the next session of parliament.

Strathcona immigration building—improvements, $3,000.

Mr. HENDERSON. Apparently Strathcona is rather a doubtful constituency.

Mr. PUGSLEY. That is not a kindly remark to make. There are also three items for Lethbridge.

Mr. U. WILSON. This is a pretty large item for repairs. Will the minister give us some idea of what it is for?

Mr. PUGSLEY. The building was constructed in 1900. It is a wooden building, set up on wooden posts, and these improvements are all absolutely required. The building has cost in the way of construction up to the 31st March, 1909, $7,407.08. and there have been repairs to the amount of $1,548.35. The building is 2½ stories, 55 feet by 28 feet, and there is a 3-story annex in the rear, 32 feet by 10 feet. It contains kitchen, baggage room, dormitories, washroom and storeroom.

Mr. U. WILSON. Are these immigration buildings finished on the inside with boards or plastered??

Mr. PUGSLEY. This is plastered.

Mr. BLAIN. May I ask the minister if he will supply at the next sitting of the committee a list of the newspapers, with the amount paid to each, in which advertisements were inserted for tenders for public buildings at Whitby to the amount of $354.95, at Welland to the amount of $340.80, at Leamington to the amount of $362.94, and at Dauphin, Man., to the amount of $236.91.

Mr. PUGSLEY. I will be glad to do that.

Chilliwack, B.C., public building, $10,000.

Mr. J. D. TAYLOR. Will the minister kindly tell the committee what his intentions are in regard to this building?

Mr. PUGSLEY. The intention is to purchase a site and later on to proceed with the erection of a public building. I may say we have not yet purchased the site. I believe there is a considerable difference of opinion as to what would be a proper site for the building. We have made a good deal of inquiry and have had our good deal of inquiry and have had our representative there, but we intend to completing the purchase. Perhaps my hon. friend (Mr. Taylor), who is familiar with the situation, would let me know what he thinks of the present post office site for the new building.

Mr. J. D. TAYLOR. That is rather a delicate question to ask because I happen to have possession of the adjoining property. I would like to say, however, that Chilliwack is really suffering very much for the want of this building. I do not think there is any place in the whole country where one is needed more.

Fernie public building—$10,000.

Mr. PUGSLEY. This is to complete the public building at Fernie.

Mr. GOODEVE. Is that a post office building?

Mr. PUGSLEY. Yes, that is a post office building now under contract.

Mr. GOODEVE. I have a long letter here a column and a half in length, the writer of which states that he has had to wait as long as half an hour and three-quarters of an hour in order to register a letter owing to the bad accommodation there.

Mr. PUGSLEY. In the new building?

Mr. GOODEVE. That is what I wanted to know.

Mr. PUGSLEY. That would be in the old building. The letter shows the necessity for the new building, which is nearly completed.

Greenwood public building—revote of $5,000, lapsed, $10,000.

Mr. BLAIN. What will this building cost?

Mr. PUGSLEY. I do not think we can get this constructed for less than $25,000 to $30,000. Greenwood is quite an important place.

Mr. BLAIN. When was the item first put in the estimates?

Mr. PUGSLEY. I think it was put in the estimates in 1908-9, but I am not sure. However, Ithink there is no question about the building being very urgently required, and I regret that I have not been able to build it before this.

Vancouver public building—$15,000.

Mr. HENDERSON. Is that the post office building?

Mr. PUGSLEY. The new post office.

Williamshead quarantine station—improvements and repairs to building and fittings, etc., $5,000.

Mr. BLAIN. Before we pass from the British Columbia items, will all this work in British Columbia be done after public tenders have been invited?

Mr. PUGSLEY. Yes, unless some repairs, but all the new buildings will be constructed after public advertisement and tenders.

General—tobacco curing experimental stations, $5,000.

Mr. HENDERSON. What are these?

Mr. PUGSLEY. These are requested by the Department of Agriculture.

Mr. U. WILSON. Where are these stations to be located?

Mr. PUGSLEY. The intention, as I understood, is to put one in Ontario and one in Quebec.

Ottawa public buildings—grounds, $12,000.

Mr. U. WILSON. Wha t grounds are these?

Mr. PUGSLEY. These are the parliamentary grounds.

Mr. HENDERSON. There is a contract, I understand.

Mr. PUGSLEY. No, it is all done by day work under our own foreman.

Mr. GOODEVE.

Mr. U. WILSON. Do you mean to say that it costs $12,000 a year to keep up the parliamentary grounds?

Mr. PUGSLEY. Yes.

Mr. G. TAYLOR. And they are very badly kept at that.

Mr. U. WILSON. Do they include the grounds at Rideau Hall?

Mr. PUGSLEY. This item does not include the grounds at Rideau Hall.

Mr. GOODEVE. Walking around the rear of this building to-day I found the cedar hedge in very bad order. It ought to be replaced. Perhaps the minister has not noticed it.

Mr. PUGSLEY. I notice that it is unsightly. But, if it were taken away, we should be under the necessity of putting up a nice substantial fence which would be expensive, and so we have not decided to do anything yet.

Mr. GOODEVE. Why not replant the hedge?—it would be much handsomer than a fence.

Mr. PUGSLEY. It might not be a success. My hon. friend (Mr. Goodeve) knows that here as elsewhere, cedar hedges have not been thriving of recent years.

Mr. G. TAYLOR. All the trees around the summer house and the Queen's statue have been allowed to die for want of throwing a little water on them. I think that the grounds receive very poor attention. I would invite the minister, the first time he goes to Toronto, to observe the way the parliament grounds there are looked after. It seems to me that the men in charge here are not competent to do the work. The condition is simply disgraceful.

Mr. PUGSLEY. We are supposed to have, and I believe we have, a first-class foreman gardener. I will see that my hon. friend's views are conveyed to him.

Rideau Hall, including grounds, improvements, furniture and maintenance, $35,000.

Mr. U. WILSON. This item ought to be explained. When our friends who now occupy the treasury benches were in opposition, they used to find a great deal of fault with a much smaller expenditure on Rideau Hall than this. And perhaps the minister could tell us what becomes of the old furniture that is put out of the building. Every year, there seems to be a lot of new furniture purchased, but I have never been able to find what was done with the old. It would be good enough, I fancy, for the houses of most of us. But these things seem to be appropriated by some one and no account given.

Mr. PUGSLEY. My hon. friend is entirely in error. All the old furniture which seems to be of no use is auctioned off and the proceeds go into the treasury.

Mr. U. WILSON. Perhaps the minister would give us an account of that.

Mr. PUGSLEY. I cannot give it to-night, but if my hon. friend would like it I will have it prepared.

Mr. U. WILSON. I would like to have it.

Mr. PUGSLEY. I have asked the chief architect to make a note of it.

Mr. U. WILSON. Now, perhaps the minister would tell us how this money is expended.

Mr. PUGSLEY. The best way would be to give some details of the expenditure of the past year: decorating dining room, $1,600; tennis court, $720; plants, bulbs and seeds, $992; dry goods, &c., $6,533; lumber, $1,752; hardware, paint and glass, $1,376; furniture, flags, cleaning carpets, &c., $1,231; sand, cement and manure, $305; salaries, &c., $18,110; sundries, $180. That is the expenditure up to December, and gives my hon. friend an idea of how the money goes.

Mr. U. WILSON. When I get the other account I shall have made a start for what I am after. I have a lot of figures, and I think they come to a good deal more than the minister has given.

Mr. PUGSLEY. I will get the information my hon. friend (Mr. U. Wilson) wants.

Dominion cattle quarantine stations, renewals, repairs, &c., $20,000.

Mr. PUGSLEY. In this case, as in others, 25 per cent of the amount has already been voted. And as the amount voted, $5,000, is sufficient, I move that this item be struck out.

Mr. BLAIN. How does this happen?

Mr. PUGSLEY. We find that under this head we do not require more than $5,000.

Mr. DEPUTY SPEAKER. Item struck cut.

Yukon public buildings, rents, repairs, fuel, light, water services and caretakers' salaries, $60,000.

Mr. BLAIN. How is the money for Yukon public buildings to be expended?

Mr. PUGSLEY. It will be the same as last year, rent, repairs and renewals, light, fuel, caretakers' salaries, etc. I am asking the same vote as last year, and I have no doubt my hon. friend will find in the Auditor General's Report a full statement.

Interior Department, civil government—salaries, $876,866.27.

Mr. U. WILSON. There seems to be a large increase?

Mr. HENDERSON. I notice the number of officials in the Interior Department is to be increased from 670 up to 722. Is the minister simply making provision for that increased number, or are they already at work in the department?

Mr. OLIVER. Owing to the increase of work in the department we were compelled to employ a larger number of temporary clerks during the last year than we had provision for in the estimates. They were employed under the Act, and were paid out of the contingencies vote. I desire now to provide for that number in the permanent vote, and that accounts for the larger part of this increase. These people have been in employment under the Civil Service Act as temporaries. We wish to make permanent provision for them, and also for further requirements to meet the increase of work. We would prefer to employ permanent people, because the employment of temporaries is not satisfactory. Under the Civil Service Act we cannot employ a temporary clerk for more than four months in any one year, and of course where we have permanent work that is most unsatisfactory no matter how efficient the clerks may be.

Mr. LANCASTER. How many temporary clerks were employed last year?

Mr. OLIVER. About forty-five.

Mr. SPROULE. You are providing for fifty-two new ones this year?

Mr. OLIVER. Forty-five were in employment temporarily. We are making provision for fifty-two, including forty-five permanents instead of these forty-five temporaries, and as our work increases we will be able to take on further permanents up to the total number of fifty-two.

Mr. BLAIN. Do the temporaries have to pass the Civil Service examination?

Mr. OLIVER. Under the Act we cannot employ any one who has not passed the Civil Service examination and been approved by the commission.

Mr. HENDERSON. Why do they have to go in four months?

Mr. OLIVER. Because the Civil Service Act says they can only be employed for four months.

Contingencies, $47,000.

Mr. OLIVER. The increase of $10,000 in contingencies is due to an increase in the amount of printing and stationery, owing to the increased business of the department by reason of the larger number of homestead entries with consequent issue of patents, etc.

Mr. BLAIN. Is any of this printing done outside of Canada?

Mr. OLIVER. Not of this vote; this is all done in the Printing Bureau.

Immigration—salaries of agents and employees in Canada, Great Britain and foreign countries, $200,000.

Mr. U. WILSON. I think this requires some explanation.

Mr. OLIVER. The amount is the same as was voted last year, and the division is as follows: Salaries in Canada, $117,412; United States, $42,180; Great Britain and Ireland, $34,834; Europe, $5,500.

Mr. SPROULE. Where have you W. T. R. Preston now?

Mr. OLIVER. Mr. Preston is in the Department of Trade and Commerce. He has not been in the Interior Department for some years.

Mr. U. WILSON. I want to call the attention of the minister to the fact that we have had an inspector on the Bay of Quinte railway. I put a question on the paper the other day asking how many immigrants had been located along that line. The answer was that they did not keep track of those located, and I do not know what they want an inspector there for. They also gave the information that they had deported sixty-eight. Following that question I asked how many had been located between Deseronto and a place just at the other side of Tweed—I forgot the name. I find that the department are in the habit of sending their special agents to the old country every year. Has that been done this year?

Mr. OLIVER. Yes.

Mr. U. WILSON. And that they employ some of them the year round?

Mr. OLIVER. Yes, some of the men who are in employment the year round are sent to Great Britain during the season of immigration effort.

Mr. U. WILSON. Have you not some who are not employed the year round that you send abroad?

Mr. OLIVER. Yes.

Mr. U. WILSON. I find there is Anson Aylesworth, and I do not want to make any exception in his case, because he happens to be a brother of a minister. The only exception I take is that I think this officer was entirely unnecessary. He was immigration agent in the old country, and the Auditor General's Report for 1908 shows that it cost this country $988.98 for a trip occupying four months which I call a pleasure trip. I moved two years ago for a return showing the reports that these people who went as special agents to the old country had made to the government. I did not find any reports made by any of these gentlemen. Mr. Walker, the assistant superintendent of immigration in London, made a report. He spoke in glowing terms of the success of these gentlemen, and told how they had eloquently addressed public meetings, how they had attracted a great deal of attention, and he added that afterwards there had been a great many inquiries made as to this country. But, I did not find any particular report from him as to the number of people that they had induced to come to this country. At page K—118 of last year's Auditor General's Report Mr. Aylesworth is put down as superintendent of immigration on the Bay of Quinte railway. The report shows that he received $100 a month. The total cost to the country was $1,070.14. I would like to know what Mr. Aylesworth did as inspector on that road. I have no knowledge of any considerable number of immigrants being placed anywhere along that line except that they were sent to Deseronto during the time we had that great influx in 1907. The work gave out, some were deported, some returned to Napanee, some were scattered in various places, and they were a pretty unsuccessful lot of people. In addition to his other duties Mr. Aylesworth found it necessary to come to Napanee during the election and deliver an address in the committee room of the Liberal party. He did that at the last general election. At that time I did not know that he was in the government employ; I presumed that he had had his pleasure trip to the old country, and was through. But, I found that he was constantly in the employ of the government. I would like to know whether Mr. Aylesworth is still in the employ of the government as a regular official, what his salary is, and what his duties are? I do not take any exception to Mr. Aylesworth as an officer, but I think he should keep out of committee rooms, and refrain from making speeches. I remember that the right hon. leader of the government (Sir Wilfrid Laurier) made a promise to this House that any civil servant that dabbled in politics would be given an opportunity to devote all his time to politics, but in those days most of the officials were Conservatives, and most likely a great many of them were dealt with accordingly, but I have never known of a single instance where he dismissed a Liberal for interfering in politics. There are some other matters that I want to speak about, but I would like to hear what the minister has to say about Mr. Aylesworth, and his conduct in interfering in the elections, and what his duties were as inspector of the Bay of Quinte railway.

Mr. OLIVER. Mr. Aylesworth was em-

ployed temporarily—I cannot give just the time—as a farm delegate. He was a practical farmer.

Mr. U. WILSON. The return says four months.

Mr. OLIVER. He was employed temporarily as a farm delegate in the old country. I think it is not necessary to enter into a disquisition as to the value of the services rendered by these farm delegates, but I think the results of their work in past years is very well shown in the quantity and character of the immigration we are getting this year. However, Mr. Aylesworth was employed temporarily, and we believed that he gave satisfactory service. He afterwards was given employment as inspector of the farm labour distributing agencies that we have throughout Ontario. If he is listed in the Auditor General's Report simply as immigration inspector on the Bay of Quinte railway it is not a correct statement of his duties.

Mr. U. WILSON. That is what it says.

Mr. OLIVER. That is not a correct statement of his duties, because his duties are not confined to the Bay of Quinte railway; in fact, I do not know that they have any particular connection with the Bay of Quinte railway. He is simply employed in Ontario inspecting the agencies which we have throughout the province to distribute farm labour, and during the season of immigration effort in the old country we have employed him during the past two years for three or four months. We believe that he is a very satisfactory officer. We have every reason to believe so; we thought he should be so by reason of his experience, character and ability. His salary when employed is $100 a month. I have no knowledge of the part he took in the election. If he was in the employ of the department I certainly think he should not have taken that part. I care not who he is, if he is drawing government money to an amount sufficient for his livelihood, if that is his salary, he should certainly have given his whole time to the government, and should not have interfered in elections. But I am not at this moment aware whether he was in permanent employment of the government at the time. Of course if he was not in permanent employment, the position is somewhat different.

Mr. U. WILSON. I do not take any particular objection to Mr. Aylesworth speaking against me in that election. He stumped against me in 1892, and our fellows rather made sport of him, pretending to speak for the other man while he was talking in my favour. He is a glib tongued chap, quite a good speaker. In the Auditor General's Report for 1908, vol. 2, I find these items:

K—30 G. A. Aylesworth as special agent to England four months to 31st March at $100 per month, railway fares, $88.40; travelling expenses, $400.58, total $988.98. Return February 4, 1910.

5—G. A. Aylesworth January, 1909, for four months got $833.24. Auditor General's Report, 1909.

K—118 G. A. Aylesworth as inspector on the Bay of Quinte for nine months, $1,070.14.

I hardly know where he got his Pullmans on the Bay of Quinte railway. I never heard of Pullmans on that railway. I just call the attention of the minister to this item, because it looks to me absurd for any man who is inspector of immigration on a little railway like the Bay of Quinte. I recollect talking to the station agent, who was distribution agent of immigration at Yarker during the election. He had been appointed as one of the men to locate immigrants, and he said, I never located any. But you remember a man by the name of Miller, and he stole some money from the government that he had to refund, but the government never made him come to time as they would an ordinary criminal. If an ordinary man had settled with a criminal as they did with Miller, it seems to me he would have got into trouble. I would like some explanation about the children that Children's Aid Societies are bringing to this country, whether they pass a regular examination like ordinary immigrants; also I would like some information about grants to the different women's societies that bring out females, and I would like to know whether they also have to pass examination like ordinary immigrants. Then would the minister say whether female domestics are examined like ordinary immigrants. I see bonuses were paid on them to the amount of $4,878. I would like an explanation of the different societies to which you give bonuses, and whether all these people have to pass an examination like ordinary immigrants. I suppose you have got a number of inspectors, and I hope they are more useful than out friend Aylesworth has been, apparently. Tell us how many inspectors you have, where they are located, and what their duties are. I suppose they report to the department from time to time. There was another matter that I used to be interested in before the Agriculture Committee, that is, as to what reports were made by agents who were getting salaries. I have not heard of any of them reporting the numbers they sent in. But we always get reports from the men on commission, and I wondered sometimes whether they worked together. It seems strange that we never heard any particulars about the men on salaries sending in great numbers of people. But they do come in here in large

droves, and we find in the Public Accounts considerable bonuses paid for them.

Mr. OLIVER. In regard to the children who are brought out, they, as well as all other immigrants have to pass a medical inspection at the port of landing. There is no exception in that respect. But the children who are brought out are also subject to medical inspection before they leave the old country, that is, they are required to have a medical certificate before they start, but that does not relieve them from the medical inspection on their arrival in Canada. The same is true in regard to all people who land in Canada as immigrants, whether brought out by societies or not. We have inspectors for various purposes in different branches of the immigration service. We have one inspector whose duty it is to look after distributing agents, that is, those who are authorized to secure employment for farm labourers throughout Ontario. Mr. Aylesworth is the only inspector we have for that purpose. Then we have inspectors for the boundary inspection service, or the exclusion service, as it might be called. We have inspectors also of the children who are placed in homes throughout the country. So we have three different classes of inspectors. But we have only one inspector for the farm labour distributing agents.

Mr. SPROULE. Does that inspector report to you?

Mr. OLIVER. Yes.

Mr. SPROULE. Where is that report to be found?

Mr. OLIVER. Those reports are in the department, they can be produced on an order of the House. They are not printed; if we printed all the reports we get they would make a very bulky volume, and probably not be required. But the reports are in the department and can be produced.

Mr. U. WILSON. Does Mr. Aylesworth travel on a pass?

Mr. OLIVER. Yes, he has a pass.

Mr. U. WILSON. Over all the roads?

Mr. OLIVER. All the large railway systems. The societies whose names are mentioned on page 124 of the Auditor General's Report for 1908-09, simply get the ordinary bonus on the people they bring out, under the regulations, the same as any other agents. They do not receive any special consideration. They get $5 a head on domestic servants, but not on factory women or any other kind.

Mr. U. WILSON. What guarantee have you that these are domestic servants who come to this country? I see that the Ontario government are also giving a bonus on domestic servants. I do not approve of it, but they insist that a domestic servant must bring a letter from a clergyman as to her standing, and a recommendation from her last employer in this country, before the agent gets the $5. So far as I know, with this government all one has to do is to pass as a domestic servant and the agent gets the $5. Is that the case?

Mr. OLIVER. No. The agent who claims the bonus has to tell us where the person on whom the bonus is claimed is employed. We then inquire of the employer, and on receiving a satisfactory reply, we pay the bonus.

Mr. U. WILSON. How do you apply—by letter?

Mr. OLIVER. Yes. It might interest my hon. friend to know that in the immigration branch last year we got 220,000 letters.

Mr. U. WILSON. Were they all answered?

Mr. OLIVER. All that required answer.

Mr. HENDERSON. I am informed that about at present 100 domestics are expected to arrive in Toronto, in two parties of, I think, 50 each. Does the minister know anything of that or whether they are brought out under Dominion or provincial arrangement?

Mr. OLIVER. I have no specific knowledge of any party of that particular number. As my hon. friend is aware, the Ontario government is at present taking an active interest in immigration work, and it might be a party they were taking a special interest in. I may say that, as a department, we do not specially undertake to bring out domestic servants or to assume responsibility in regard to them. They are taken in hand by parties who make practically a business of conveying them out and seeing to the placing of them. We recognize the people who do this as long as we think they do it satisfactorily, and they get the benefit of the bonus.

Mr. U. WILSON. Of course, I do not agree with that view, because I think people who want servants ought to pay for them. When your inspectors are away from your office, I suppose you pay their board and lodging and their fare?

Mr. OLIVER. Yes.

Mr. U. WILSON. Mr. Aylesworth could not have been away a great deal, because I find that his board and lodging cost only $116.50, whereas the board and lodging of Mr. McInnis, of Detroit, cost $513. Mr. Aylesworth paid only $3.75 for sleeping car, $19.04 for transfer of baggage, and

$11.40 for fares. I understood that Mr. McInnis was supposed to be located in Detroit. Either one of two things have happened: either Mr. Aylesworth has not travelled a great deal as the general agent of the department to locate farmers throughout Ontario, or Mr. McInnis got a good board for very little travelling, or lived pretty well for a man supposed to be living in Detroit.

Mr OLIVER. It is rather a mistake to suppose that the agent in Detroit has no other duty than to attend to the office there, The business of Mr. McInnis, as of all our agents of that class in the United States, is to go wherever in the state it may seem to him to be necessary to go, either to hold meetings, to give information, or to assist prospective settlers in commencing their journey.

Mr. U. WILSON. Have you not several agents in that state?

Mr. OLIVER. No. The only office we have is in Detroit, and Mr. McInnis is the agent. While he has control of the office, his business is more important outside of the office than in the office. Mr. Aylesworth has not the same class of duty at all. His business is simply to visit the different men who are authorized to act as distributors of farm labour, and it may easily be seen that such duties do not require nearly as heavy expenses as the duties of Mr. McInnis.

Mr. U. WILSON. I think Mr. McInnis' office cost more than $8,000 a year. Although it is a rented building, he put a stone front on it and plate glass windows in it. Why should he put on such expensive repairs instead of the owner of the property? If the owner wants to rent the building, he ought to put it in a rentable shape. I think Mr. McInnis pays $900 a year for rent.

Mr. OLIVER. $1,200.

Mr. U. WILSON. And he does his own repairs. Is it pretty general in your department to allow your agents to rent buildings at such prices as they like, and then to make such repairs as they think fit at the public expense of Canada, instead of renting a suitable building and letting the landlord do the repairs? That is done in several cases, and I think it should not be continued.

Mr. OLIVER. I will take all the responsibility upon myself for the expense of fitting up the office at Detroit. Some years ago when I first visited Detroit, our office was in an upper room, where a visitor under ordinary circumstances would not find it, although it was in a very good street, and it seemed to me that if we were trying to do business in an agricultural state like Michigan, and in a city like Detroit, which is the centre of an agricultural population, it was not economy to have an office in an upper room not convenient to the public or in the public view. Other people who are trying to attract public attention, who are trying to do business with the public, obtain the best situation and make the best front they can, and I took the responsibility of authorizing our inspector for the United States, Mr. William White, to secure a building or office accommodation that would be better adapted to our purposes, and the accommodation was secured. We made the best arrangement we could as to rental, and we would have had to pay more rental if we had not put in the fittings ourselves. We wanted the fittings to suit our purposes, and I think it will be agreed by those who have seen our office that we have a very suitable place for the purposes we have in view, and one entirely creditable to our country. I do not think it is economy to spend $8,000 in rent and salaries for an office, the purpose of which is to get in touch with the public, and not get full value for the sake of spending a few hundred dollars more in order to secure a good situation and an office with a good appearance and proper conveniences and appliances.

Mr. U. WILSON. I am very sorry that there was not another building in Detroit that was suitable and that might have been rented without a great deal of expense on repairs. That is a very exceptional situation in any city or town, for you can easily get a suitable place without putting on repairs. So far as my knowledge goes a landlord who has his rent assured would prefer to meet the tenant on reasonable terms. The fact that the minister takes the full responsibility does not alter the case a bit. He might have done what he thought was best, but that is a matter of opinion. I think he should not have required so many repairs.

Mr. HERRON. Before we leave this item I wish to draw the attention of the minister and the House to a matter I previously discussed and to offer an explanation of some statements I made in this House on the 22nd March of this year, when a similar item was under consideration. On that occasion I called the attention of the minister to a statement that was alleged to have been made by Bruce Walker who, I thought at that time, was Commissioner of Immigration for the Dominion in all foreign countries, but who, I now understand, is Commissioner of Immigration to the United States. I find that the remarks I then made have been very much misinterpreted or misquoted. The newspapers in my locality, the southern part of Alberta, have construed my re-

marks on that occasion into something that would lead the people to believe that I was very much opposed to immigrants from the United States coming into our country. I wish to assure the House that I have never taken such a position either in this House or out of it. I have always upheld both here and elsewhere the immigrants from the United States as the best immigrants we get into our prairie country. In case I might be misquoted again or misinterpreted, I would just like to place on 'Hansard' a few of the remarks I made on March 22 for the information of the writers of the articles, extracts from which I am about to read. I wish to make it clear what I said on that occasion; here is the statement alleged to have been made by Bruce Walker in Chicago, which I then read:

J. Bruce Walker, commissioner of immigration of Canada, made this statement recently at the Great Northern hotel in a discussion regarding modern methods of handling immigration. He said his country was benefiting by the mistakes of other nations, that it took care of all immigrants for one year and considered the heart, brain and brawn could be better interpreted than laws.

'The boundary line between Canada and the United States,' said Mr. Walker, 'is little more than a line between two states or two provinces. Our immigration laws are so similar that there is really a mere exchange of courtesies at the boundary, but once with our nation an immigrant becomes a ward of the government for a year. Once a newcomer enters the immigration area—that is Manitoba, Saskatchewan and Alberta—we care for him in sickness or distress, pay his doctor's bill, nurse him, rebuild his house if it burns and are responsible for his welfare. Why do we do it?—because it pays. We have found that the nearer the government comes to the immigrant the nearer the immigrant comes to the government. It makes him a better citizen. He feels that he has something better to depend on than even neighbours and friends. And from that feeling springs a regard for his adopted country that can only be likened to a man who adopts religion; he believes in it.'

I would like to read another line or two from another part of my remarks on that occasion. I asked the minister if this statement of Bruce Walker was true; it was not my statement, and here is what I said. I do not know how my remarks could be misinterpreted:

At least, if the statement of Mr. Bruce Walker is not true, then I do not think he should be employed as representing this government in a foreign country.

At that time I was not aware that he was exclusively representing Canada in the United States. I supposed that he was Commissioner of Immigration for all foreign countries. Now I repeat what I said on that occasion. If the statement made by Bruce Walker or alleged to have been made by him, was not true then I claim he is not fit to represent Canada in a foreign country, and if his statement was true, then he was misrepresenting the facts to the people who are coming to our country. To show how some of the papers have misrepresented me, perhaps I may be allowed to quote this paragraph:

'John Herron, M.P., is credited with saying that the Federal government pays the doctor's bills of American settlers, reconstructs burned buildings and in other ways pampers the 'Alien' and deals but scant courtesy to the Canadian or Britisher. John will have to do some 'squaring' when next he faces the electors.'

That is from one paper, and I have three or four others which have misquoted me in the same way. I do not wish to take up the time of the committee as we are all anxious to get through with the business; I simply wish to say that I have nothing to apologize for in respect of anything I said on that occasion. I have always upheld the American settlers. I have said that they make the best settlers because they are better accustomed to the prairie country coming, as they do, from the western states. When they come into our country they are better able to adapt themselves to the conditions which they find on our western prairie. They are people of fine moral character, independent in their ways, and with experience of conditions similar to those we have in our prairie provinces. In one of the papers which I have here reference is made to some remarks made by Mr. J. A. Currie. I have only to say that I was not present when Mr. Currie made these remarks, and that I am not responsible for Mr. Currie's views.

Mr. U. WILSON. There are supplementary estimates for this service of $125.000, making an aggregate appropriation of $1,040,000, which is the highest estimate we have ever had for immigration up to this date, I believe. What has occurred since the main estimates were prepared to make it necessary to have this supplementary vote?

Mr. OLIVER. It is partly due to the greater precautions being taken from time to time in the exclusion of undesirables, and partly to the very great increase in the number of immigrants coming this year for whom we have to provide. The main estimates were prepared in the fall of last year. We could not know then what the movement this year would be. The hon. gentleman (Mr. U. Wilson) knows that the movement this year is beyond all previous records.

Mr. BEATTIE. Is there any record of what these agencies do? For instance, the Detroit agency is an expensive one. Un-

less it pays by the number of immigrants it is not desirable to keep it going. I think a record should be kept of what the agencies do, to ascertain whether they pay or not.

Mr. OLIVER. It is not possible for us to keep a record of the results of the work of any agent or agency, for the reason that we have no control over the movement of people. We can only judge of the results of the work of the agency by the movement from the locality it serves. My hon. friend (Mr. Beattie) is aware that the movement of people from the United States during the past few years has been increasing, and is particularly large this year. We do not claim all the credit for that for our agents, but we do claim that they are a contributing cause, and that the continual growth of the movement is evident that good work is done. I have not the figures before me, but I think the record of the homestead entries from the different states will show that there is good work done in the state of Michigan by the agency there.

Mr. BEATTIE. Do the agents give a monthly, or a yearly report?

Mr. OLIVER. A monthly report. There is also the annual report which appears in the blue-book, but it would be too cumbrous to publish their monthly reports.

Mr. SPROULE. How much did you spend last year in the aggregate?

Mr. OLIVER. We have not the full accounts for the last year, but I am informed that the total expenditure, including that from the supplementary estimates for the year, will amount to about $975,000. In the year 1908-9, the Auditor General's Report shows an expenditure of $979,326.

Mr. U. WILSON. If you add the supplementaries for last year $60,000, you will have an expenditure of over $1,000,000.

Mr. OLIVER. The estimates I have given includes the expenditures from the supplementaries. Including this, the expenditure will be about $975,000.

Mr. SPROULE. Speaking of Mr. Aylesworth, the minister said he was travelling on a pass, which accounted for his not charging so much for railway fares. How many of the agents of the Immigration Department make use of passes, and how are these passes paid for if at all?

Mr. OLIVER. The agents of the Immigration Department whose business it is to travel receive passes from the railway companies which are not paid for, and not charged for. It is a courtesy that is granted by the railway companies to the officials of the department whose business it is to travel.

Mr. LANCASTER. Is not the minister aware that the granting of these passes is illegal under the Railway Act. It is legislated against in this country as discrimination. Under the Railway Act, there are certain passes that may be issued, but such passes as the minister refers to are not among them. When travelling on trains, I have observed these officials with passes. I thought perhaps they were travelling on private business; but it was no affair of mine, and I am not a detective. But, if these passes are gratuitous, if they are not paid for by the government in some way, they are contrary to the Railway Act of this country.

Mr. SPROULE. My object in asking was to find whether these passes were paid for, and so would form an addition to the expenditure.

Mr. OLIVER. I have all the burden I can carry in administering the immigration law, and the land law, without administering the Railway Act.

Mr. CROSBY. How many officials of the Immigration Department, such as doctors, are there at Halifax, and what are their salaries?

Mr. OLIVER. This vote covers the salaries of the medical officers. There are two medical officers at Halifax, Dr. Hawkins and Dr. Chisholm, and their salaries are $1,800 each.

Mr. CROSBY. Has any one been acting there besides these two doctors?

Mr. OLIVER. Dr. Chisholm broke his arm some time ago and another doctor has been acting in his place.

Mr. CROSBY. What do you pay him for his services?

Mr. OLIVER. He was paid $150 a month for the time he was employed.

Mr. CROSBY. Dr. Chisholm was paid his full salary, and Dr. Hogan, who was acting in his place would get $150 a month?

Mr. OLIVER. That is right.

Mr. CROSBY. Are you aware that Dr. Hogan is also military doctor there and has a private practice as well?

Mr. OLIVER. I have no knowledge of that.

Mr. CROSBY. Are these doctors permitted to have a private practice?

Mr. OLIVER. Yes, there is no restriction on them in that particular.

Mr. CROSBY. It seems rather unfair that medical men should be paid from $1,800 to $4,000 by the government, and should at the same time carry on a private practice in competition with other medical men who are not receiving such salaries.

In Halifax, I understand, there are eight or ten medical men thus employed. It would seem to me to be more fair in cities to make one medical man the government doctor and pay him a sufficient salary to enable him to live without carrying on a private practice in competition with other medical men. This is a matter that the government should look into.

Immigration—Contingencies, in Canadian, British, foreign agencies and general immigration expenses, $700,000.

Mr. OLIVER. This is the same amount as last year.

Mr. RUSSELL. Is any provision made in Canadian cities for looking after immigrants after they arrive? Is there any such provision in Toronto?

Mr. OLIVER. In some cities there is provision and in others not. We have provision at the ports of landing, St. John, Halifax and Quebec. We have detention accommodation in Montreal and general accommodation in Winnipeg and various other distributing points throughout the western country. We have none at Toronto. We have an information office there but no accommodation for immigrants.

Mr. RUSSELL. I believe that Toronto is quite an important distributing point. Most of the farmers go there to get their help, and I have noticed lately something in the paper about the British Welcome League and their work. There is no doubt they are doing good work, and if it were not for such an institution there would sometimes be great hardship in Toronto. Would the minister not look into this matter and see if it would not be advisable to establish some sort of a place at Toronto where immigrants could be taken charge of while waiting to be taken up. Years ago there was an immigration shed where people went to pick out their help and I think it would be well to have a shelter where they could at least have a bed and be kept from the streets. It is not fair to rely on the Welcome League to do all this kind of work.

Mr. SPROULE. I notice a newspaper report of trouble between the agent of the British Immigration League at Winnipeg and the Immigration Department. Has the minister received any communication with reference to that?

Mr. OLIVER. I saw that item and communicated with the commissioner at Winnipeg and have his side of the case. I should be glad to give it to the House in a minute.

In regard to Toronto, many years ago, under the system of immigration effort that then prevailed, there was accommodation for immigrants at Toronto, Kingston, Hamilton and possibly other points in Ontario. After a time it was decided that the work of caring for immigrants in the province of Ontario might better be handled by the province than by the Dominion, and these different buildings which were used for the accommodation of immigrants were closed. Then for a number of years the Dominion made no provision and the province made such provision as was made. The province, I think, had some arrangements for caring for immigrants at Toronto. That did not seem to be satisfactory to the province, and after a while they abandoned it and gave the Dominion authorities notice that if they wanted to take any interest in immigration effort at Toronto, they were free to do so. Under the circumstances that had existed while the province had handled the matter at Toronto, using Toronto as a converging and distributing point, a sort of depot of immigrants, there seemed to have grown up a very considerable congestion of immigration at Toronto, and it seemed to us when we took the matter over that our business was rather to keep the immigrants out of Toronto than to get them in there, and we established throughout Ontario commission agents, whose business it was to find places for immigrants, placing an officer in Toronto to give information to immigrants that would carry them out of Toronto; that is to say to provide them with information which would enable them to make their railway connections in Toronto and generally secure and give out information that might be helpful, but in no way to make provision for the entertainment of the immigrants in Toronto, our business, as we understand it, being to keep the immigrant out of Toronto, to see that he gets on the farm and therefore we do not assist him in any way to stay in the city. That is the attitude that we have taken in regard to Toronto. As far as the matter has gone yet it has been more satisfactory than the former system. There is private effort for the entertainment of immigrants. There is the Salvation Army and the Welcome League, both of which have accommodation. I think very probably that these institutions, both of which are very worthy in their way, meet the case as it is there to better advantage than if the government undertook it, because experience showed that it is in the interest of Toronto and in the interest of the province, that the immigrants should not be induced to congest in Toronto, but that they should be sent out to wherever their labour will yield the most advantage to themselves and the country as quickly as possible.

Mr. RUSSELL. Around Toronto there is quite a farming district. In the townships of Scarboro and Markham and west of the

city quite a number of labourers are needed to work on the farms, and the farmers come to Toronto to get their help. Immigrants have to stay in Toronto for some little time before they are taken up, although in some cases they are snapped up as soon as they arrive, and the Welcome League have a lot to do, and have done a lot of good. If, on investigation, it is found that the British Welcome League are able to handle this work in a satisfactory manner I think it would be up to the government to help the league by giving them a grant each year. There is no doubt they have been doing good work, and the people of Toronto have had to put up for it, and they have done it willingly. I think it is only fair that these people who are working, not for the benefit of Toronto, but for the benefit of the outside country, should receive consideration.

Mr. SPROULE. There is considerable complaint from farmers that they find difficulty, notwithstanding the large influx of immigrants, in getting men. I had some letters during the present session about it saying that they had written to Toronto, and had written down here, and yet they had failed to get any satisfactory answer. They complain that while the country is paying out a lot of money for immigration, the immigrants are all shipped through to the west, and there is little opportunity for the farmers of Ontario, and the eastern provinces to get the help which is required. That seems to be one of the troubles. If you write down here they refer you to Toronto, but when you get to Toronto there does not appear to be very much chance of getting any satisfactory information as far as I can understand. Farmers complain that there is a disposition to send the immigrants to the prairie provinces, and not make any arrangement for a distribution through the older provinces as well.

Mr. OLIVER. We were able to place about 20,000 farm labourers in Ontario last year, but the demand is greater than the supply. We have no contract to do it, but we are not able to meet the demand when the demand is as large as it is. We have made a very reasonable effort. We have established these distributing agents throughout the country, and the distributing agent in the hon. gentleman's county would communicate directly with the booking agent in the old country.

Mr. SPROULE. There is a distributing agent at Flesherton, but he does not know anything about it.

Mr. OLIVER. Our agent at Flesherton would make inquiry among the farmers of the surrounding country as to how many wanted labourers, and what wages they would pay, and then he would communicate with the booking agents in the old country informing them that there were so many positions available in the vicinity of Flesherton in the expectation that the booking agent, knowing that these places were available, would be able to induce people to book direct to Flesherton.

Mr. SPROULE. What do these agents know about the booking agents or where to write?

Mr. OLIVER. They are informed on the subject, and that is the way they are supposed to carry on their business. Our idea is to get as direct communication as possible between the farm and the immigrant, and by all means to avoid the direction of the immigrant to Toronto as his ultimate destination. Our whole idea is to direct him only through Toronto to his ultimate destination, and we have the office in Toronto for that purpose. We have an agent there for the purpose of giving information to immigrants, and for the purpose of giving information to farmers as well. The services of our agents are available to either the farmer or the immigrant, but we do not think, in the light of our former experience, that it is well for us to do anything in the way of entertainment at Toronto.

Mr. U. WILSON. Will the minister tell us what change he has made in the pay of the distributing agents? I think it has been greatly cut from what it used to be. The amount used to be $2 per head for every man, woman and child in a family that went on a farm.

Mr. OLIVER. We pay now $2 for the farm labourer himself, but not for any member of his family unless it should be that his wife was going to domestic service, in which case the agent would get a commission on her employment also.

Mr. NESBITT. I would like to suggest to the minister that in place of the distributing agents in the various towns writing to the booking agents in the old country, they should write to the head of the Immigration Department here. I believe that a great many of these agents throughout the country do not write as well as they should to the booking agents. I think it would be better for them to write to the head of the Immigration Department and let the head of the Immigration Department distribute the immigrants according to his judgment.

Mr. RUSSELL. I would like to ask the minister how far the territory of the agent extends east, west or north from Toronto?

Mr. OLIVER. He has no specific territory. His office is in Toronto. His business is to give information to the immi-

grants who are passing through as to their trains and destinations. His business also is to answer any inquiries that may come to him with regard to labourers. Any inquiry that comes to him from any part of the province it is his business to attend to as best he can. Wherever the farmer may come from, whether it is five, ten or a hundred miles away, it makes no difference; if Mr. Stewart is able to find a suitable person for him, of course, that man gets the benefit of it, and if he is not, there is no help for the situation.

Mr. RUSSELL. Then the farmer in Markham would have to come to Toronto?

Mr. OLIVER. He could either come or write. Mr. Stewart said to me: The man who comes in here naturally gets the preference. When the man is here and is able to see the man he wishes to engage, and when the man who wants the engagement is able to see the farmer, it is very much more satisfactory than communicating by letter. The man who comes to Toronto gets the advantage over the man who writes, but the man who writes gets the information as well as it can be given to him.

Mr. RUSSELL. That goes to prove that there is need for some accommodation in Toronto for these immigrants. The farmer who leaves his work and comes in gets the best man, and there is no doubt that the best time to select a man is when you can see him. It would be unsatisfactory to undertake to select a man who was away across the ocean with no means of knowing what kind of a man would be sent out. Farmers generally do not realize that they want a man until the very day they need him, and then they run to town and try to find a man. I think that the minister should give consideration to the question of providing better accommodation for immigrants in Toronto. Some years ago the number of immigrants coming to this country was a great deal less than it is now. Everything has gone ahead so rapidly with the immigration business that it is getting almost beyond control. I think it would be wise to have something set aside to provide for accommodation for these people in Toronto.

Mr. OLIVER. In the light of experience it was our judgment that it was better not to provide accommodation in Toronto by the Dominion government. It is not for any lack of attention to the matter, or any lack of willingness to do it. But judging from our experience in 1906-7 when there was such a congestion of immigration in Toronto, we did not think it was desirable by offering accommodation there to favour that congestion. As I told the representatives of the Ontario government when they spoke to us about taking over the office in Toronto, I said our business will be to keep the immigrants away from Toronto, not to bring them there, or entertain them there.

Mr. SPROULE. It is desirable that there should be some central place where people can go and get a man. Sometimes it is impossible for weeks or months to get such a man as you want. It frequently happens that a man is sent who turns out to be absolutely no good. For instance, a man was sent to me who couldn't even drive a horse. I set him digging post holes, and he spent the whole afternoon at one post hole. What is needed is some central place where the farmers can go and select such a man as will suit his purpose.

Mr. OLIVER. My hon. friend asked me in regard to a matter that occurred in Winnipeg, and which was mentioned in the papers. I inquired from the commissioner in Winnipeg, and he replied as follows:

> Man named Rogers, presumably local president English Welcome League, refused admission to immigration hall here late Monday night by night watchman acting upon my general instructions. Have hitherto refused to permit unknown and unauthorized young men access to the immigration halls under any pretext after 10 o'clock at night as in this particular case. If Rogers admission was desired or desirable it would doubtless have been arranged by the simple expedient of applying to the proper authority.

Mr. THOBURN. I would like to know from the minister on what class of immigrants the government pay bonuses. If it is domestic immigrants, where are they sent to? Are they sent to the cities? Because in the towns of the province of Ontario there is a dearth of domestic servants, we have never had one sent to our town. I venture to say that in the town I live in we could place 75 to 100 domestic servants. It is only fair, if the government pay bonuses on domestic servants, that the towns should get their proportion.

Mr. OLIVER. The question of domestic servants is a very serious and important one, and I may add a very difficult one. We have taken some means of dealing with the question of farm labour, but we have not taken the same measures in regard to domestic servants. There are difficulties in the way of handling the domestic servant question which lead me to hesitate at taking up a matter as a government responsibility. The domestic servants who are brought out as such come under the auspicies of certain societies, or of certain ladies who make a business of selecting servants in the old country, of fetching them out here, and of placing them after they get here. They are entitled to a bonus upon those servants after they have been placed in positions. But we do not

assume any responsibility or control of the movements of those servants, except that the person who claims a bonus upon them does not get the bonus unless the servant has been placed in domestic service. We do not undertake to say where the servants shall go. But as I say, there are difficulties in the way of handling domestic servants, and we have not undertaken to do more than offer these inducements, and to give as close supervision as we can to see that the work is not wrongly conducted.

To pay the balance due on rent of house leased for W. T. R. Preston while engaged as commissioner of immigration in London, Eng., $801.71.

Mr. U. WILSON. Do you continue to pay rent for the successor of Mr. Preston?

Mr. OLIVER. I have an explanation which I might as well read:

This sum is to cover the amount due for the rent of a house leased for Mr. W. T. R. Preston while engaged as commissioner of immigration in London, England, for a period of fifteen months from the 25th September, 1906, to 25th December, 1907. On the 25th December, 1902, a lease was entered into with Mr. Henry Lovatt for certain premises known as No. 7 Fitz-James Avenue, Fulham, London, England. This lease was made for a period of seven years at the rate of £130 0s. 0d. per annum, with the privilege of terminating the same at the expiration of five years, that is, on the 25th December, 1907. Mr. Preston paid the rent for a period of one year, when, as the result of an understanding between himself and the department, the latter undertook to pay the rent and continued to do so until the 25th September, 1906, when Mr. Preston was assigned to do other duties. The lease was terminated after a period of five years on the 25th December, 1907, and the owner is claiming payment for £164 15s. 0d. as follows:—one year and three months' rent at £130 per annum, £162 10s. 0d. and £2 5s. 0d. for depreciation during vacancy.

The arrangement was that Mr. Preston was to receive a certain salary and a certain allowance for rent. He rented this building for the period mentioned, but did not continue his tenantcy for the whole of that period. When he left the service of the department, the department did not hold itself responsible for this lease; but in the discussion that has gone on since it would appear that legally and properly the department is responsible for the balance of rent for the term, and we ask the House to vote the money.

Some resolutions reported.

FIRST READING.

Bill (No. 220) to incorporate the Chambers of Commerce of Quebec—Mr. J. P. Turcotte.

On motion of Mr. Fielding, House adjourned at 10.50 p.m.

HOUSE OF COMMONS.

THURSDAY, April 28, 1910.

The SPEAKER took the Chair at Eleven o'clock.

THE LOBSTER FISHERIES.

Mr. J. H. SINCLAIR (Guysborough). Mr. Speaker, I desire now to ask the House to dispose of the report of the committee on Marine and Fisheries dealing with the lobster industry, which I discussed shortly yesterday. I will not make any apology for taking up a short time this morning in giving the House the reasons why the committee arrived at their conclusions. My only apology is the importance of the question. I think I can say that it is of much greater importance than very many of the questions that have engaged the attention of this House during the present session. The committee have made some recommendations in the direction of changing the present law in regard to the lobster industry, and it is absolutely necessary that the government and the House should be put in possession of the reasons that led the committee to arrive at these conclusions. The most important of the changes recommended is in regard to the size limit of lobsters to be taken along the coast. The coast of Canada is divided under the present regulations into nine divisions extending from Gaspé to the international boundary line on the coast of New Brunswick. The reason for this division is largely climatic. The ice disappears from the coast in certain parts of eastern Canada much earlier than in other parts, so that the fishing can be carried on in those parts at earlier dates. It is absolutely necessary, in order to give the fishermen the opportunity of prosecuting their business, that this fact be taken note of in dividing the country into districts. I pointed out yesterday that the committee had found it necessary to ask that exact information be obtained as to the size of the lobsters that were being caught along the coast, as a great deal of difference of opinion on that point existed. The committee asked the department to instruct their officers in every division during the past fishing season to have a large number of the lobsters measured, to find out what size were being caught. It was impossible of course to measure all the lobsters arriving at the different points; but the instructions were to select a boat coming in with fish that was a good sample of all the others, and to measure every lobster in that boat down to a fraction of an inch, and to record the measurements and return them to the department. Those instructions were carried out, I am informed, in every county along the coast of the four provinces, where lobster canning is carried on. There are a few counties in

the Bay of Fundy district where no canning is carried on, and where measurements were not made, but in all the other counties along the coast it was done. It appears that 600,000 lobsters were measured, and the results tabulated, showing the numbers measured in each district and the percentage of those that were below the size limit. It turned out that in some of the districts more than one-half the lobsters taken were under the legal size, and in one district about two-thirds. This proved two things: in the first place, that the violation of the present law is general all over the coast; and, in the second place, that it is practically impossible to enforce the present size limit, because the result would be to close up every lobster canning factory on the coast of Canada. The regulations relating to the size limit have been in force about 36 years, and the evidence appears to be that they have never been respected at any period in their history, that at no time did the packers refuse to accept what are called illegal or short lobsters, that at no time did the fishermen on any part of the coast throw such lobsters back into the water, that the universal practice has been to boil everything that was caught.

Now there are great difficulties, as any person will see who is acquainted with the business, in the way of enforcing the size limit. This fishing is carried on over 5,000 miles of coast by about 3,000 boats, the packing is done in about 700 canneries, many of those canneries are situated at isolated points on the coast and are difficult to reach, and a small force of officers would be utterly helpless in enforcing a regulation of that kind. It is so easy to conceal, and so easy to violate it. I do not say it is impossible, I think it is possible, but it would occasion vast expense and if it could be done, I say it would not be wise to do it, because it would be equivalent to the destruction of the industry so far as the packing is concerned. Some fishermen would object to that. There are fishermen in some districts who sell their lobsters alive, who are favourably situated with regard to the Boston market, and who are able to sell them at large prices at points on the coast of the United States. This, however, is not possible on the greater part of the coast of Canada. Most of the fishermen are still dependent on the packing industry. If you will look at the figures, you will find that the packing is a very large business. The total output of lobsters each year is valued at about $4,200,000. Less than one million of that value pertains to the live lobster industry. Three times as much has to be credited to the packing industry, so that the packing or canning industry is by far the largest industry of the two, and it could not be turned down without very grave consideration. This question of the size limit appears to have been a sort of stumbling block to the officers of the department for many years, and as far as I can find, the official opinion has been that it was very difficult to enforce. As far back as 21 years ago, Lieut. A. R. Gordon, R.N., who was the chief fishery officer at that date in the Gulf of St. Lawrence, made a report to the department in which he says :

The present regulations in regard to size limit and the destruction of females carrying exuded ova are intended as protective measures and are without doubt protective enactments; but the question arises how far the enforcement of the enactments is possible with the existing means at the command of the department and the still wider question as to whether the enforcement of the regulations is compatible with the existence of the industry. I consider the fact undeniable that taking the Gulf of St. Lawrence district if the above quoted regulations were strictly enforced not one single packing factory could run for one single day, and if the packers, whose interest and desire it undoubtedly is to maintain this fishery, were to attempt to enforce the law, the fishermen would directly reply that they could not make a living at fishing with adherence to those regulations, and therefore could not fish for the packers. The rigid enforcement of the existing regulations is therefore tantamount to the closure of the factories.

That was the opinion of Lieut. Gordon 21 years ago, and he was the officer at that time in charge of the protection of fishing in the Gulf of St. Lawrence. Now, coming down to the present day, I may give the opinion of Mr. Venning, who is the present commissioner of fisheries. Mr. Venning did not make up his mind without a good deal of consideration. He is a very able officer as we all know, and has given great attention to this branch of the department. Mr. Venning visited the coast of Nova Scotia and New Brunswick, and I think of all the maritime provinces two years ago, in order to investigate this matter. He called every fishery overseer, every fishery official, or at all events, every fishery inspector in charge of the enforcement of the law and consulted them in regard to the enforcement of the law relating to the size limit, and after these consultations which were very carefully gone into, this is what Mr. Venning says in his report to the department:

The preponderance of opinion developed at the inquiry was to the effect that in many cases a strict enforcement of the existing size limits would, if not entirely close up the canneries, so cripple them as to make it unprofitable to continue operations.

The view held by the canners to-day seems to be that if they are obliged to render a strict observance of the size limit they cannot proceed with the prosecution of the industry.

Now, I will also call another witness, Mr. M. H. Nickerson, member for the county

of Shelburne, in the local parliament of Nova Scotia. Mr. Nickerson is a man well acquainted with the fishing industry. He was so prominent in that line that he was selected in 1898 as a member of the Royal Commission that investigated this important question. Both Mr. Nickerson and Mr. W. Whitman, M.P.P. for Guysborough, were on that commission, and they both gave the commission the benefit of their evidence. I will read what Mr. Nickerson says on that point:

Q. Is not the great danger to the lobster industry the taking of small lobsters?—A. Yes, I have admitted that is so.

Q. The first object would be to protect the industry, and is there not a danger of the fishery being destroyed because of small lobsters being taken?—A. The law gives that nominal protection already; what we want is that the small lobster shall be protected in practice as well as in law.

Q. The law that is not enforced is no good. Whose fault is it that it is not enforced?—A. I am obliged to say that it seems to be tacitly agreed by all parties concerned that the law with regard to size should go by default. It is a very unsatisfactory state of affairs.

Q. That is what is destroying the whole industry, the law is not enforced?—A. I have nothing to say in opposition to that.

Then I want to give the opinion of Mr. H. E. Baker, of Cape Breton. Mr. Baker has been all his lifetime engaged in the lobster industry, and there is no man in the maritime provinces who is better acquainted with that industry. The question asked of Mr. Baker was:

Q. If you reduce the size to 7 inches would you not be encouraging the destruction of the female lobster before it reaches the age where it is easily distinguishable as a berried lobster?—A. They are destroyed now almost about that size, some about 4 inches in size I understand in some places.

Q. Well, what do you say about that, do you think it is a good thing?—A. No, it is not a good thing if one can prevent it. The size limit has been universally disregarded not only in this country but even in the United States where they have been trying to maintain a 10½-inch limit, particularly in Maine. The fishermen find a way of getting a market for their short lobsters.

Then I take the opinion of Capt, Chas. Lonnes, of Canso, Nova Scotia.

Q. There is no use having a regulation that is not enforced?—A. I think there is not a packer who would not stand up and tell you himself that there is not a factory in Canada that does observe the law, if it did it might as well go out of business. Now what is the good of a law that is just discredited to that extent that the man himself will tell you so? There is no good having that law on the statute book.

Michael Leehan, of Mount Stewart, Prince Edward Island, was asked:

Q. Do you think it would be possible to enforce the regulation?—A. If you did enforce it, it would put us out of the business and the fishermen could not fish.

Q. Supposing we tried to enforce it?—A. We would only last about a week and there would be nobody in the business.

Q. It would drive everybody out of the business?—A. Yes, drive everybody out.

I want also to give you the opinion of a prominent man in the fishermens' union, Mr. D. Scott, of Main-a-Dieu, in the island of Cape Breton. Mr. Scott says he has had large experience in this industry, that he worked in a factory for 18 years, that he has the experience of four years' lobster fishing. And he is now the secretary of one of the most active fishermens' unions on the coast. This is an abstract from the evidence of Mr. Scott:

There is one thing I have to say, and that is that the law in reference to the protection of the spawn or berried lobster, and the small lobster, that is the lobster under the size limit, has never been adhered to or observed by the fishermen or the packers in this locality during my 18 years' experience

* * * * * * *

I might say that away back in 1893, there was an effort made to enforce the size limit here in this locality, we had the late inspector coming in to harass us, at all hours, even at night, he was coming morning, noon and every other time of day.

Q. That was in 1893?—A. In 1893. It was necessary then in order that we might protect ourselves, I was working then in the factory, to take all precautions. They kept such a close watch on us, and were so hard on us, that the men who were receiving the lobsters on the wharf had to cull all the undersized and all the spawn lobsters as quickly as they could and put them in a separate part of the dock, hiding them to-day in one place and to-morrow in another, in order that we might save the factory or the proprietor from being fined. This was done so successfully, that I think from 1902 to 1906 the factory paid three fines.

I could go on and multiply these opinions of men who are prominent in the business and know what they are talking about, all going to show that this regulation in regard to the size limit has not been observed and that it is not practicable to observe it. The question was asked a number of times what they would think of the proposal to reduce the size limit from eight inches to seven inches. Very little encouragement was given to the committee to report in favour of that proposition. In the first place, it would seem to be too low a size to produce seed lobsters. The lobster, we were informed, does not reproduce itself until it is about eight inches in size. So if we legalized the killing of them down to seven inches, we should not arrive at the object we seek. And besides, we should have the same difficulty in regard to enforcement—the enforcement

of the seven inch regulation would not be any easier than the enforcement of the eight-inch regulation. It would appear that, unless the department is willing to put a large force of men on the coast, and, for that purpose, to spend a great many thousands of dollars, it would be impossible to enforce a regulation of that kind. The committee, therefore, sought to learn whether there was not some other plan that could be adopted that would conserve the industry better than this size limit. Of course, I need to say, we were all impressed with the great importance of preserving the lobster industry. It is the greatest fishing industry we have at present on our coast, and next to the salmon industry in British Columbia, it is the greatest fishing industry of Canada. When we know that it is the last remaining great lobster industry in the world, we realize how important it is. I am informed that lobsters are not found in the Pacific ocean, nor in the Indian ocean; they are not found far north nor far south. They are found only in the North Atlantic. They are now, I believe, quite scarce on the coast of Europe, and there are not many on the coast of the United States, with the exception of Maine. So we have in the maritime provinces the last great lobster fishery of the world, and it is of the greatest importance that we should preserve it. The members of the committee were all impressed with the idea that, as it had proved that the present regulation is not working well and is not resulting in the preservation of the lobsters, and that it is not possible to enforce it without stopping the industry altogether, it was necessary to arrive at some other method by which the smallest of the lobsters could be protected. And the proposal submitted is that a regulation trap be prescribed with the slats so far apart that the small lobsters will have a chance to escape. In this way the lobster can look after himself without the fishery overseer chasing around to look after him. We think this method would work out to the preservation, to some extent at all events, of the industry.

There is some but not much difference of opinion in regard to the question as to whether the trap will work out in practice or not. A great many witnesses—men who had large experience in these matters—were asked their opinion and frankly expressed an opinion and it was always present to the committee in looking over the evidence that, of late years, as the lobsters began to get smaller in size, the slats of the traps began to come closer together. It was obvious that the fishermen were doing this for the purpose of keeping in the small lobsters, and it was thought that, if we could arrive at a regulation trap with slats far enough apart to let the small lobsters out, we should be

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making a long step toward preserving the industry. Having settled in our own mind that the old regulation had proved useless altogether, it was felt that a regulation of the kind proposed, if established and carried out, might be of great advantage in preserving the industry. Regarding the recommendations made by Commander Wakeham, we could not make up our minds to agree with altogether, some of them were very good, but others seemed not entirely advisable. For example, he recommended that, west of Halifax, the size limit should be 10½ inches. When we looked over the measurements made in that district we found that only about 15 per cent of the lobsters caught in that district came up to the limit he recommended. We felt that to adopt the regulation he proposed would be equivalent to stopping the lobster industry altogether in the district west of Halifax. We found that measurements made were as follows :

County.	No. of Lobsters.
Lunenburg	4,060
Queens	19,513
Shelburne	20,730
Yarmouth	3,924
Digby	12,094
Total	60,321

It was found that 55·9 per cent of these lobsters were under the legal size—that is, under nine inches—and only 15 per cent were over 10 inches. To adopt a limit of 10½ inches, as any hon. member can see, would be equivalent to stopping the whole lobster industry in that territory. There were 53 canneries operating in that territory in 1909, and they produced a total pack of 1,451,720 1-lb. cans valued at $362,930. The regulation, in that case, of course, would protect the lobsters. But, in my opinion, it would kill the fishermen. We do not think the lobster industry in such a bad position that it is necessary to do that.

But instead of this, we are making the recommendation, of which I have already spoken, prescribing a certain kind of trap to be used. You will see, sir, how easy it is for the inspector to inspect the traps. He can take a trip along the coast in the spring of the year before the fishing begins and have a look at them. He can easily tell whether the traps are or are not made according to the rule requiring that the slats be not less than 1¾ inches apart.

While it would be impossible for him to watch 10,000 or 12,000 fishermen and 700 factories, it is quite possible for the inspectors along the coast to have an eye on the traps and to see that they are not used unless they are made according to the regulations. This question was put to a large number of witnesses, and if the House will bear with me I would like to put these witnesses on record. I know that

there will be a great deal of criticism of what the committee have done. I know there are many theorists along the coast who will say we have taken a step backward, and that the step we have taken is likely to result in the destruction of the lobster industry; and, for that reason, I would like to show to the House and the country that in this investigation held by Commander Wakeham along the coast a large number of men have undertaken on oath to give their opinion in regard to this proposal, and also in regard to the right kind of trap or engine to be used so as to protect the fish. I shall read a number of these opinions. The following is the opinion of Mr. Wm. O. Porter, who describes himself as a fisherman:

Q. What is your opinion about the matter of the trap, do you think that the taking of small lobsters could be regulated by insisting on a certain legal trap with a fixed space between the slats?—A. I do not think there is any doubt but what you could build traps so that all of them below the proper size would find their way out, because they are very active in hunting their way out of the trap. I have found them nearly out when hauling the trap.

Q. Some fishermen hold that once the trap is disturbed the lobster will not try to get out?—A. I suppose that is a matter of opinion. I know that if I put a trap in the water with the laths wide apart I do not get as many small lobsters, it is a question whether they get in or not.

Q. Is there a tendency in recent years to narrow the slats?—A. There has been with me I know.

I wish to give the evidence of Augustus Harris, a member of the executive of the Fishermen's Union of Long Beach, N.S.:

Q. Is there any difference in the trap you now fish with compared with that in use when you began years ago?—A. Yes, I doubt if the space between the laths will now average three-quarters of an inch, and it used to be one and three-quarters.

Q. That reduction must have been made for the purpose of holding the small lobster. was it not?—A. Certainly, that is the only reason.

Q. Do you think we could protect the general run of small lobsters by insisting on a standard trap with a certain space between the laths, say one and a half inch?—A. Yes, I have always been of that opinion.

Q. You think that would govern it largely? —A. Yes, I could give you the figures of lobsters that I counted myself and the number of traps; one man fished 38 traps and he had 381 lobsters, 152 from 9 to 10½, and he had only 12 tinkers; another man had 96 traps closely lathed, and he got 36 large lobsters, 156 from 9 to 10½ and over 400 tinkers.

Charles Lonnes, of Canso, says:

Q. We were looking at some traps on the wharf and they run about one inch here?—A. Yes.

Q. Do you think that has anything to do with the capture of small lobsters? Do you think that the capture of these small lobsters can be controlled to any extent by regulating the width between the slats?—A. To a very great extent. If you put the slats close enough together you are bound to capture the greater amount of small lobsters that go in, whereas if the slats were far enough apart so that they could go out any way you would get very few of them.

Take the opinion of Mr. John W. Sproull, a fish dealer and packer of Canso, N.S., who has a large experience in this business and whose opinion is worth as much as that of any man on the coast of Nova Scotia on such a question:

Q. Other propositions have been made, some have said, 'give us a 7 inch limit instead of an 8-inch limit and we will observe the law.' You know that we began with a 9-inch limit which was not enforced and then an 8-inch limit was given because they said they would observe that, and now they want a 7-inch limit.—A. I would not propose anything of that kind. If you were going to propose anything along this line I would propose that the trap should have a certain space between the slats.

Q. What would you put that at here?—A. The fishermen around here use the head of the hammer as a gauge, and that is about an inch. There are a few undersized lobsters caught in those traps, but I should say that if the space were made 1 and ⅛ inch it would be all right.

Take the opinion of a man in the Magdalen Islands, Mr. W. C. Leslie, a lobster packer of the Magdalen Islands, who says:

The ordinary traps here have laths an inch apart and they very seldom take lobsters under 7 inches.

Mr. Robert Bell, of Alberton, P.E.I., gave the following testimony:

Q. Do you think the regulations have ever been enforced in your recollection?—A. Not strictly.

Q. Were they ever, at any time, more strictly enforced than they are now?—A. Scme 15 years ago there was a law passed that the first two laths of the trap had to be an inch and a quarter apart. That was strictly enforced. At that time also there was a limit regulation and that was very strictly enforced. I know that because I was fined once.

Q. Have you ever heard of anybody being fined recently?—A. Not very recently.

Q. Was that when Sir Hibbert Tupper was minister?—A. Yes, sir.

Q. What do you think yourself of that regulation limiting the space between the slats? —A. I think it had a great tendency to protect the small lobster and the really small lobsters are of no value to the packer. It is a great injury to the industry to destroy them.

Here is a man who had had experience, and who used the trap made according to that regulation 15 years ago, and he gives his experience that it did operate to protect the small lobster.

Take the opinion of Peter McIsaac, of Bay Shore, P.E.I.:

Q. What would you fix the limit of space at, say in the three lower slats?—A. I would say not less than an inch anyway. I put mine at about an inch or slightly over that. That is from my own experience, I find it better.

Q. Do you not think by having a space of at least an inch and a quarter a larger proportion of the undersized lobsters would escape?—A. Well, yes.

Q. It must be wrong, must it not, to kill off the small lobsters?—A. It is, but the trap at the end, as a general thing, has heads that are knit with quite a large mesh and a large number of the small lobsters work through anyway.

I want also to give the opinion of Mr. T. C. Gallant, a canner and fisherman of Summerside, P.E.I.:

If the fishermen build their traps with only half an inch space between the slats they will catch all the small fish, but if the slats are an inch apart those lobsters have got a chance to work their way out. I believe in hatcheries all right but not in spending money on them and then allowing the fishermen to take lobsters that are only four inches in size.

W. A. Macdonald of Grand Tracadie Harbour, P.E.I., said:

Q. What distance apart are the slats in your traps?—A. I don't think they would be more than three-quarters of an inch at the outside.

Q. Do you think it is desirable to have the slats as narrow as that; do you not think it would be wiser to keep them a little farther apart and in that way allow the small lobsters a chance to get out?—A. If you lost the small lobsters on the north side you would lose them all, and you might as well shut down.

Q. What lobsters do you throw out?—A. We dont throw out any.

Then take the evidence of Mr. J. A. Ellis, a canner at Cape St. Mary, N.S.:

Q. Do you think by establishing a standard space between the slats it would be possible to allow the escape of the small lobsters?—A. Yes, I think it is. Of course the narrower you have the space between the slats the smaller lobsters you will hold; you will let out the very small lobsters if you have a little more space between the slats.

Wm. McLeod, of Alberton, P.E.I., gave the following evidence:

Q. Now, with a view to protecting the fishery, are there any changes you would suggest in the regulations?—A. I would suggest to put the laths in the trap far enough apart to let a 7-inch lobster go. It would be a little hard for a few years but it would bring the fishery up again to its former state.

Q. What would you say to a regulation which would do away with the size limit, control the distance between the slats, and close the fishery on the 1st July, always protecting the berried lobster as thoroughly as possible?—A. I think that would be a good thing.

Q. Do you think if that were done and carried out strictly it would have the effect of preserving the industry?—A. It would have that effect.

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Q. And in a few years the fishermen would reap the benefit by an increased catch?—A. Yes.

I also wish to give you the opinion of James McMillan, canner, of Georgetown, P.E.I.:

Q. What is the width at present between your slats?—A. They are pretty close down now but the sill is about three quarters of an inch. If the lath is put down on the sill I think it would be all right. If that were done and the lath nailed across it would not catch the lobsters too small but they could get away. A small lobster can get out through a pretty small space if it has the opportunity.

Q. What size lobster would get out through an inch opening?—A. Well a 7-inch lobster could get out through that.

Q. Do you think the lobsters make any effort to scramble clear of the trap when it is coming up, or are they more likely to grab on to something until they get to the surface?—A. I think they do get out very often, some of the fishermen say they do anyway.

Then John P. Sutherland of St. Peter's Bay, P.E.I. :

Q. Do you not think it must exhaust the fishery very rapidly to destroy the young and immature lobsters?—A. Well, I would think so.

Q. Do you think we could stop the destruction of them by insisting upon a fair space between the slats of the trap?—A. I would think so.

Q. What would you put the space at?—A. I would put it at an inch.

Q. That you think would allow these very small lobsters to escape?—A. Yes, they would escape at an inch.

Norman McPhee, fisherman, of Clear Spring, P.E.I. :

Q. Do you not think that the modern trap with a very narrow opening is unnecessarily destructive, that it is destroying too many of the young fish?—A. Oh, certainly it gets too many young fish.

Q. How would remedy that?—A. By opening the trap.

Q. What width would you suggest?—A. I would think that about seven-eights of an inch would allow those small lobsters to pass out.

Q. Would you have that width all over the trap or only in the bottom laths?—A. In the bottom is sufficient. That is the way they naturally go out.

I wish also to give you the opinion of M. Nickerson, canner, of Clarke's Harbour, N.S. :

Q. What do you think about this matter of the traps? Do you think that it would be wise to establish a regulation—it has been suggested that the taking of the small lobsters should be regulated by having a trap so constructed that while retaining the large lobsters it would permit the small ones to escape, and the question is what kind of trap is best adapted for that purpose—providing that there should be a certain opening between the slats in the trap?—A. Well, that

would let a lot of them go out, there is no doubt about that, if the opening were large enough.

W. H. Giffin, of Goldboro, N.S. :

Q. Do you think such a regulation would be of service?—A. It would be one of the best things in the world.

Q. Would the small lobster go out?—A. If you were acquainted with the lobster as well as I am you would think he would go out.

Q. As long as there is bait in the trap will he go out?—A. I have seen them all going out as fast as they could when you are hauling.

There are a large number of other opinions that I could give you but it would be too tiresome to the House. I will therefore refer you to the evidence which is comprised in two large volumes, which was taken by Commander Wakeham, and which is available to any person who wishes to study it. I think I have shown that there seems to be a general opinion among the fishermen and packers that were examined in regard to this matter, that the widening of the slats of the trap would have the effect of saving the small lobsters. It is quite clear to me that at present we do not save them, that the present regulation is an utter failure in that respect; and it is important, if we can get a better regulation that will save the small lobsters, that the government should adopt it.

One of the other questions that came before the committee and a question about which there has been a good deal of controversy is that of granting licenses. A few years ago I believe it was felt by the department that there were too many canneries, and that if it were possible to encourage the live lobster industry by restricting the number of canneries, we ought to do so. The way to do that of course was to refuse to grant any more licenses. Many of the licenses were in the hands of a few companies, and these companies acquired others, and it had the appearance in some parts of the coast as if a monopoly was growing up. After the department refused to grant new licenses, an agitation arose among the fishermen, and it was stated in some places that this was a reason why better prices were not paid for the raw materials to the fishermen. I have not found very much evidence of that fact. At the same time it was felt by the committee that there is no logical reason why the department should step in to protect lobster canners, and why a lobster canner should not be in the same position as a grocer or merchant and fight his own way with other lobster canners for business. It is certain that on the greater part of the coast it would not very much increase fishing to give more licenses because nearly every fisherman who is equipped with a boat and able to catch fish at all, is fishing at present. So if you cut off the license you simply divide up the work of these fishermen among new canneries. There are points on the coast in the northern parts of Canada where the canner owns the equipment, and where he hires the men and pays them wages. Of course on those parts of the coast the multiplication of canneries would increase the catch to some extent. However, there did not seem to be any logical reason why the department should refuse licenses to the men who had the proper equipment. The opinion of the committee was that where a man could show to the officers of the department that he had a proper equipment he ought to be given a license to carry on the business.

Now, Mr. Speaker, I do not feel at all despondent about the future of the lobster industry. You will find it stated that the lobster industry is a failing industry, that it is not likely to last many years longer. I do not think that is a correct view. I am of the opinion that the lobster industry has shown a great deal of vitality. I have shown you that during the whole course of its history, this method that we did adopt many years ago for its protection has not been carried out, that the berried lobster has been destroyed on all sides, that the small lobster has also been destroyed, and that very little protection was afforded. You will find that it is almost impossible to preserve the fishing on the coast by adhering to these old regulations, because the honest fisherman who wants to do an honest business and who is anxious to preserve the berried lobster, which of course is the foundation of the industry, the man who is anxious to do his duty when he threatens his neighbour for violating the law by killing berried lobsters, the latter immediately retorts, 'You are breaking the law too.' As a matter of fact, all the lobster fishermen in that way become violators of the law. That is one of the reasons that influenced myself and that influenced other members of the committee in getting rid of these regulations that make every fisherman practically a law-breaker who is engaged in this business. Now I was saying that we have no reason to be despondent in regard to the lobster industry. There has been a decrease in the live lobster industry, a very decided decrease in the catch of live lobsters. I am not certain but that the reason may be that the large lobsters are becoming scarce on certain parts of the coast.

The live lobster industry only applies to parts of the coasts of Nova Scotia and to the southern coasts of New Brunswick. It does not apply to the north at all, nor practically to Cape Breton. The statistics that we have with regard to the canning industry are reliable. We know every case that is canned because there is government stamp placed on every case,

and it very easy to get correct statistics; therefore, we know that the statistics in regard to the canning industry are correct. I find that in the year 1898 the number of one-lb. cans put up on the coast was 10,730,594. I find that ten years later, in the year 1908, which is the last year for which we have statistics, the number of one-pound cans put up was 10,911,498, showing an increase of about 200,000 cans during ten years. That does not look like a failing industry. It looks as if it were a growing business. It is quite true that when you come to deal with the live lobster industry there is a decrease in the catch. I am not able to explain it. There was an explanation given that we have not correct statistics about the live lobster industry, because live lobsters are often sold in the markets of the United States and no record is kept. I do not know whether that is correct. I am told that the department is adopting a method that will be used for the collection of reliable statistics with regard to the live lobster industry. But, it does look as if it were a failing industry. And yet I am inclined to think that with proper regulations, by adopting this suggestion as regards the trap so that the smaller lobsters will escape, by protecting the berried lobster thoroughly and by increasing the number of hatcheries and pounds along the coast, the industry may be made a permanent one. I am not alone in that opinion. I suppose that the man in the department who has given the most attention to this matter is Mr. Venning, the present commissioner of fisheries, whose opinion we all respect, and this is what Mr. Venning says:

I do not take the pessimistic view that a great many people are taking with regard to the lobster fishery. I do not consider that the lobster fishery is anything like destroyed and I do not think it is within reasonable reach of destruction. I do appreciate that probably the time has come when the most persistent effort should be made to continue the lobster industry; but that the fishery is a thing of the past and that we have now to take some very drastic measures to bring it back to life again does not seem to be at all a correct view, in my opinion.

That is the opinion of Mr. Venning, and I am very glad to be able to state to the House that the industry does look so hopeful. The recommendations made to the committee are before the House. They are as follows:

1. That the existing regulations relating to size limit be abolished.

2. That in lieu thereof regulations be adopted and enforced providing that all traps used for the taking of lobsters constructed after 1910 shall have the laths placed not less than 1¼ inches apart, and that the mesh, when netting is used, be not less than three inches extension measurement; and that commencing with the year 1911 all existing traps be remodelled by removing a sufficient number of laths nearest the bottom from each side and replacing the same so that the three lower spaces shall be each not less than 1¼ inches.

3. That any person or firm equipped to the satisfaction of the department, be entitled to a license to pack; that a standard of equipment be aimed at and that existing factories be brought within the regulations as to equipment, within two years from date of the adoption of the new regulations; and that no officer or other person in the employ of the department shall be directly or indirectly interested in any plant or factory operating under license from the government.

4. That the present regulation, imposing a fee on each case of lobsters packed be amended so that commencing in 1911 five dollars be charged on any number of cases up to one hundred, and two dollars for each additional hundred cases or fraction thereof.

5. That more rigid regulations be adopted and strictly enforced providing for the protection of the berried lobster.

6. That an educational campaign be inaugurated and carried on under the direction of the department, among fishermen and packers, with a view of creating a sentiment in favour of observing and enforcing the regulations.

7. That the counties of Charlotte and St. John in the province of New Brunswick be a separate coastal division with a size limit of 4¾ inches carapace measurement, and that the fishing season in such division be from January 6 to June 29.

8. That having regard to the great importance of the Canadian fisheries with vast interest allied but distinct from the marine, your committee would suggest that due consideration be given to the advisability of having a deputy minister whose duties would be confined to the Fisheries Branch, independent altogether of the Marine Branch.

9. That your committee are of opinion from the evidence produced that the propagation of lobsters by means of pounds and hatcheries, is of special importance to the lobster industry, and would recommend the extension, with as little delay as possible, of this branch of the service.

I may explain, with regard to the exception made in reference to the counties of Charlotte and St. John in the province of New Brunswick, that there is practically no packing carried on in those districts, and that consequently the industry is a live lobster industry. The market is chiefly in the United States. They are able, where there is no packing to deal with, to get the largest lobsters. You cannot sell a lobster on the Boston market unless it measures nine inches. We therefore thought it was advisable to give Charlotte and St. John a separate limit and to set them apart as a separate district. Objection was taken yesterday with regard to my motion. It was said that the motion involved an expenditure of money and that it was not properly before the House in the shape in

which I had presented it. In looking into the matter I find that is true. I have therefore decided not to move for the adoption of the report as it would be irregular to do so, although I believe that the report is in a large degree acceptable to the department and that there is no reason excepting a technical one why the House should not adopt it. I have decided, in place of moving for its adoption, to move that the report be referred to the Minister of Marine and Fisheries for consideration. I therefore make that motion.

Mr. D. HENDERSON (Halton). Before this matter is disposed of, I would like to know why, in the corridors upstairs, if so much interest is being taken in this lobster industry, you will find from five to six cords of blue-books on lobster fishing lying from year to year, because I believe that many of these books came over from last year, and I would ask why they are not sent out to the people to read. Has it been an oversight? Do the people down there not take sufficient interest in lobster fishing to make it desirable to send out these books after the country has been at the expense of printing them, for, as the hon. member suggests, possibly the members think they cannot read. I think they are intelligent enough to read and understand these reports, but it seems to me we are wasting a fearful lot of money on this lobster industry, and that the members from that part of the country are not taking the interest which they ought to in disseminating information with respect to lobster fishing. In the lobbies of this building you will find blue-books on the lobster industry piled up by the cord, five, six or seven cords.

Mr. SINCLAIR. The department asked for 5,000 copies and I think that many of the books referred to belong to the department. The members have used very many of them. I sent out 1,000 myself to my constituents and I know that other gentlemen have done the same thing so that many thousands have been sent out this winter. They are very valuable to the fishermen and packers along the coast. I can assure the hon. gentleman that they can read, he need not worry about that, they are very intelligent men indeed. It may be that some hon. gentlemen who asked to have the blue-books printed did not send them to their constituents. The members of the committee were asked to say how many they would require in order to send the publication out to their constituents, they sent in their requests and upon this the calculation of the number to be printed was made.

Mr. SPROULE. This is a new departure in dealing with such reports. In the order of references to the old standing committees they were directed to examine into the subject referred to them, to examine persons and send for papers, etc., and then report to the House their observations and recommendations. That was for the information of the House and that information was before the department interested through the minister. Such reports contain much information of value to a department. The proper motion for the hon. gentleman to make in order to discuss this report would be that the report be now taken into consideration. Usually these reports are made to the House and there is no motion for their adoption because such a report (as this one does) may call for the expenditure of money. Numbers four, five, six, eight and nine involve the expenditure of public money and therefore if this House adopted it, it would be an instruction to the government to carry it out and it is not the usual custom to provide for the expenditure of public money in that way. With regard to departmental regulations, one, two, three, five, six and seven are recommendations to the department which should be taken cognisance of by the department. Thus, although the hon. member's aim may be a good one, his procedure is a departure from the usual practice and may lead to other irregularities in the future that will be rather confusing than otherwise to the average member of the House.

Mr. U. WILSON. If these reports were all referred to the joint committee on printing it would lead to the saving of a great deal of unnecessary printing.

Mr. FIELDING. The object of the hon. member (Mr. Sinclair) I fancy was simply to make a motion which would permit him to present to the House a little more fully than in the report, the reasons which led the committee to come to their decision. As one who is very much interested in the subject I want to thank the hon. member for Guysborough (Mr. Sinclair) and the other members of this committee for what I regard as the very valuable service they have rendered in the investigation of this subject. Of course a vast territory like Canada has many industries. Many hon. gentlemen here have little or no knowledge of this matter and possibly may hastily assume that the question is not of the utmost importance, but I can assure them, as the hon. member for Guysborough has said, that in a large part of the coast district of Canada this is a matter of great importance affecting the living, the habits, the comfort and the prosperity of a large number of people and therefore, although the session is far advanced, no harm will be done by devoting a few minutes to the discussion of this subject. I must say I regret the determination of the committee to recommend the abolition of the size limit, but I am impressed with the reasons that have

been advanced in support of that view and I am not disposed to find fault. The difficulty in the past has been to enforce the regulations. Whenever we put on the statute-books laws and regulations running far in advance of public opinion we must expect that there will be difficulty and failure in their enforcement. Unfortunately that has been the case with the lobster regulations. You will meet many men, especially those with access to the American market, who can sell live lobsters at a profitable rate, who are indifferent to the canning industry, who will say that the size limit should be rigidly observed, but as has been pointed out by the hon. member for Guysborough (Mr. Sinclair) it has been perfectly clear that the enforcement of the size limit, while it may serve the interests of the fishermen in some particular sections, would destroy the canning industry of the country. I regard the canning industry as one which must gradually be pushed back into the more distant portions of the Dominion. Those portions of our coast that are within easy reach of the American market, and that have convenient methods of transportation both to the American market and the consuming centres of Canada, will find the live lobster trade profitable, and with a constant demand for live lobsters in a district the canning industry must find itself in difficulty and must be pushed back to those sections of the lobster fishing districts where the facilities for transportation are not so good. For the moment the canning industry is preserved by the recommendations of this committee, but every one interested in the canning industry within districts having easy access to the market for live lobsters must look forward to the time when that business will be a dying one and perhaps become extinct. One of the most unpleasant features of the situation in the past has been the inequality of the enforcement of the law. One not very well informed may say that that is the fault of the officials—why should they not enforce the law? Sometimes we pass laws that cannot be enforced. Here and there a fishery officer taking a rigid view of his duties would attempt to enforce the regulations. I remember a case of a man interested in a friend who had committed a violation of the laws, who came to me complaining that he had a great grievance. He said his friend had been put in jail for violating the law, I said: was he guilty or innocent? Oh, well, he said, he violated the law, of course. I said: what are you complaining about? He said: I am complaining because there are hundreds of others all along this coast who are violating the law and nothing is done; I am grumbling because the law is rigidly enforced in this case and not in other cases.

In view of all these circumstances I have reluctantly come to the conclusion that the abolition of the size limit may as well be abolished as it cannot be enforced. There is a small district in New Brunswick, including the counties of Charlotte and St. John, where they are able to enforce not only a size limit, but a very large size limit. There they only take lobsters of very large size; it suits the condition of their market; and the committee have wisely agreed to maintain the regulations in that respect. The purpose of the committee is not to keep up the enforcement of the size limit in the other portions of Canada, which has been found impossible, but to direct the attention of the authorities to the preservation of lobsters in other ways, for instance, in regard to the space between the slats of the traps. I am hopeful that what my hon. friend from Guysborough and his excellent committee recommend will be helpful in that direction. Above all, there should be strict enforcement of the law in regard to taking seed lobsters. In that respect we should have, as the committee recommends, a campaign of education among the fishermen, with the view of getting them to appreciate the importance of the industry, not only to themselves, but to those who come after them; and I would not complain of any severity that might be shown towards a fisherman or a canner who would take what is called a berried lobster. If the law is enforced in that respect and an improvement is brought about in regard to the space between the slats of the traps, I am hopeful that much good may be done. I do not wish to detain the House further than to express my appreciation of the work done by the committee. I belive I was criticised some time ago for saying that I represented more lobsters than any other man in Canada. I will have to amend that and say I represent a constituency which produces more lobsters than any other constituency in Canada. It is very important industry to the people of that constituency. Without any disparagement of other classes of fishermen, I may say that by reason of the fact that that part of the country is close to the United States, and that they are able to use the American market, they have brought the lobster fishing industry to a more than ordinarily high position. The business is well done and the fishermen use the most modern improvements. In these as in other lines they are introducing gasoline boats. I know that there will be a wide difference of opinion among fishermen in regard to this report; but I hope that the department will be able to carry out the recommendation in regard to starting a campaign of education among the fishermen who will be able to help them to enforce the law. The fishermens' union which has already been referred to, has done good work in educating its members. Much has been done, and there is

room for more to be done. The work of the committee, I am sure, will have a most excellent effect, and as one representing a community largely interested in the matter, I desire to thank the hon. member for Guysborough and the committee for the attention they have given to the subject.

Mr. R. L. BORDEN. I entirely agree in the importance of this question to many parts of the maritime provinces. A great deal of time and attention has been given to the subject by the Committee on Fisheries, and I only trust that the action of the department, coupled with the report of that committee, may result in bringing about better conditions in the lobster fisheries than those which obtain at the present time. The subject is one of very great difficulty. I have not given to it the same amount of attention that has been bestowed upon it by my hon. friend from Guysborough and the hon. Minister of Finance, although I have given it a good deal of consideration in connection with my own constituency. As far as I understand the problem, it is this; how can you find a course of action which will preserve the lobster fisheries as a great industry, and at the same time do justice to the fishermen and to invested capital in every reasonable respect. I am not prepared to say at the moment how far the recommendations of the committee are likely to bring that about. That is a matter principally for the consideration of the department, which is entrusted with the responsibility of taking such action as is consistent with the two conditions to which I have just alluded; and when I use the term invested capital, I refer not only to the canners, but to the fishermen themselves, who have a very large proportion of their own capital invested in this great industry, and who are well worthy of every consideration at the hands of this government and this parliament. I would have been glad if my hon. friend from Guysborough, who has made a very illuminating speech, had been able to condense his remarks into a little smaller compass, as the matter must be eventually dealt with by the department, and be brought back to this House for further discussion. I am not aware of the course my hon. friend proposed to take, or I would have put myself in a position to discuss this question more intelligently. Let me say in that regard that it seems to me rather a curious practice for parliament to refer a report to a department. It would seem to me that a department of a government does not need any reference of such a report from this parliament. It is the duty of the department without any reference from parliament to take this report into consideration and to accept executive responsibility with regard to it. I have never heard before of a reference by parliament otherwise than to a committee of parliament. A reference by parliament to a department seems to be something of an innovation. However, if it is thought best by the government and the chairman of the committee that such a motion should pass, I shall not interpose any technical objection. But I do not think that the House should have some notice of motions of this character. I did not know before this morning that my hon. friend proposed to make a motion to refer this report to a department of the government, or I would have looked into the precedents a little. Yesterday my hon. friend proposed a motion for the adoption of the report. I do not know whether that was proper or not. It was held eventually that it would not be proper, for some reason indicated by the Prime Minister yesterday and by the hon. member for Guysborough to-day. I am not prepared to say that outside of that consideration it would have been a proper course to pursue in respect to a report of this kind.

Mr. FIELDING. It is merely equivalent to a motion that it lie on the table.

Mr. R. L. BORDEN. What I suggest is that if there is to be any motion dealing with a report of this kind, the House should have some notice of what is intended. For example, the Minister of Finance may have known of the motion.

Mr. FIELDING. Not until a moment ago.

Mr. R. L. BORDEN. Does not the Minister of Finance think that he and I and all the other members of this House should have some notice of what the intended motion is? I am not imputing any special blame to the hon. member for Guysborough. He has very properly brought forward a very important subject, and is entitled to credit for having bestowed a great deal of time and industry and attention upon it; but when it is coming up for consideration in this House, I think we should know in advance what is coming. I do not intend at the present moment to raise a question of order. I desire that this matter shall be forwarded in every possible way; but I invite your attention, Mr. Speaker, to the question in relation to the general business of the House, as to whether we should not in the future have some practice established by which we shall know what is coming in respect to reports of this kind.

Mr. TEMPLEMAN. I think the hon. member for Guysborough proposed yesterday to move concurrence in the report.

Exception was taken to that procedure by officers of the House and by the department on the ground that if parliament committed itself to the report it would have to carry out the regulations. Now, the hon.

member for Guysborough (Mr. Sinclair) changed his resolution to avoid that difficulty. I take it, it does not matter very much whether it is a motion to take into consideration the report or to refer it to the minister. My hon. friend (Mr. Sinclair), I suppose, desired to conclude his speech with a motion. Now, in respect to the report, it was laid on the table of the House on Monday, I think, and the departmental officers have had little time to consider it. I had a conversation this morning with the deputy minister, and I was advised that on the whole the report was favourably received by the officers of the department, and that they are prepared to put in force, at all events most of the recommendations. There are several with which they do not agree, but they agree with the most important one, the abolition of the size limit of the lobster. They approve also of the increase of the space between the slats although they would prefer to have the space a little larger. In one or two other respects they slightly disagree. However, that is a matter for consideration and adjustment later. I believe that the recommendations of the committee will be of valuable assistance to the officers of the department in framing regulations protecting the lobster industry during the current year, and in applying them next year, and I am instructed that most of these recommendations can be enforced with the approval of the department, probably all of them.

Mr. LANCASTER. Before the hon. minister leaves that question, I would like him to tell us if his department is not able to carry out these regulations without being goaded by parliament by a special vote.

Mr. TEMPLEMAN. The department can frame regulations and carry them out but the department is very pleased indeed to have the recommendation of the committee. The committee have gone to a great deal of trouble. They have called a large number of witnesses, and elicited a great deal of information that will be of great assistance to the officers of the department in enforcing the regulations in future. I have no views to express myself on the regulations; I am not familiar enough with the subject. On the Pacific coast we are trying to plant lobsters, having imported some from the Atlantic coast, and probably in a few years we will have as valuable an industry there as on the Atlantic coast, and if we do get it, we will try to conserve it. I can only say on behalf of the department, that this matter will receive the very earliest and best consideration they can give to it, and in the main, I believe that the recommendations of the committee will be incorporated in the regulations to be enforced next year.

Mr. TEMPLEMAN.

Mr. CROSBY. I must say that as a member of that committee, I have been somewhat surprised at the stand taken by the chairman in bringing in this report here. We have heard from the acting Minister of Marine and Fisheries that the department will take this matter into consideration. Now, the Department of Fisheries have had a law standing on the statute-book for years which they have not even attempted to carry out. This committee all last session, and has been sitting all this session, and now we have a report that is practically a report of the department, because we have had all the officers of the department available. We are told that the department must be consulted. The department is for the purpose of carrying out the orders of this parliament. What is a department for but for the purpose of carrying out the orders of this parliament? I am somewhat surprised, because we are going to be in the same position as we have been in for a number of years. We have had for years a lobster fishery law on the statute-book, to carry out which no attempt was made. The only thing that has been carried out has been a monopoly of canning licenses. We have a report by which we propose to do away with that monopoly, and I think it is important that it should be put into effect as soon as possible. I do not see why it should not be put into effect. We have had the officers of the department taking evidence in Ottawa. We sent an officer of the department to New Brunswick, Quebec, Prince Edward Island and Nova Scotia last year, and that officer has brought back evidence, and based upon that evidence a report. We have had men, high officials of the department, associated with the committee during the session, and these men know the report from the beginning to the end.

Mr. SINCLAIR. Would the hon. member suggest what disposal he would make of the report? It appeared yesterday that the report could not be adopted on technical grounds, not that there was any objection to it, but that it involved the expenditure of money and could not come before parliament in that way. I have asked that the report be disposed of by sending it to the proper authorities. I would like to know what the hon. gentleman would do.

Mr. CROSBY. I will answer the hon. gentleman's question, although I think there was no necessity for his making a speech. As soon as I am called upon to become Minister of Marine and Fisheries, which I hope will not be very long, I will then come down to this parliament and tell it what I suggest, and what I suggest will be carried out. That is the position I take. I think our chairman has given

very faithful attention to this matter and worked very hard, but what is the good of all that work when he comes and tells this parliament that he wants it taken over by the department? It is playing with the subject to take it up year after year. Now, we are in no better position than when we started, and no doubt this will go on next year. It does not seem to me to be the way to expedite this business.

Mr. SPEAKER. On the point raised by the hon. member for East Grey (Mr. Sproule), and the leader of the opposition, I have consulted Bourinot, and I would advise the hon. member for Guysborough (Mr. Sinclair) to move that the eighth report of the Marine and Fisheries Committee be now considered, as its adoption by the House otherwise would be contrary to the procedure. I think this would cover it.

Motion agreed to.

QUESTIONS.

GRAND TRUNK PACIFIC BONDS GUARANTEED.

Mr. G. TAYLOR:

What was the total amount of Grand Trunk Pacific bonds guaranteed up to March 31, 1910, and of them how many were issued at that date?

Mr. FIELDING. Grand Trunk Pacific Railway Company's bonds guaranteed up to March 31, 1910:

(a) By Dominion of Canada, £5,200,000.

(b) By the Grand Trunk Railway Company of Canada, series A, £2,100,000; series B, £1,354,000.

Lake Superior branch, £1,550,000.

Prairie section, Cap. 19, 1909, $10,000,000.

On March 31, 1910, all of the above guaranteed bonds had been issued.

TEMPORARY LOANS.

Mr. G. TAYLOR:

1. What temporary loans were outstanding on March 1, 1910?
2. From what institution were they obtained?
3. At what rate of interest?
4. For what period?

Mr. FIELDING:

1. £500,000 and £3,000,000, making a total of £3,500,000.
2. Bank of Montreal, London.
3. £500,000 at 2¾ per cent and ⅛ per cent for placing outside Bank of Montreal, London. £3,000,000 at 3½ per cent and ⅛ per cent on £2,775,000 placed outside Bank of Montreal, London.
4. £500,000 from 8th April, 1909 to 1st July, 1910, £3,000,000 from 1st January, 1910 to 1st July, 1910.

RED RIVER DREDGING.

Mr. BRADBURY:

How many yards of sand or earth were moved last season by the government dredges at the mouth of the Red river, and what was the cost per yard for such work?

Hon. WM. PUGSLEY. There was no dredging done at the mouth of the Red river during the last season.

CLEAN DOMINION PAPER CURRENCY.

Mr. LEWIS:

1. What is the government doing to assist in getting clean money in circulation?
2. Is there any standard by which one and two dollar bills are said to be unfit for use?
3. Has the government enough clean bills on hand to recall the dirty money now in circulation?
4. How far does the government keep ahead of the demands of the banks for clean money?

Mr. FIELDING:

I think the condition of the paper currency issued by the Dominion government is very much better than one would suppose from the criticisms that are sometimes offered. No doubt there are exceptional cases in which the notes have been too long in service and should be sent in for redemption by the holders. But it is safe to say that on the whole the condition of the currency from a sanitary point of view has steadily improved. As a test, I recently caused application to be made in the ordinary way of business at all the banks in the city of Ottawa, and obtained from each a number of dollar notes. I find only a few of these that could be considered objectionable, and these should not have been paid over the counter by the banks. The great majority of them are quite fresh and clean, and with very few exceptions all are serviceable.

1. The government redeems all Dominion notes unfit for circulation presented to it. Redemption agencies are established, under the Dominion Notes Act, at Victoria, British Columbia; Winnipeg, Manitoba; Toronto, Ontario; Montreal, Quebec; St. John, New Brunswick; Halifax, Nova Scotia and Charlottetown, Prince Edward Island. During the year 1909 Dominion notes unfit for circulation were redeemed as follows:

Ones, $7,765,721; Twos, $4,769,576. Or practically three-quarters of the total circulation of Ones and Twos.

2. No. But no Dominion note unfit for circulation is issued by the government.

3 and 4. The government keeps on hand a sufficient supply of new Dominion notes to meet all possible demand that may be made upon it.

STEAMSHIP 'PRINCESS.'

Mr. GAUVREAU:

1. What is the name of the officer in charge of the steamship 'Princess,' employed in the fishery protection service?

2. What are the names of the other officers of the same steamer and the nature of their certificates?

Mr. TEMPLEMAN:

1. William Wakeham.
2. Jos. Chalifour, sailing master, master competency, sea-going.
Edward Miller, first officer, master competency, coasting.
L. Ouelet, chief officer, second-class, competency.
L. Lapointe, second engineer, third-class, competency.

ST. ANDREWS RAPIDS IMPROVEMENTS.

Mr. G. TAYLOR:

1. What portion of the cost of the St. Andrews Rapids construction was rendered necessary in order to provide for bridge accommodation between the municipalities?
2. What is the estimate of the cost of the approaches thereto?
3. What will be the total cost of the whole structure when completed?
4. What will be the yearly cost of operation divided into salaries, power and maintenance?

Mr. PUGSLEY:

1. About $54,800 to build a roadway above the service bridge.
2. $63,000.
3. The total cost of the lock, dam and bridge, to date, is $1,380,096.09.
4. Salaries, $6,000; maintenance, about $5,000 a year; power, included in above.

SUBSIDIES TO RAILWAYS.

Mr. FIELDING. In the absence of the Minister of Railways (Mr. Graham), I move that the House do on Friday next go into Committee of the Whole to consider the following proposed resolutions:

45. For a line of railway from Montreal to a point on the National Transcontinental railway in lieu of subsidy granted by chapter 63 of 1908, section 1, item 48, not exceeding 200 miles.

46. To the Little Nation River Railway Company, for a line of railway from Papineauville on the Canadian Pacific railway towards Lake Nominingue, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 70, not exceeding 30 miles.

His Excellency the Governor General, having been made acquainted with the subject matter of this resolution, recommends it to the consideration of the House.

Motion agreed to.

CANADIAN ASSOCIATED PRESS.

Mr. FIELDING moved that the House do on Friday next go into Committee of the Whole to consider the following proposed resolutions:

Mr. GAUVREAU.

Resolved, that it is expedient to continue for a further period the granting of aid towards the maintenance of an independent and efficient service of telegraphic news from Great Britain for publication in the Canadian press, and that for such purpose it is expedient to provide for the payment of the following sums:—

A sum not exceeding $12,000 for the twelve months terminating June 30, 1911;

A sum not exceeding $10,000 for the twelve months terminating June 30, 1912;

A sum not exceeding $8,000 for the twelve months terminating June 30, 1913;

A sum not exceeding $6,000 for the twelve months terminating June 30, 1914;

And a sum not exceeding $5,000 for the twelve months terminating June 30, 1915.

His Excellency the Governor General, having been made acquainted with the subject matter of this resolution, recommends it to the consideration of the House.

Motion agreed to.

WESTERN GRAIN TRADE—TERMINAL ELEVATOR COMPANY.

Mr. SCHAFFNER. Mr. Speaker, before the orders of the day are called, I desire to ask the attention of the government to a matter of great importance, which under the rules I cannot bring forward in any other way than this. I desire to have some papers brought down, but I am not allowed to move for them. But the need for them will be explained by the following telegram which I have just received from Winnipeg:

Winnipeg, April 27, 1910

Dr. Schaffner, House of Commons, Ottawa.
Re Terminal Elevator Co. fined here by Magistrate Daly. Have government bring down return showing Castle's report and all correspondence upon the matter. Very important.

R. McKENZIE,
Secy. Grain Growers Assn.

This relates to the Trade and Commerce Department. I should like very much to get this information, and the only way I have of asking for it is by bringing this telegram to the attention of the government and the House.

Mr. FIELDING. I will call the attention of the Minister of Trade and Commerce to the subject. I would not like to say more at present.

THE GREAT NORTHWESTERN TELEGRAPH COMPANY AND THE FRENCH LANGUAGE.

Mr. E. ROY. I wish to bring to the attention of the government a regulation which I find in circular (No. 109) giving the rates for messages transmitted by the Great Northwestern Telegraph Company of Canada. I understand that a decision has been taken after conference with the government——

Mr. SPEAKER. If the hon. gentleman wants to move a motion he cannot do it on the orders of the day. He had better wait for a motion to go into Supply. He can ask a question now.

Mr. E. ROY. That is what I wish to do. I desire to draw the attention of this House, and of the government to a decision that has been taken in regard to special rates on telegraphic messages. I find that the Great Northwestern Telegraph Company has issued a circular (No. 109) under date April 16, 1910, in which I find this provision:

The rates for night letters are the standard day rates for ten-word messages for the transmission of fifty words or less, plus one-fifth the initial charge for each additional ten words or less. To be entitled to this rate night letters must be written in plain English. Night letters written in any other language than English must not be accepted.

I wish to know from the government if this decision has been taken after conference with the government, because I have understood that some ministers had something to do with the decision that was arrived at. I want to say that this clause of the telegraph company will prevent over two million people of Canada from taking advantage of these night rates, in fact the whole province of Quebec where the French language is spoken. We have in that province some very large newspapers, like 'La Presse,' 'La Patrie,' 'l'Action Sociale,' 'Le Devoir,' 'Le Soleil,' 'l'Evénement'—

Mr. SPEAKER. The hon. gentleman cannot give a list of newspapers to the House at this stage. He must confine himself to the question.

Mr. E. ROY. The question I ask is this: has the government any information to give in reference to that matter, and can they say why French messages are not taken under this regulation at the same rates as English messages?

Mr. LEMIEUX. In answer to my hon. friend I may say that the Great Northwestern Telegraph Company has not consulted the government in the matter. But I may add for his information that all telegraph companies, as well as telephone and railway companies are now under the control and jurisdiction of the Board of Railway Commissioners, and that any complaint such as the one he has now made can be brought to their notice, and I am sure that the Board of Railway Commissioners will see that it is remedied.

At one o'clock, House took recess.

House resumed at three o'clock.

SUPPLY—NATIONAL TRANSCONTINENTAL RAILWAY.

Mr. FIELDING moved that the House go into Committee of Supply.

Mr. HAUGHTON LENNOX (South Simcoe). Mr. Speaker, before dealing with the portion of the question this afternoon that I particularly wish to confine myself to, I desire to call the attention of the House to the fact that there is an evident possibility and perhaps a great probability that a large portion of the traffic of the Transcontinental railway may be diverted to a new American port. The discussions in the newspapers and the records that have come to light, have evidently come to the knowledge of the government, and I have embodied in the resolution which I propose to offer in amendment to the motion to go into Supply, a clause dealing with this phase of the question. But, inasmuch as there are other hon. gentlemen on this side of the House who will follow me and who propose to deal with this question very fully, I shall not do more than merely allude to it in a very brief way. In the discussions in 1903 and 1904 a great deal of emphasis was laid upon the fact that we were, by reason of the arrangements that were then being made, securing to a Canadian line of railway the carriage of Canadian goods through Canadian territory and to Canadian ocean ports, and that we had entered into an agreement with the Grand Trunk Pacific railway which would secure to Canada for all time to come, at all events, for all the time during which the Grand Trunk Pacific would be the lessee of the line, the certainty as the government supposed, of this desirable feature of the scheme being carried out. By clause 42 of the agreement which was entered into it is provided:

It is hereby declared and agreed between the parties to this agreement that the aid herein provided for is granted by the government of Canada for the express purpose of encouraging the development of Canadian trade and the transportation of goods through Canadian channels.

Section 43 provides:

The company further agrees that it shall not, in any matter within its power, directly or indirectly advise or encourage the transportation of such freight by routes other than those above provided, but shall, in all respects, in good faith, use its utmost endeavours to fulfil the conditions upon which public aid is granted, namely, the development of trade through Canadian channels and Canadian ocean ports.

The government assured us when this scheme was being projected, that this would be effective, and that the ralway company would in good faith, to the utmost of its ability, endeavour to secure the carriage of Canadian goods through Canadian territory and to Canadian ocean ports, and that it would not directly or indirectly encourage the transportation of Canadian goods through foreign ports. Now, we are being informed that negotiations are being

carried on, or have been consummated, by which the Grand Trunk Company propose to establish a large ocean port at Providence, Rhode Island, with the express expectation by the parties on both sides—the company and those with whom they are dealing—that it will have the effect of diverting a large amount of Canadian traffic to this newly established ocean port. Governor Pothier said in reference to it :

> It has been the dream of my life as a Rhode Islander to have Providence become the terminus of a great transcontinental railroad.
>
> I do not want to say what I think of the Grand Trunk railway's application for a charter, for I shall probably have to act upon that matter and I do not want to appear to prejudice the case.
>
> So far as a connection with a Canadian railway is concerned, I said recently, speaking in Boston:
>
> 'The export trade of the Dominion in years to come will open the eyes of the commercial world. The development of her wonderful natural resources, the stores of iron and coal, the fertile fields and virgin forests will result in an immense and increasing yield. The port that handles that trade on the Atlantic sea-board will assume a place of power and influence in the maritime circles of the world.'

The trade that is being spoken of there is probably a large proportion of the trade that will be carried over the transcontinental railway system which we have subsidized so very heavily and in which we are investing such a large amount. I merely refer to this, inasmuch as it is one of the important features of the motion with which I will conclude my speech, and I will leave it to others to develop this point. The matter is of the vastest importance, not only to all Canada, but it is especially important to the maritime provinces.

Now, I need not, I think, apologize for asking the attention of the House again this session to the question of the Transcontinental railway. It is a large proposition, it involves the expenditure of an enormous amount of money, it is of vital interest to the people of Canada, and the people are alive to the situation at the present time. An enormous amount of money, whether rightly or wrongly, and I do not propose particularly to discuss that phase of the proposition this afternoon, is being expended upon that undertaking. I have recently obtained from the government some information that has not hitherto been in the possession of the House, and I will be able to lay before the House, I think, a concise summary of the total amount which the railway is liable to cost the country; at least, I shall be able to submit to the House a statement founded upon actual figures, and to show that the railway will cost as much as I will indicate during the course of my remarks. Just as preliminary to going into more important matters, I will call attention to some items that are covered by this return. We are told that the amount paid by the government to the Grand Trunk Pacific for the surveys they made before the government took over the eastern division was $352,191.75, and that the amount which the surveys have cost which were executed under the authority of the government—the government surveys—is $3,381,072.41; a pretty round sum, Mr. Speaker, as you will notice. It is not out of place to add to it the $352,191.75 paid to the railway company, and to call attention to the fact that although we are paying for the surveys of this line, almost $4,000,000, the government newspapers and many of the supporters of the government are now taking the attitude that this survey was not expected to be in any sense conclusive, to be that it was merely a preliminary canter, and that the estimates founded on these surveys were not to be expected to be definite to any degree, were mere guess work, that the quantities of solid rock, loose rock and common excavation entering into the construction of the work were merely hazard and guess.

The total expenditure for supervising and overseeing the construction of the work, the staff of engineers placed in charge by the government amounts to $3,699,796.01.

The cost of the commissioners' office will be interesting to the House, and to the public. The singularly efficient way in which these gentlemen are discharging their duties in the public interest, the peculiar qualifications which they possess for that position, the special knowledge they have of railway building, render it interesting to know how much we pay for the carrying on of this office. We are told that we have paid, down to March 31, for the office of the commissioners, and their rentals, staffs, &c., $1,307,250. We are told that we are paying for our share of rentals at Winnipeg, $85,312.

Then as to the cost of the Quebec bridge which collapsed, I need not give the details which are well known. In round figures it is $7,000,000. The cost of investigating the collapse of the bridge was $31,765.44. The cost of plans and investigations preliminary to letting the new contract amounts to $149,087.75.

Coming to the position of the Transcontinental railway at present we are faced by the broad fact which must be admitted by every one on either side of the controversy that there has been an enormous and startling discrepancy between the estimated expenditure upon this road, and the alleged actual expenditure. The sums that are being allowed, and that are being paid out for the work from Moncton to Winnipeg

may possibly be honest, and fair or they may not be, but the whole proposition is inevitably inconsistent with the belief that we had fair, honest, reliable information at the time that this scheme was launched, and again at the time the surveys were made, and that these returns are also correct and honest. If the information that we have obtained as to the facilities for railway construction was honestly announced by the government in 1903 and 1904, if the surveys and explorations which have cost this country about $4,000,000 were of any value at all, then there is cogent evidence that the amount that is being paid for this railway scheme is far too great. I propose to-day to call the attention of the House to the basis upon which the country was committed to this scheme, and to ask that an inquiry shall be made now into whether or not the large expenditure that is being made for the construction of this road is justifiable, and in the public interest. To do that I shall have to refer to statements that have been made by prominent members of the government. I wish to repeat a remark that brought forth cries of 'No, oh, oh,' on a recent occasion, that the government distinctly pledged the people that the total outlay of Canada, the total amount which Canada would be out of pocket, would not exceed $13,000,000. I am not going to confuse the issue between the cost of constructing the work, and the amount Canada was to pay, and be out of pocket, but I repeat what is constantly denied upon the public platform —and I propose to prove it—that the government clearly and distinctly pledged itself to the people that all the money that this scheme would cost Canada for the Transcontinental railway, from ocean to ocean, would be $13,000,000, and not one cent more.

Mr. TALBOT. The hon. member is not serious when he says that.

Mr. LENNOX. I am as serious as my hon. friend, and I think I am a good deal more wise, because if the hon. gentleman will study this question instead of talking at random he must find that the evidence is so cogent and irresistible that he will have to admit it. However, let us go by the records. I desire also to call attention to the statements in reference to the character of the country through which the road will be built, and shall read from statements of only two or three of the ministers. The Prime Minister said :

In that consideration alone there would have been cause sufficient for us to go on with this work without any previous explorations, but I have to say this more, that we have a wealth of information on this subject. We have more information upon this scheme than ever was possessed by former governments when they decided the Intercolonial railway or the Canadian Pacific railway.

He goes on to point out that east of the Quebec boundary the land is well adapted for cultivation and farming and almost an unbroken stretch of good farming land. Then he deals with the land through which Mr. McArthur is building his 240 miles of railway and says:

The country east of Lake Abitibi has also been explored, and explored several times. . . . The Quebec government had it explored in the last few years by an engineer of eminence, Mr. O'Sullivan, and his opinion has been summarized by another engineer, Mr. Doucet, with the following language: 'From Roberval (which is a station on the Quebec and Lake St. John railway) to the western limit of the province of Quebec, a distance of some 375 miles, the line runs through a good farming country, the soil being chiefly clay.'

I need not continue the quotation, because what follows is simply an amplification of this sentence. He says:

This is a sample of the whole.

Then the right hon. gentleman quoting from Mr. Farrell:

It is established that the region between Winnipeg and Quebec is a fertile clay belt rich in good land, rich in timber, rich in powers, rich in all those resources which go to make a fine agricultural and industrial country. Such being the facts——

And it is very important to inquire if they are facts, because if they are facts they are utterly inconsistent with the proposition that we have practically 1,800 miles of solid rock road bed for the eastern division of the Transcontinental railway—

Such being the facts, what is the conclusion to be drawn from them? The conclusion seems to be obvious and imperative, that is, that we must at once provide for a railway to tap these rich and fertile territories.

Farther on, the Prime Minister deals with the question of cost, and I would like to challenge my hon. friend who interrupted me a moment ago to get up in the House and refute the statement that the Prime Minister and the Minister of Finance made it as clear and as emphatic as a proposition could possibly be made, that the total money cost to Canada would be between $12,000,000 and $13,000,000, and not a cent more. This is what the Prime Minister said:

Assuming the road across the mountains is 600 miles long, the cost of construction will be $18,000,000, and the total interest for three years will be $3,780,000. This is the whole of the liability which is incurred by the government for the construction of the railway from Winnipeg to the Pacific ocean.

I understand that the right hon. gentleman meant independent of the guarantee on which he had stated that we would not ultimately lose one cent. Then, coming to the eastern division, he said:

The same abatement of rent is provided also as in the case of interest on the western section. During seven years the company will be exempt from the payment of rent, so that here again the whole of the liability which is incurred by the government for the building of that section from Moncton to Winnipeg is simply seven years' interest. The sum total of the money to be paid by the government for the construction of that line from Moncton to the Pacific ocean will be in the neighbourhood of $12,000,000 or $13,000,000, and not a cent more.

Is that reasonably definite for my hon. friend? He said further:

Now, Sir, what is $13,000,000 in the year 1903? It is about the surplus of our revenue over the expenditure. The surplus for this year will pay for the construction of this road.

What the right hon. gentleman said then was correct—$13,000,000 in 1903 was $13,000,000; but when we come in 1910, it has grown as the rock has grown, and it has grown into what would appear to be a fabulous sum were it not that I can prove and establish it by the records handed out by the government from time to time. I repeat, Mr. Speaker, that this is a very important question at this juncture, and it is fair to see upon what pledges the government committed us to this scheme, for the purpose of insisting on the government giving evidence of their good faith in what they then stated; and, having regard to the subsequent developments which are now on record, we believe that it is full time that we should have some inquiry to see how these enormous discrepancies were brought about. As to the general character of the country, the right hon. gentleman said:

The information we have at this moment is to the effect that for three-fourths of the distance between Quebec and Winnipeg the line will run over a level plateau over which the construction of a railway will be almost as feasible as over the prairies. But even as to the general character of the country we have to-day abundant information that it is possessed of a character in regard to soil and climate which will be a painful disappointment to those gentlemen who have taken a morbid pleasure in maligning it.

It ought to be a painful disappointment to the government to find that for some cause, honest or dishonest, I know not which, the character which has been stamped on that country by the returns as to the expenditure is the very opposite of that described in the language uttered by the right hon. gentleman on that occasion. The right hon. gentleman said:

Once upon a time I made the statement on the floor of this House that we had in regard to this tract of country mountains of information. That statement was received with a great deal of sneering incredulity.

Well, Mr. Speaker, if the returns which are being sent in from time to time in regard to the construction of this road are accurate, as the government supporters have been contending, were we not rather wise in sneering with a good deal of incredulity at the statements of my right hon. friend and his government at that time? Then, in support of his statements, the right hon. gentleman quotes Father Alband in reference to the country between the great lakes and Hudson bay, and here the right hon. gentleman ridicules the opposition, saying that the reverend gentleman was evidently picturing Her Majesty's opposition:

They have not seen those vast and dense forests, those beautiful plains, and those wide prairies bordering the rivers in various places, and covered with every kind of grass suitable to the maintenance of cattle. I can assert that on the 15th of June there were wild roses here as beautiful and fragrant as those at Quebec. The season seems to be farther advanced, the air extremely mild and agreeable. There was no night during my visit. Twilight had not yet faded from the west when the dawn of day appeared in the east.

This is all very beautiful, and, as far as the reverend gentleman is concerned, I have no doubt very true. The right hon. gentleman then says, as something he knows:

This is the character of the country that new railway will cross.

It will be recollected that the opposition did not oppose this scheme in toto; they were as anxious as were the government to construct a railway for the purpose of carrying the grain of the west to the markets of the world. But the opposition thought it was wise to have some necessary explanations, some preliminary investigations, some data more reliable than the flowery language of gentlemen who happened to see one or two spots of the country. But my right hon. friend, anticipating how reasonable would be that demand, before we ever made the demand, before he sat down after making his delivery upon the occasion of introducing this project, used this language. It is very striking, very picturesque, but it is not so distinctly characterized by good judgment or common sense:

To those who urge upon us the policy of to-morrow and to-morrow, those who tell us wait, wait, wait, to those who advise us to pause, to consider, to reflect, to calculate, our answer is, no, this is not the time for deliberation, this is the time for action.

And we have evidence now of how wise was the course taken by the government.

An hon. MEMBER. Unwise.

Mr. LENNOX. I venture to say that without regard to the question of whether it was or was not a wise matter to enter into this scheme by way of contract with the Grant Trunk Pacific, there is nobody who has followed the trend of events who does not feel, that at all events, it would have been wise to have had proper exploration and surveys before we committed ourselves to the contract, and that thereby we would have saved enormous sums of money. Well the right hon. gentleman says something further about this matter:

It has been stated and re-stated in all possible tones, from the plaintive wail to the indignant protest, that we are launching into a railway construction of gigantic magnitude of which we know absolutely nothing and without taking the usual elementary precautions of having a previous exploration. I say again there is not a shadow of truth in the charge, as I shall show later on.

The right hon. gentleman did not show it later on. But I want to call attention to the fact that the right hon. gentleman says there is not a shadow of truth in the charge that they are committing themselves to a gigantic scheme knowing absolutely nothing of the conditions surrounding the undertaking. Now the member for Brandon (Mr. Sifton) in speaking upon this question—he was then the Minister of the Interior said:

But a few days ago I sent the geographer of the Department of the Interior, who is himself a thoroughly qualified man, to the office of the Grand Trunk railway and to prepare a short statement of the results of the investigations that have been made in regard to the eastern line. That gentleman went down and collected the information, and this is his report (in part only): Enough work has been done, however, to show that it is possible to get a line from Winnipeg to a point at which the North Bay branch diverges from the main line, with grades not to exceed 0·4 per cent and curves of not more than 4°.

That is the railway that is now costing such an enormous sum of money. Then speaking of the first 100 miles he said:

First 100 miles from Winnipeg can be built for $25,000 per mile; that between the 100th and the 350th miles will cost $35,000 per mile; and between 350th and 530th miles, $30,000 per mile.

Now mark, Mr. Speaker, this is for the highest standard of railway built and the highest amount mentioned is $35,000 a mile:

From the 530th eastward to Quebec, cannot be estimated with any degree of accuracy till further surveys are made; but Mr. Stephens (the chief engineer of the Grand Trunk railway) considers $30,000 a mile ample. He also stated that these estimates were liberal estimates, and that the road should easily be constructed at these figures. The $30,000 estimate for the line through the clay belt may seem high, but it is largely due to the heavy cost of getting in supplies. For the reverse reason, the cost of the Quebec-Moncton section, other costs being equal, should be correspondingly reduced.

Now as to the Minister of Finance, I will quote directly from 'Hansard' as it is important that all that he said in connection with the financial branch of the case should be placed before the House. The Finance Minister said:

Now I come to the financial side of this question. We propose to build by the government through the intervention of a commission, from Moncton to Quebec, a distance which I have estimated at 400 miles. You will remember that I showed that an air line with an ordinary allowance for curvatures would make a distance 368 miles; but in order to be on the safe side I have put it at 400 miles. I am advised by competent authorities that from a general knowledge possessed of that country, that road can be built at a very moderate cost. From Quebec to Levis to near the point where they will leave the province of Quebec it can be built at a comparative low cost. There is some expensive work in passing from the province of Quebec into the province of New Brunswick, and as you get into the province of New Brunswick there are some portions which are moderately expensive. But I am informed that you can build a line through that country with maximum grades no less favourable than those on the Intercolonial railway—that is not so good a road as my hon. friend from North Norfolk (Mr. Charlton) wants—for $25,000 a mile. On 400 miles that would be $10,000,000. From Quebec to Winnipeg I estimate the distance to be 1,475 miles.

That makes a total distance of 1,875 miles whereas the actual distance is 1,804 miles. Then he says later on:

I put that down at $28,000 per mile which I am advised is a fair estimate. Remember that in both cases we are speaking of the road only without equipment. That would make the cost of the section $41,300,000. Taking these two together we have the estimated cost of the eastern division at $51,300,000.

Now we have got one of the estimates of the minister as to the cost of constructing the road, but that does not go to the question of the amount that Canada will be out of pocket. We will come to that later on:

Now according to the principle which is laid down in the Railway Act, the interest

paid during construction is a part of the capital. Every railway company constructs its roads in that way. Therefore any money that we may pay during the construction is of course chargeable to the capital account, and the interest thereon is also added to capital. So that the road when completed will represent in capital, not only the actual money which we have put into it but also the interest which has accumulated in the meantime.

Then he says as to the interest:

In the first year we would spend only a very small sum. After that the expense would increase very rapidly. We would spend twelve to thirteen million dollars a year. Distributing the amounts over the period of construction in that way I estimate that at the end of the period instead of the capital of the road standing at $51,300,000, it would stand at $54,609,676. The annual interest on that sum would be $1,638,290.30.

Then he said:

Therefore, what we are out of pocket is just seven years' interest on the amount of the capital as it would stand on the completion of the road.

And he multiplies that annual interest of a little more than $1,500,000 by seven, and tells us what it would cost, as will be seen later on. The Finance Minister then deals with the declaration of the First Minister as to the cost of the road. He says:

My hon. friend the Prime Minister, in the course of his speech said that we could meet the responsibilities of this contract by setting aside the present year's surplus which is roundly stated at $13,000,000. Hon. gentlemen opposite have thought that was a rash statement. I am convinced that the figures I shall be able to give to the House will show that my hon. friend's statement is substantially correct.

Then the hon. gentleman proceeds to show that, by setting aside a sum of money which will be mentioned in the figures I shall give for each part of the railway, taking in the eastern division, the Quebec bridge, and the money we pay on the guarantee as interest on the western division, the whole will amount to $11,512,325.02. He does it in this way:

I add these items together. The present value, by actuarial calculation, of the cost of the seven years' interest on the eastern division is $8,853,502.47. Seven years' interest on the Quebec bridge represented by the present value, $324,246.65. Seven years' interest guaranteed bonds, mountain section, represented by $2,334,575.90. These sums making a total of $11,512,325.02. Why, we have some millions of a surplus left yet.

Then the hon. gentleman proceeds to say that, in order to bring up the road to the high standard of construction proposed by Mr. Charlton, then representing North Norfolk, he is prepared to place further money at interest so as to bring it up to four-tenths of one per cent grade, the highest standard of road construction. He says:

But if we are to have the high-grade--perhaps I should say the low grade—road called for by my hon. friend from North Norfolk (Mr. Charlton), perhaps these estimates are not high enough. I am prepared that the millions of a balance should be devoted to the improvement of that road. I propose to add 25 per cent to the first estimate of the cost of construction of the eastern division, and so add 25 per cent to the present value of the seven years' interest of that portion of the road. That is an equivalent to an advance on the cost of from $25,000 per mile to $31,250 per mile for one part, and from $28,000 to $35,000 for the other part. That is a pretty liberal estimate and ought to build even the fine road called for by my hon. friend from Norfolk.

He is asked whether he has had expert advice upon these points, and he answers that he has. So, we have the statement of the Minister of Finance there, not only as to the matter of the $13,000,000 referred to, but also as to the cost of construction of the road. And you will notice that the highest estimate the hon. gentleman places on any part of the eastern division is $35,000 a mile for the 1,404 miles from Winnipeg to Quebec, and for the 400 miles from Moncton to Quebec he places it at $31,250. The result then, is:

400 miles, Moncton to Quebec, at $31,250 per mile..	$12,500,000
1,404 miles, Quebec to Winnipeg, at $35,000 a mile..	49,140,000
Total..	$61,640,000

This is the entire cost of construction of the road from Moncton to Winnipeg as announced by the Minister of Finance, as he said, upon the actuarial and expert opinion furnished him. This is without interest. Now, taking the actual facts as they have turned out, and still counting without interest, what do we find? Taking the figures furnished us by the government, and which I will refer to later on, we find that the road has actually cost $153,920,100, or more than $85,000 a mile. That is the difference on that basis. Now, I might refer just for a moment to the western division, and I do so because it emphasizes very clearly how egregiously the government has erred in its calculations. And there is a very significant parallel. It was represented that what, as a matter of fact, we were to pay as a subsidy for the western division of the railway through that wonderfully rich country—and what must be a paying proposition—was $3,024,000. As a matter of fact we are paying for that portion of the road $13,690,000, or practically the same money as the Finance Minister said we

should have to pay both for the eastern division—with highest grade of construction—and as subsidy for the western division as well. Before I deal more fully with that, let me quote a word or two from the Prime Minister again. Those who were in the House at that time will remember in what a jaunty way the Prime Minister introduced the amendments which were agreed upon between the session of 1903, and the session of 1904. He said it was a little thing, in fact that the opposition would be disappointed because it was so little. Here is what he said, speaking of the amendments proposed:

The propositions which they made to us and the concessions which were made by us are now before the House. They are not numerous, and I venture to say that our honourable friends opposite, when they saw the narrow extent of the concessions which we had agreed to, were surprised at the moderation of the Grand Trunk Railway Company, and the comparatively unimportant modifications which we were called upon to make. Not only were they surprised at the moderation of the concessions which we made, but I believe they were vexed, because it deprived them of a good deal of the thunder which they were prepared to fulminate here.

Mr. Speaker, you represent that rich and beautiful county of Bonaventure. I represent a great riding, that of South Simcoe. When we reflect that, by a wave of his hand, the Prime Minister was giving away practically the value of a county, I am not quite disposed to join with him in speaking of the great moderation of these proposals. Taking now the mountain section, the Finance Minister gave us these figures:

Mountain Section.

Statement—under contract of 1903. Guaranteed not to exceed $30,000 a mile, and interest on the guaranteed sum.	
Finance Minister, 480 at $30,000—liability	$14,400,000
Interest for 7 years on this amount	3,024,000
Under amended agreement of 1904. Guarantee of ¾ of total cost, and interest on amount guaranteed—total cost is	67,056,000
Bonds at 90 per cent to produce this.	74,506,667
Our liability, ¾ of this	$55,880,000
We pay interest on this for 7 years at 3½ per cent	$13,690,000
In 1903 our guarantee was actually.	$25,170,000
In 1903 our guarantee was declared to be	14,440,000
An error of	$10,630,000
In 1903 we were committed to pay interest amounting to	5,285,700
In 1903 we were told we were paying	3,024,000
A blunder of	$ 2,261,700

When the Prime Minister tells us that we are practically giving no important concession, I call attention to the fact that we were increasing our liability then from $25,000,000 to $55,000,000, or a difference of $30,000,000; and we are increasing our cash contributions from $5,285,700 to $13,690,000, or a difference of $8,404,300. Now, that brings us to this proposition, that in so far as the western division is concerned we are paying for the construction of that branch of the railway in cash as much as the Finance Minister and the Prime Minister said we would pay as our contribution to the entire scheme. Now, as to our actual cash contribution to this railway scheme, taking it as a whole, it figures out in this way: We are paying interest seven years on bonds for the mountain section, $13,690,000; we are paying interest on cost of construction of the eastern division for seven years, $42,690,560; interest on unreported expenditure, say, $1,000,000; investigations, legal expenses, etc., $500,000, making a total of $57,880,560. Then between the actuarial figures as given by the Finance Minister and the actual round sum at which the amount appears to stand, the difference after all is only between 10 and 11 per cent. Making a computation on the same basis and taking off upwards of $5,000,000, we have $52,000,000 left as the actual cash outlay that Canada will pay on undisputed items, or four times the amount at which the Finance Minister and the Prime Minister put it. If you add our share of the Quebec bridge, the four-ninths the Finance Minister said that we would be called upon to charge against this scheme, and if we add the differenec in interest, one-quarter per cent, for 43 years during which we borrow money at probably 3½ per cent and only receive back 3 per cent as rental, we will have $76,000,000, or six times the amount that the government said we would have to pay.

Now we have this fact to consider. After the government had made these declarations, then we had the surveys, costing about $4,000,000, and the engineers' reports to the government, and on these the contracts were let. At that time, for all the items that were embraced in those contracts, the engineers estimated the total cost would be in round figures $65,000,000. Taking those same figures, the actual working out shows that instead of costing $65,000,000, the road cost us $105,000,000, a very good reason for believing that there may be a good deal in the proposition which the government is so sedulously advancing now that the expensive surveys which we had there after all were only guess work, that the government was working in the dark. Now, in reference to that, assuming that the surveys were really guess work, I would like to show you upon high authority how fatal

a matter that kind of thing is. There was a royal commission appointed after a portion of the Canadian Pacific railway was built, that is, the portions built by the government, and Judge Clark and some other prominent gentlemen, Mr. Keefer and Mr. Miall, composed the commission. It was argued in the course of that investigation that it was not necessary to have accurate surveys before the work was let to contractors. It was pointed out, that there were investigations much more thorough than these surveys are now alleged to have been made by this government. They said:

During the progress of the evidence it has transpired that in the case of the first four contracts for roadbed construction between Thunder bay and Red river, tenders were invited and contracts let before sufficient examination had been made of the projected line to enable the engineering department to state, in most cases, even approximately, what work would require to be performed.

The bills of works offered to tenderers were invariably calculated from nothing more reliable than profile plans. In every case the contract was let before the quantities had been made up from cross-sections.

Now, the government has the hardihood in certain quarters to put forward the statement that in some cases there was no profile plan at all, and what is more essential, that in some cases there was no location before this work was let to contract. They are either on one horn of the dilemma or the other; they neglected their duty to the people or else the statement put forward is a subterfuge to deceive the people. It was contended, however, in the Canadian Pacific railway case, that it made no difference. The commission said:

The evidence leads us to a different conclusion. If the quantities upon which the tender is based should turn out to be approximately correct, and the various tenders consistent as to prices, the relative position of the tenders, when subsequently based on executed quantities, might not undergo much change, but should the prices affixed to the tenders be incongruous and the relative proportions of earth excavation, rock, masonry, &c., be materially altered during the process of construction, then those tenders which seemed to be the lowest might turn out to be considerably higher than others.

That is just what happened in this case.

To exemplify this a statement has been prepared——

And so on. They sent out a long statement embracing twenty different features, but they summarize it in this way:

It will be seen by referring to the above statements that the five tenders which were assumed to be the lowest, were as follows:—

1. Martin & Charlton, actually 6th.
2. Sutton & Thompson, actually 5th.
3. J. A. Green, actually 3rd.
4. Talbot & Jones, actually 9th.
5. D. Hinkson, actually 1st.

Had the quantities contained in the bill of works furnished to intending tenderers been according to the work actually required to be done, the tenders would have rated as follows:—

1. D. Hinkson, appeared as 5th.
2. A. Farrell, appeared as 12th.
3. J. A. Green, appeared as 3rd.
4. Wright & Cachrel, appeared as 13th.
5. Sutton & Thompson, appeared as 2nd.

Thus by a change in quantities (the prices being the same in both cases) the lowest tender, that of Martin & Charlton, finds no place among the first five.

I do not think I need read more. They show here that, at the actual prices they were paid, large sums of money were lost on this transaction, and I venture to say that much larger sums will be lost upon the transaction in connection with the Transcontinental railway if we investigated it. Hon. gentlemen in the House will remember that upon a previous occasion during this session I showed just what was the results of analysing contracts in this case. Now, I have to present to the House the main feature of this proposition and that is: The actual cost of the work? When I say that, I do not mean that it may not be vastly more than the sum I mention, but I mean that it never will be less than the sum I mention. I am taking the government estimates, and I am saying that at all events it must amount to the sum of money that I am going to show. On a previous occasion, I showed that the figures on thirteen contracts, as estimated by the engineers at the time the contracts were let exceeded the contract sum by 62·8 per cent; that is $37,340,723 increased to $60,792,969. It is fair to assume that the other eight contracts will work out at about the same average increase.

13 contracts—		
To cost. .. $37,340,723	Costing..	$60,792,969
8 other contracts—		
To cost. .. $26,866,054	" ..	43,737,936
Items not included in contracts—		
Steel superstructures of bridges		$ 5,217,503 00
Right-of-way..		2,153,000 00
Ties for contracts 9, 10 and 21.		894,849 00
Rails, fastenings and switches.		11,984,000 00
Stations and divisional point buildings..		3,710,500 00
Engineering and expenses.. ..		11,913,000 00
Substructure, Red River bridge		300,000 00
Locomotive shop plant, east of Winnipeg, including buildings, reservoir, pump-house, filling of site, tracks to buildings, pipe-line to Red river, wiring and piping buildings, but not including shop equipment..		1,625,000 00
		$37,797,852 00

Quebec bridges—		
Cost of fallen bridge..	$ 6,905,852 35	
Investigation in re..	31,765 44	
Preparations for new bridge, plans, consultations, &c.. ..	149,087 73	
Estimated cost of new bridge per Minister of Railways. ..	10,000,000 00	
Total..		$17,086,705 52
Of which four-ninths is to be charged to Transcontinental Railway account, per Finance Minister..		7,594,091 00
Terminals at Quebec per Minister of Railways..		$ 2,000,000
Share of terminals at Winnipeg per Minister of Railways..		1,156,252
Share of shops at Moncton per Minister of Railways..		750,000
Share of terminal yards per Minister of Railways..		97,000
Total exclusive of interest for items mentioned..		$ 153,926,100
Interest during one-half period of construction—that is for 4 years at 3½ per cent simple interest..		$ 21,549,654
Cost to time road to be handed over to the company..		$ 175,475,754
Interest at 3½ per cent for 7 years after road handed over to company..		42,991,560
Total for enumerated items at end of 7 year period..		$ 218,467,314

This does not include entrance into Winnipeg. Locomotive shop equipment there and many incidentals and contingencies. It does not include a probable 3 years additional charge of $7,646,356 a year, or a total of $22,939,068 for the 3 years during which the company may claim inability to pay. It does not include terminals at Moncton.—What will these cost? It may be some guide to us to know that the Grand Trunk terminals at Portland are said to have cost $20,000,000 to $25,000,000.

This is equal to $120,000 a mile, a fixed charge of $3,600 a mile, equal to a three per cent interest charge of $6,554,013 a year for the road from Moncton to Winnipeg, and that is for the line of road about which the company was so doubtful that they would not undertake to enter into it unless the government would allow them to have the privilege of capitalizing three years additional interest after the expiry of the seven-year period. They were told then by the Minister of Finance, as the effect of his argument, that the rental would be about $1,500,000 a year. We are faced with a proposition now that the rental they will be called upon to pay will be $5,264,272 a year. Does anybody think they will pay it? They came back in 1904 for better terms, and they will come back again. Just as surely as the ebbed tide comes back and claims an additional tribute from the shore, so this company will come back and will claim, and if this government is in power—which Heaven forefend—they will obtain better terms from the government at the expense of the people of Canada. I venture the prediction now that if they come back, they will reduce the rental as low as $1,500,000 or $2,000,000, and the balance will have to be paid and borne by the people of Canada.

That is the financial proposition. I would like to show how certain items of expenditure are running up, but I have not time to do so. Some of these items have been placed on record before. The rock excavation alone on these 21 contracts is costing as much as and more than the Finance Minister stated to the House would be the total cost of the whole road. The solid and loose rock excavation alone, as is shown by tabulated statements I have here, is costing in ten contracts which I have analysed, as much as and more than it was estimated we would have to pay for the whole work upon these ten contracts. In other words, for rock excavation on ten contracts, we are paying $40,841,777, and we were to pay for the entire work, for the whole 103 items embraced in contracts of this kind, $40,209,205, or $632,572 more for rock alone than was to be paid for the whole work.

I have taken a longer time than I wished to take, and my only apology is that this is a matter involving enormous issues to the country. Let me summarize as briefly as possible some of the propositions which I lay down:

I claim it was the duty of the government to carefully verify the information they proposed to offer before submitting it to the House. The bewildering change in the whole situation as disclosed by progress estimates, and otherwise in the character of the country, and the roadbed, and the cost, inevitably forces the conclusion that, in making the declarations referred to, ministers of the Crown pretended to a knowledge of the situation that they did not possess, and asserted as fact that which they did not know to be fact, and possibly, too, and quite as bad, upon matters material to the issue, failed to disclose or concealed that which they did know, in order to prevent necessary investigation and surveys, and to secure the immediate adoption of the scheme; and I claim and charge that thereby the people were misled and deceived; and committed to a wholly unwarranted expenditure of enormous sums of money.

I claim too, that parliament and the country being committed to the undertaking, it was the duty of the government as declared and promised by the Prime Minister when he moved the resolutions providing for the appointment of a commis-

sion to build the road, to seek out men of acknowledged high standing, specially qualified for the position, and upon the basis of fitness alone; but I charge upon the contrary, that the position has been prostituted to political ends, that in making appointments, the government have been solely or mainly influenced by party and political considerations, that the office has been regarded as, and practically is a Liberal haven of refuge, that in most cases, if not always, integrity, fitness and the public interest has been persistently ignored; and the result is that the intention of parliament has been frustrated and the country subjected to an inefficient service, and serious, consequent, loss.

I claim that letting the work to contract, it was the duty of the government, acting through the commissioners, to secure a competent staff of engineers to thoroughly explore and locate the line, and to obtain reliable estimates and data, as to the quantities and character of the work; and also to have well thought out and unambiguous specifications prepared; to the end that all tenders received could be intelligently dealt with, and the contracts correctly awarded. It was also their duty during the progress of the work to have an efficient and trustworthy staff of engineers in constant supervision of the work; and having regard to these admitted conditions and the astounding discrepancies between estimated and actual expenditure. I charge against the adminstration that either the information submitted to the House by ministers of the Crown in 1903 and 1904, and the estimates upon which the contracts were awarded were outrageously misleading and incorrect, or the quantities now being returned, allowed, and paid for, upon progress estimates, are far in excess of what is fair and honest, and the country is being defrauded of large sums of money.

I charge that in all attempted or proposed investigations the position taken by the commissioners, whether with wrong intent or otherwise, has been in the interests of the contractors and opposed to the public interest.

I charge that the commission has on various occasions, if not invariably, sought to narrow the scope of proposed investigations within the narrowest possible bounds, to the great prejudice of the public interest.

I charge that the government and the commission in allowing serious charges of over-classification, overbreak and other wrongs to remain for nearly three years without investigation have flagrantly disregarded their duty in that behalf, and have entailed great financial loss to the treasury of Canada.

Mr. LENNOX.

I submit and charge that the attitude of the government, and commission in regard to persons making complaints of wrong doing in the carrying out of the work—notably in the cases of Major Hodgins and Mr. Lumsden—is calculated to deter engineers, and others in charge, from effecienty, honestly and fearlessly discharging their duties, tends to encourage dishonesty, and the allowance and payment of unjust claims, is distinctly opposed to the public interest, and is deserving of the severest censure.

The enormous differences shown to exist between the estimated, and pledged expenditure, and the alleged or actual cost are far too great to be accounted for upon any basis of reasonable error—they necessarily involve, upon the part of those having the initiation, management, and carrying out of the work, or of many of them: incompetency, or dishonesty, or both; and are of such grave public concern as to demand an immediate and thorough investigation into the circumstances under which this undertaking was launched, and the causes which have brought about this unwarranted expenditure of public money.

Therefore, Mr. Speaker, in concluding with a motion, I will ask that the House shall appoint a royal commission to investigate the whole matter; and let me say, although I have not incorporated it in my motion, because I think it will better come in this form, that I demand on behalf of the public that it shall be a fair appointment, and that the people shall have a fair chance. And let the criticism be what it will, I know with what vile criticism we were met when we demanded what were the people's rights in the Lumsden investigation. I have no fear of criticism either at the hands of hon. gentlemen opposite or at any other hands. I claim that no investigation will be satisfactory to the members of the opposition—that is not important, but no investigation will be satisfactory to the public—which does not recognize three or four essential conditions to which I will refer. One of them is that the leader of the opposition shall be conceded the right of nominating at least a minority of the commission. It is beyond question that it will be the government that will be on trial, and it is manifestly in the public interest and manifestly just that the proposition that I submit in that regard should be conceded. Further, no commission will be satisfactory or will command the public confidence unless the opposition are afforded reasonable means of bringing forward the evidence necessary to thoroughly sift the question as to whether too much money is being paid or not. To that end it will be right and just, and we will demand—or at least, speaking for

myself, I demand, and I believe the people will demand—that the leader of the opposition shall have the right, not only to engage reasonable professional assistance in the nature of engineering experts, but also to nominate at least one or two of the counsel who shall be engaged in the prosecution of the inquiry. I have outlined as briefly as I could, and I am sorry I could not make it more brief, the situation as it presents itself to-day. I am not putting it as a question whether the government is guilty or not guilty, but I am saying that the government is on trial to-day in the minds of the people of the Dominion of Canada, and I am asking that the people shall put upon trial those who have misrepresented, intentionally or otherwise, the true situation, or who are maintaining in the management of the construction of this road those who must be squandering the people's money and defrauding the people of their just rights. I, therefore, move, seconded by Mr. Blain:

That all the words after the word 'that' in the proposed motion be left out and the following substituted therefor:

1. In the debate upon the proposed construction of the National Transcontinental Railway in 1903 and 1904, the Prime Minister and other members of the government declared that they had gone thoroughly into the whole question, and were in possession of abundant, expert and general information as to the character of the country through which the road would be built; that 'for three-fourths of the distance between Quebec and Winnipeg the line would be run over a level plateau over which the construction of a railway was almost as feasible as over the prairies;' that the government were then competent to correctly judge as to the extent of the undertaking and its cost; that delay for investigation was unnecessary and inexpedient, and that they had definitely ascertained that the total cost, to Canada, would not exceed $13,000,000.

2. That the Minister of Finance in the session of 1903 expressly professing to speak upon reliable information from competent expert authorities, declared to parliament that the actual cost of the eastern division would amount to no more than $51,300,000, or including interest during construction to the sum of $54,609,676; and moreover that with a grade of four tenths of one per cent, about 21 feet to the mile, and construction according to the highest known standards the cost without interest would not exceed $61,640,000, or an average of $34,170 per mile.

3. According to official returns since laid upon the table of the House this eastern division, without counting anything for interest, and with many items of construction as yet not included, will cost not less than $154,000,000, or an average of more than $85,000 per mile.

4. According to these official returns and statements of ministers, the total cost of the eastern division will actually amount to not less than the sum of $218,467,314, made up as follows:—

Payments under 21 contracts.. ..	$104,530,905
Four-ninths share of the cost of the Quebec bridges..	7,594,091
Terminals at Quebec..	2,000,000
Share of terminals at Winnipeg.	1,156,252
Share of shops at Moncton..	750,000
Share of terminal yards at Moncton..	97,000
Numerous items (not covered by contracts) as per statement recently furnished by the government..	37,797,852
Total exclusive of interest..	$153,926,100
Interest on outlay during one-half period of construction, that is average of four years' simple interest at 3½ per cent..	21,549,654
Cost at time road to be handed over to company..	$175,475,754
Add interest at 3½ per cent for seven years after road handed over, during which country is to bear the charge..	42,991,560
Total at end 7 years' period.	$218,467,314

Making an average expenditure of more than $120,000 a mile, and representing a fixed annual charge of $6,554,020.

5. To this cost of construction, and to interest account, must be added very large sums for entry into Winnipeg, for locomotive accommodation there; also for additional terminal requirements at Moncton and at other points; and for further probable interest charges.

6. According to the estimates upon which the contracts were awarded for the eastern division, rock excavation was to cost $23,322,976, whereas according to the official returns now brought down, the cost of such rock excavation alone upon that division will be not less than $52,000,000, a sum exceeding the Finance Minister's estimated full cost of the complete construction of this part of the road; and in many cases the contractor is being paid for rock work alone more than he was supposed to be entitled to be paid for fully completing all work upon his section.

7. Taking interest account alone computed on the actuarial basis adopted by the Minister of Finance, and granting that the company may take over the road and pay the stipulated rental, and leaving out of account our annual loss on the difference between the rate of rent received and the rate of interest paid out for forty-three years, Canada will be out of pocket in actual cash an amount more than four times as great as the amount stated to parliament as the cost to Canada for the purpose of inducing parliament to approve and pass the Transcontinental legislation.

8. That having regard to the astounding and unexplained increase in the cost of the said railway it is absolutely essential in the public interest that there should be a broad and thorough investigation into all matters

connected with the building of the eastern division of the Transcontinental railway.

9. Therefore this House is of the opinion that a royal commission consisting of not less than three competent persons should be appointed to make inquiry into and concerning all the facts and circumstances connected with the inception of the Transcontinental railway project and undertaking, the conduct and efficiency of the various persons acting for the government or the country, the mode in which the work has been carried on both from an engineering and financial point of view, the manner in which the commissioners and the various officials and employees have discharged their duties, the manner in which contracts have been entered into and executed, accounts verified and payments made from time to time, and generally an inquiry into all facts and circumstances relating to or affecting the public interest in regard to the undertaking, with all powers usual in such cases including those provided for in an Act respecting inquiries into public matters.

10. That this House is also of opinion that the government should take immediate and effective action to investigate the danger of diversion of Canadian traffic to foreign parts and to prevent any such diversion.

I may say that the concluding part of the resolution is based upon the form of order made in the case of the Canadian Pacific railway investigation already referred to.

Hon. G. P. GRAHAM (Minister of Railways and Canals). Mr. Speaker, I must congratulate my hon. friend (Mr. Lennox) on his industry, which is only exceeded by his imagination. If there were a fund earmarked for the destruction and not the construction of this great international undertaking, my hon. friend's indemnity might well be charged to that fund, because he has spent his whole time this session and most of it last session in digging and delving to see if he could not find something somewhere which he could add to the accumulation of injurious things that have been said about this great national work, said by companies and their agents on the other side of the line who are interested in not having this constructed, said by others who are interested in not having this road constructed, and reiterated by hon. gentlemen in this House, not with the object, perhaps, of injuring the undertaking, but with an object which can only be attained through the injury of this great undertaking. I imagined that once the Canadian people had approved of this project everything possible that could be said against it had been said, that the representatives of the people, no matter what their politics might be, would take some pride in this undertaking which is to assist in making Canada one of the greatest dominions in the British empire. But, no, Sir, every possible straw is grasped

in order to make it appear as if this road should never have been constructed at all in its entirety, and these attempts having failed and the people having given a mandate to build the road, the object of the attack has since been against the method of constructing the road and against its cost. Now, I just want to point out to my hon. friend (Mr. Lennox) that the only thing that can be attained, if his words have any influence at all, and I do not think they will have, the only object that can be attained by such a speech is to make it difficult for the great company associated with this undertaking to carry on its finances in the old land. That is the only thing that could be attained. All that he has said to-day has been said before by able men on the platforms throughout the country, and has been written by hired men who filled columns of the newspapers in the United States, copies of which papers were spread broadcast throughout Canada. But in face of all that, the people of Canada said again, knowing all this, we want Sir Wilfrid to finish his work and to go on and complete the Transcontinental. I am happy to say to the members of this House and to the Dominion of Canada, that the results that followed the attacks on this undertaking in the year 1908, still remain, that is, the attacks have no effect at all, because after a discussion only yesterday with the president of the Grand Trunk railway, who has just returned from the old land, I am happy to say that the financial standing of that organization is good, and that the work will be carried out speedily. I am surprised at my hon. friend (Mr. Lennox), who is usually mild-mannered, using the long line of expletives which he has introduced into the concluding part of his speech. I noticed that he read that part where the large adjectives were, which leads me to believe that in his own mild way he could never have used them in making an address if he had not carefully written them out previously. In all my experience of public life, which extends over a few years, I have never listened to a more unfair presentation of a case than that of my hon. friend this afternoon. I say that advisedly. The insinuations made about men just as honourable as any member of this House, just as respectable, just as capable, were not called for, and should not have been made by any man unless he meant to make a distinct charge and face the issue squarely. The figures quoted about the cost of the line, concerning which there was a difference of opinion, I say, are misleading to the House and to the country, and I think I can prove to the House that the inference drawn from those figures by my hon. friend were not warranted by the figures themselves

The first part of my hon. friend's remarks were entirely ancient history. He dealt with the assertions of the Prime Minister, the Finance Minister and others as to what this road would cost. That has been threshed out time and time again. This resolution which the hon. member has presented, may be divided into two parts—possibly three. The first we might call the substructure—the recital found in sections 1 and 2. The rest we may call the superstructure, except the last section, which may be not unfitly termed the tower, because I think it was put on at the last as an afterthought. I am inclined to think that my hon. friend the leader of the opposition added the last clause as a sort of antidote to his anti-conduct on a Canadian-made navy; I take it that it is intended rather for consumption in Halifax and the maritime provinces as an offset to the hon. gentleman's position on the naval question.

Now, let me deal with these sections as I have outlined them. In the first place, there is the substructure, this long recital found in sections 1 and 2. This House is asked to vote seriously upon the statement that the Prime Minister tried to induce the House and the country to believe that this road would cost but $13,000,000. No matter what play there may be with words, that has been laughed out of this House, it has been laughed off the platforms of Canada, it has been laughed out of public discussion by the people. Did that statement deceive any hon. member of this House? My hon. friend from South Lanark (Mr. J. Haggart) stated that the road would cost $125,000,000, and, speaking in all fairness, notwithstanding the remarks of my hon. friend from South Simcoe, I say that if I wanted an accurate statement as to the cost of railway construction or any other accurate information in that line, I would prefer to take the statement of the hon. member for South Lanark, probably, to that of any other man in this House. My hon. friend from East Grey made the same statement—that the cost would be $125,000,000. These hon. members were not deceived. I think that the leader of the opposition (Mr. R. L. Borden) estimated that the addition to the debt of Canada as the result of this construction would be in the region of $100,000,000, but I think he said it would be impossible to estimate it within $10,000,000. So, these leading members on the other side were not deceived by anything said on this side into believing that the cost of the road would be only $13,000,000. But, I want to show by the words of the hon. member for South Simcoe himself that he acknowledged in this House that he knew better, that he knew that what the Prime Minister intended to convey was not the entire cost of the road, but something entirely different. I will read his explanation. On this point of an estimate of $13,000,000 he said:

> We the members of this House understood that the Prime Minister did not mean that the total expenditure in the construction of the road would be $13,000,000. He intended to convey the proposition that the money that would be paid and not received back would be $13,000,000.

Now, my hon. friend from South Simcoe himself acknowledged what everybody else acknowledges. And while I am not surprised that hon. gentlemen opposite should occasionally refer to it, I am surprised at them seriously placing that statement as a clause in a resolution on which they ask the members of this House to vote. There is not a member of this House who believes that the attempt was made to convince them that the entire cost of the road would be $13,000,000—not one. And I give the public credit for knowing as much as I do about these matters, or as much as any member of this House.

Now, take section 2 of the resolution. My hon. friend gives here the statement of the Minister of Finance and proceeds to make that the foundation for some other clauses. The Finance Minister gave an estimate to the House based on the opinion of an engineer; and my hon. friend from South Simcoe will not gainsay the character, the reputation, the honour, the ability of that engineer, Mr. Schreiber. The Minister of Finance like every other hon. member, other hon. members who had had practical experience, like my hon. friend for South Lanark (Mr. J. Haggart), made their statements on our estimate of the chief engineer. The hon. member for South Simcoe (Mr. Lennox) might as well have placed in the resolution a clause referring to the statements of other members who made estimates. And when he assumes to attack the Finance Minister because he gave an estimate given to him by a man as prominent as Mr. Schreiber, and asks this House, and asks an intelligent public, to believe that he is seriously making that a reason for this resolution, he is going a long way indeed.

Now, I come to section No. 3, and I am getting along to what might be called the superstructure. The hon. member goes into a series of figures, and makes a statement from the official returns. I am not going to quarrel with that part of the statement or dissect his figures, but I think a very short consideration of the matter will show that I have been so generous in bringing down figures for my hon. friend's consideration that he has got lost in the mazes of the calculation.

Mr. LENNOX. That might easily be.

Mr. GRAHAM. The hon. member figures out that this road will cost $85,000 per

mile. Now, let us stop right there for a moment. I do not concede that this estimate is correct. But, if it were correct, what about it? Has the hon. member the right to make this the basis of abuse of every person who has had to do with the road? I say, no. Let him look up the cost of building railways at a time when material was not nearly so expensive or labour nearly so high as at present. Let me give a few samples of what roads have cost in years gone by. In New South Wales, the roads have cost $64,000 a mile; in Germany, $107,000 a mile; in France, $126,000 a mile; in Italy, $109,000 a mile; in Russia, $83,000 a mile; in Austria-Hungary $87,000 a mile; in Great Britain and Ireland, $272,000 a mile. And in the United States, with all their poor railways, with all their small branch lines, where some have grades of one to two and a half per cent, where some have 67-pound rails, where they have no compensation on the curves or grades—the cheapest kind of road—and even there the roads have cost on the average $58,000 a mile. And take the Dominion of Canada. My hon. friend will know that we have in this Dominion some very poor roads, improving it is true, but some of them even yet mere colonization roads with 50-pound rails, very little ballasting, and the cheapest of construction. If my hon. friend will look into it, he will find that the average cost of these roads in Canada, including cheaper colonization roads is $56,000 a mile. Take the Intercolonial—and my hon. friend will not complain if I use this as a comparison for his friends had something to do with the construction of that line as well as ours—the Intercolonial has cost for construction $63,000 a mile. So, I say, if I stopped at that point, if I took the figures given by the hon. member, together with the quality and standard of this road from Moncton to Winnipeg, and assume that we have a road of that kind at a cost of $85,000 a mile, I say it will stand comparison with the construction of any railway system in the Dominion of Canada or on the continent of America.

Mr. R. L. BORDEN. May I ask a question?

Mr. GRAHAM. Yes.

Mr. R. L. BORDEN. Did the government know of the cost of these other roads at the time when they gave these assurances to parliament? Had they taken the trouble to investigate the question to that extent?

Mr. GRAHAM. The hon. member (Mr. R. L. Borden) is asking me a question that he knows I am not in a position to answer. If I could tell what was in his mind when he made his estimate, I might have some sort of mental telepathic knowledge that would tell me what the government were thinking about before I became a member of it.

Mr. R. L. BORDEN. Does the minister (Mr. Graham) think that they ought to have investigated the question to that extent?

Mr. GRAHAM. Possibly they did. Whether they did or not, I am stating the facts. If they had not investigated, the hon. gentleman (Mr. R. L. Borden) should have given them this information, when he discussed the matter, because, no doubt, the opposition knew all about it. Now, we come to No. 4, and I want to say candidly that I cannot quite see how the hon. member reached the figure of $104,530,905 in his resolution.

Mr. LENNOX. I will tell the hon. minister, if I can be of any use to him. I got it by taking thirteen contracts with the amount that has been expended, and the amount reported as necessary to complete them. I add these together. Then, I assumed, as I stated, that on the other contracts on which work will be done will amount to about the same.

Mr. GRAHAM. I do not find fault with my hon. friend (Mr. Lennox), because I can understand his difficulty in arriving at the results. I do not intend to go into all these figures, but I may say that there is a mistake of $16,000,000 in this one item. Now, I will take up those figures without going into details. On that item there is a mistake of something like $16,000,000. I think he took $67,890,697 up to December 31, as including only the twenty-one contracts, while as a matter of fact it included $20,358,679 that had been spent on items not in the contracts.

Mr. LENNOX. No, I took what the returns show as being expended, and what is yet to be expended, I added these two together, I took 13 contracts, because there are only 13 contracts on which there appears to have been considerable work done. I add the two sets of figures together, and I find they amount to some $60,000,000, while they were to have cost about $37,000. That means that they are actually costing at the rate of 62·8 per cent more than they were to have cost. I assume those on which very little work has been done will work out as I said on about the same basis. The minister, with the greater information, may be able to show that they do not work out on exactly the same basis. It may be that the warnings these parties have got have already had some effect.

Mr. GRAHAM. If my hon. friend is through, perhaps he will now allow me to proceed. Now, I will try and point out wherein my hon. friend's figures may be inaccurate. In making his estimate he was pretty positive, because he figured interest on these items. By his method of calculation, which I have now found out, a man could figure himself into affluence or penury in fifteen minutes if he had a good strong pencil, by adding a lot more to his revenue and capital expenditure on which interest must be charged. Now the amount actually paid up to December 21, 1909, on these 21 contracts is $48,578,614.19. The contract reserve—my hon. friend from South Lanark (Mr. Haggart) will understand what that means—the contract reserve is $3,247,295. The estimate made by the chief engineer to complete is $35,949,958; total $87,775,867.19. But there was an amount omitted in the December estimates of $929,721.57. This makes a total $88,705,588.76 as against the $104,530,905; consequently there is an error in the first item of $15,825,317, if the chief engineer's estimate be accurate.

Mr. LENNOX. In the returns brought down the minister states there are several contracts on which a subsequent estimate has been made, and no work done. When he deals with figures in this way, he assumes there will be no extra money paid upon those other contracts. I am dealing with actual results already attained.

Mr. GRAHAM. I am dealing with figures given to me by the present chief engineer. My hon. friend is making an estimate without information given him by any person on which he could correctly make an estimate.

Mr. R. L. BORDEN. Does the hon. gentleman pledge his word that the percentage of increase on the other eight contracts will be less than upon the thirteen contracts included in the official returns brought down?

Mr. GRAHAM. I never object to any person asking me a question, but the hon. gentleman knows that that is a question that he should not ask, and that I could not answer.

Mr. R. L. BORDEN. The reason I ask it is that the minister stated that the alleged error of $16,000,000 is based upon the assumption that there will be no such increase.

Mr. GRAHAM. I made no such statement, and again I say that the results obtained are based on an estimate made by the chief engineer.

Mr. R. L. BORDEN. Will the hon. gentleman allow me to ask another question—because it is important just now to get down to hard-pan. There is an increase, according to the returns brought down by the government in thirteen contracts, of 68·8 per cent, and there are eight other contracts. What percentage of increase, if any, has the minister allowed upon these other eight contracts in making his statement as to this error?

Mr. GRAHAM. My hon. friend has asked me another question to which I will reply in the same way that I answered the other one, that the chief engineer, who is a greater authority than any one of us upon that point, has given certain figures, and from these figures I am taking actually what has been paid out and his estimate for the future.

Mr. LENNOX. The minister stated a moment ago that he had just seen these figures that required my computation to be amended. Does he forget that on the 31st of March, coming down to the condition we are now dealing with, to the actual figures exclusive of interest, that I presented exactly the same figures then as I presented to-day? And has the minister been able to show that my statement that $104,000,000 was the amount the government showed were expended, of which $60,000,000 in round figures was expended on these thirteen contracts, was incorrect? If he has not, what is he talking about?

Mr. GRAHAM. My hon. friend is so very polite to-day that I suppose I might answer him in the same way. I am talking about what I think is an error of nearly $16,000,000. I told my hon. friend that I was not surprised that he should make this error in his calculations, and I told the House that I was not finding fault, but in order to be more accurate I was giving my authority for the figures given to me, and if these are correct, he has made a mistake of about $16,000,000.

Mr. R. L. BORDEN. The minister is aware that he has not answered my question at all.

Mr. GRAHAM. Because my hon. friend wants me to give an answer to a question which he knows that I, not being an engineer, am not in a position to answer.

Mr. R. L. BORDEN. It is not an engineering question.

Mr. GRAHAM. My hon. friend insists on asking me a question which can only be answered on the authority of the chief engineer.

Mr. R. L. BORDEN. The minister mistakes the question if he says that.

Mr. GRAHAM. That is my understanding of it. Now, we take up another item—

and I do not want to quarrel with these items—but I want for a moment to take up the Quebec bridge item. Whatever may be said about the Quebec bridge, everybody will admit that the Quebec bridge was a project before there was any thought of the Transcontinental railway. If there had never been a Transcontinental railway built the Quebec bridge would have been constructed. Every person admits that, but I am here to argue that the construction of the Transcontinental railway, instead of being a burden to the people in so far as the Quebec bridge is concerned, is going to assist in bearing that burden. It will assist to the extent of the amount that it will pay either in interest on the cost of construction or in rental for the use of the bridge. The people would have had to build the Quebec bridge had there never been a Transcontinental railway, and this is one more customer to help to pay the interest on the cost of this bridge. Therefore, the Quebec bridge should not be considered as part of the cost of this road. The $7,000,000 that my hon. friend has in his list there should come out because the Quebec bridge should not be part of the Transcontinental railway per se, as the legal gentlemen would say.

Mr. R. L. BORDEN. Why did the Finance Minister take four-ninths of it into consideration in making up his own estimate in 1903 and 1904?

Mr. GRAHAM. Because, I presume—and I may say I was not here—that the Transcontinental railway will probably pay an amount equal to four-ninths of the cost of the bridge for the right to run over it. If it is not part of the Transcontinental railway it will pay it in rent. If it is part of the Transcontinental railway it will pay it in interest. Going on a little further my hon. friend got down to large figures. I have already pointed out a few discrepancies, but I want to go on a little farther. I do not know what arrangements may be made as to Quebec terminals or the Quebec bridge. These are pretty large questions, and at the present time I could not give an estimate of the cost of the Quebec terminals because the commission has not decided as to what ought to be done there, but they hope to very shortly. I may say for the information of the House that I have suggested that the different railways interested should get together and form some kind of a company or combination by which they would secure the terminals in Quebec as well as the Quebec bridge for their general use. I do not know if that can be carried out, but if it can be carried out to that extent others besides the Transcontinental railway would assist in bearing the burden. It would be a reasonable solution, and it would be the better way of handling the traffic of the city of Quebec. It may not be possible to work it out, but shortly after the House rises I shall endeavour to get the views of the various railways interested in this question, and see what can be accomplished. I find that my hon. friend then makes up an item of $21,000,000 interest. I am not going to stop to quarrel with that, because by making the principal large it is easy enough to make the interest large, but I am going to ask my hon. friend and the House to judge of the fairness of this statement that contains this $42,000,000 the seven years' interest. However, that has nothing to do with what I am going to say now. A few minutes ago my hon. friend—and he says so in the resolution—in figuring out the cost of this railway, made it $218,000,000. He pointed out that at the rate of 3 per cent the fixed charges to the Grand Trunk Pacific railway would be $6,000,000 per year, and he turned around and asked his followers: Will any company pay it? By his own figures he put $42,000,000 into his calculation on which the Grand Trunk will never pay interest and never will be asked to pay under the contract. My hon. friend knows, this House knows, the country knows that the interest to be paid for seven years does not go into the principal or the rental and is not a fixed charge on the Grand Trunk Pacific. It only shows that my hon. friend has not treated the subject as fairly as he usually does in making out his case. The only result that can be accomplished is to make it difficult for the Grand Trunk Pacific to finance its undertaking, and if that can be accomplished then this road may be crippled, but I want to tell this House that that is not going to be allowed to be done, and that if it were to be the case that the Grand Trunk Pacific did not want this section of the road there is another strong company ready to take it in five minutes and proceed with the running of the road. Now, there can be a difference of opinion about this error of $16,000,000 that I pointed out, but there can be no difference of opinion about the $42,000,000 error, and the hon. gentleman, therefore, knows that this amount does not go into the capital upon which the fixed charge is made. Therefore, is it fair to ask, who is going to run this road?

Mr. LENNOX. I made the calculation to show what the cost would be at the end of the seven-year period, and I will challenge the minister, with all his eloquence, with all his extreme energy, to show that the statement is not correct.

Mr. GRAHAM. My hon. friend will see that he made that statement. I will ask him to deny that he made the statement. Did he not, within the last hour, say that the fixed charges on this road would be $6,000,000?

Mr. LENNOX. Yes.

Mr. GRAHAM. And did not he turn around to his friends and ask: What company will pay it? And did they not say: No?

Mr. LENNOX. I quite admit that I mentioned that the sum of $6,000,000 would be the fixed charge upon the cost of this railway.

Mr. GRAHAM. And that some company would have to pay it?

Mr. LENNOX. I pointed out that probably the Grand Trunk Pacific would not take over the road, and I was asking if the Grand Trunk Pacific does not take over the road, what position will Canada be in? Is it not a fact that it has a fixed charge of six and a half million on the actual cost of the construction of the road?

Mr. GRAHAM. I suppose we must accept this explanation, but I submit again, and I leave it to the hon. gentlemen who responded, when he asked that question: What company would pay this $6,000,000? —to say who is right in this matter. Now, coming to the resolution, we find the same calculation, and I am glad in this instance that my hon. friend wrote it down. It says:

Making an average expenditure of more than $120,000 a mile.

Mr. LENNOX. That is right.

Mr. GRAHAM. Does my hon. friend say that when the road is constructed and trains are running on it the road will cost $120,000 a mile?

Mr. LENNOX. As far as Canada is concerned, certainly.

Mr. GRAHAM. The hon. gentleman knows that he made a mistake, and he knows that he cannot get out of it. I have read his resolution. In addition to the $120,000 a mile—and this is the only way in which he can work it out, this is the only way in which he can send the impression to the country—the hon. gentleman proceeds to declare in his resolution:

Making an average expenditure of more than $120,000 a mile and representing a fixed annual charge of $6,554,020.

After reading that figure, he turns around and asks his friends if any company would pay it. He went on to argue that the Grand Trunk Pacific would not pay it.

Mr. LENNOX. I will correct the minister if he will allow me. He says that after reading that figure, I turned around and asked my friends that question. I did not ask my friends any question after reading that statement.

Mr. GRAHAM. My hon. friend had the very same figures in his other notes, the identical calculation with which he ended the speech, and it is also in his resolution. I want to point out again to the people of this country, and to impress it upon them, because the House understands it, there is not a man in this House who does not know that what I have said is absolutely correct, that in again repeating that the Grand Trunk Pacific will have to pay $6,000,000 interest at 3 per cent on $218,000,000, my hon. friend, according to his own figures, was exaggerating the cost by $42,000,000.

I have always endeavoured to bring down every return asked for by my hon. friend, and to give him every figure, every estimate, whether it was in accordance with my ideas or not, of what this road would cost the people of Canada who must construct the road, and who should be informed from time to time what it is costing. When there has been an increase in an estimate I have not hesitated to give it to the House. My hon. friend has figured out his calculation on a very broad basis. I have told the House that the estimate of Mr. Lumsden was, in round figures, $63,400 per mile. I think that was in 1908. I have asked the chief engineer of the National Transcontinental railway to, so far as possible give me an estimate now of any increase or decrease, approximately of course, but as far as possible, so that I could lay it before the House. The return brought down for my hon. friend shows that there are yet to be paid on items not included in the twenty-one contracts, $16,149,084, and this is included in the statement I am about to give. I think it is fair to tell the House that since Mr. Gordon Grant became chief engineer there has not been a complaint of over classification, either verbal or written, made to the Transcontinental commission. Let me give the statement as it is furnished me by Mr. Grant:

Total payments to December 31, 1909, not including December estimates of contracts for construction paid in January	$67,890,698 00
December estimates of said contracts	1,010,014 00
Contract reserve	3,247,295,00
Amount estimated to complete 21 contracts for construction	35,949,958 00
	$108,097,965 00
Estimated to complete items not included in said 21 contracts for construction (but not including terminals at Moncton, Quebec and Winnipeg, entrance to Winnipeg, and shops east of Winnipeg), viz.:	

Steel superstructure for bridges	$3,145,493 00	
Right of way	771,566 00	
Rails, fastenings and switches ..	4,782,220 00	
Stations and divisional point buildings	3,657,105 00	
Engineering and contingencies .	3,675,962 00	
Substructure Red river bridge ..	116,738 00	
		16,149,084 00
		$124,247,049 00
Less paid account rental of terminals	85,312 00	
Less paid account shops east of Winnipeg	334,911, 00	
		$ 420,223 00
		$123,826,826 00

The amount of $35,949,958 estimated to complete the 21 contracts for construction is only approximately correct and will be subject to revision, as no estimate for uncompleted work has as yet been made by engineers in the field.

GORDON GRANT,
Chief Engineer.

Ottawa, April 5, 1910.

This estimate made by Mr. Grant is of course, like all engineers' estimates, approximate. If my hon. friend desires that I should assume the responsibility of saying whether it is absolutely correct or not I could not do that, we have to take the best information we can get from the ablest men we have. Adding to the figures I have just given the $16,000,000 I mentioned a moment ago as being payable on items not included in the twenty-one contracts we have $124,247,049. We deduct from that the items paid, either on interest or on principal, for works at Winnipeg, and we get $123,826,826. This calculation was prepared in order to make a comparison with Mr. Lumsden's estimates of the cost of the road. Mr. Lumsden's estimates of a few years was $63,400 a mile, not including terminals, and I had the chief engineer exclude terminals from this statement. So that I could make a comparison between the figures I then gave the House, and what I think should be given to the House now on the same items. My hon. friend will see that there is an increase in the entire cost of $9,000,000 over Mr. Lumsden's estimate. I wish to give to the House the figures to show how this increase comes about as it is the balance between some increases and some decreases. The figures are as follows:

Items.	Estimate of June, 1909.	Estimate of April 5, 1910.	Differences.	
			Decreases	Increases.
	$ cts.	$ cts.	$ cts.	$ cts.
Preparation and excavation	54,748,176 00	63,893,276 00	.....	9,145,100 00
Tracklaying and ballasting	8,188,247 00	8,473,863 00	.....	285,616 00
Trestles and bridges	11,638,222 00	13,521,328 00	.....	1,883,106 00
Sundry	2,198,055 00	2,960,356 00	.....	762,301 00
Rails and fastenings	12,945,281 00	11,984,000 00	961,281 00	
Steel bridges	7,993,809 00	5,217,503 00	2,776,306 00	
Buildings	1,962,628 00	3,710,500 00	.....	1,747,872 00
Right of way	1,168,342 00	2,153,000 00	.....	984,658 00
Surveys, engineering and expenses	13,550,415 00	11,913,000 00	1,637,415 00	
	114,393,175 00	123,826,826 00	5,375,002 00	14,808,653 00

Or a total increase all told of $9,000,000 in round figures. Thus Mr. Grant's estimate is $68,640 per mile as against Mr. Lumsden's estimate of 1908 of $63,427, an increase of something over $5,000 per mile.

I wish now to give an explanation of the figures in these various items. In the preparation and excavation the increase is very large, $9,145,100. The explanation is as follows:

Preparation and excavation. Increase $9,145,100. This is due to substitution of embankments for wooden and steel trestles at points in districts 'A' and 'B,' greater quantities of rock encountered during progress of the work than was first estimated for, the nature of the material encountered in districts 'B,' 'D' and 'E' requiring flatter slopes, washing out of banks in district 'B' owing to unprecedented high water; extra rip-rap, elevating grades, train hauled material, additional grading in divisional yards, rock borrow for lake fills, &c.

Tracklaying and ballasting. Increase $285,616, due to greater mileage of track in divisional yards, 5 miles having been estimated for ordinary yards which was all that was considered necessary by the Grand Trunk Pacific authorities at the time, their later suggestions and plans requiring 10 to 12 miles; also, increase quantity of ballasting owing to shrinking of banks.

Trestles and bridges. Increase $1,883,106, due to greater depth of foundations found necessary in places, raising height of bridges, piers, cribwork, building larger culverts than first estimated for, when no information regarding high water was available, &c., &c.

Sundry. Increase $762,300. Due to outlay for gravity water supply doing away with the expense for future pumping; also $332,335 for extra work performed by chief engineer's orders, principally temporary trestles, &c., to expedite the work.

Rails and fastenings. Decrease $961,281, due to being purchased at less than was estimated.

Steel superstructure of bridges. Decrease $2,776,306, owing to bridges having been purchased for less than was estimated, certain bridges and viaducts thrown out and embankments substituted and on account of changes in line.

Buildings. Buildings increased $1,747,872, due to 12 and 18 stall engine houses being put in with heating, piping, repair shops, &c., instead of 10 stall buildings without these items; also, station buildings now estimated on bases of plans furnished by Grand Trunk Pacific being more expensive than those at first contemplated and larger structures at such points as Lake Superior Junction and Cochrane.

Right of way. Right of way now increased $984,658, due to increase of cost of land in Manitoba, New Brunswick and Quebec over prices estimated and provincial government lands now estimated at $10 per acre instead of $5, damages on timber limits, &c.

Engineering and expenses—

My hon. friend will notice this heading of engineering and expenses, because he dwelt very largely on the villanies of these engineers, and the amount of money they were spending. There is a decrease in the estimate for engineering of $1,637,415.

Mr. LENNOX. Has there been any decrease in the estimated expense for engineers since the minister gave me that return about a week ago?

Mr. GRAHAM. I cannot tell my hon. friend. I am giving the figures given to me by the engineer.

Engineering and expenses: Decrease $1,637,415.00. In the estimate of June 23, 1908, an amount of ten per cent was added to all grading estimates to cover engineering and contingencies in addition to $3,300 per mile for surveys. In the present estimate engineering, transport and headquarters expenses have been carefully estimated with the result stated.

Net increase of all items over estimate of June 23, 1908, $9,433,651.00, exclusive of entrance to Winnipeg.

That does not include, as I have said, the terminals. The figures show the cost to have been increased some $5,000 per mile. The next item of the resolution is No. 5, referring to the disaster to the Quebec bridge. I will not discuss that, as I have already discussed it. In the sixth item of the resolution my hon. friend points out that the rock excavation has cost a good deal more than the estimates. There is no question about that, and I submit that there is nothing astonishing or astounding about it. I am not going into the details, but I could point out a work costing several millions of dollars being carried on in this country by one of the greatest corporations in the world, the cost of which has been more than double the estimate, although it has been going on only two or three years, and the cost will perhaps be trebled before the work is completed. No person charges the chief engineer in charge of that work with being dishonest or inefficient. I know the head of the company, and I know the chief engineer, who is one of the best men on this continent for that kind of work, and everybody has the utmost confidence in him. Jokingly discussing it with him the other night, I asked him if he was not some kind of a sinner who ought to be looked after, seeing that his estimates had been more than doubled. He said not at all, and he expressed to me some opinions which I will not stop to give to the House, but which convinced me that the engineering world is not at all surprised at discrepancies of this kind. What the country is interested in is this. Let the hon. gentleman make his statement as strong as he likes, as to the men who are building this road playing into the hands of American competitors, or as to the miscalculations in the beginning, what the people of Canada want to know is, are they getting value for the money they are putting into this road?

Mr. GEO. TAYLOR. They know they are not.

Mr. GRAHAM. My hon. friend said that just as strongly in 1908, but the people said they were.

Mr. GEO. TAYLOR. Not in my hon. friend's constituency nor in mine, for my hon. friend's majority was reduced and mine was increased.

Mr. GRAHAM. My hon. friend was busier in his constituency than I was in mine. They kept him at home very closely. I did not find it necessary to stay at home. However that may be, the people of Canada have decided that question in that way. But the question for us to decide as business men is, are we getting value for our money? If we are not, we ought to find it out.

Mr. R. L. BORDEN. Hear, hear.

Mr. GRAHAM. If we are, then all this talk, all these fireworks, all these pyrotechnics about errors, and about the cost being more than the estimate, vanish into thin air when they come to be dissected by the keen business minds of the Dominion of Canada. My hon. friend seems to laugh, but there are keen business minds in the Dominion of Canada, and they are not confined to this House.

Mr. LENNOX. I did not laugh.

Mr. GRAHAM. I did not refer to my hon. friend, because he does not laugh. In the seventh paragraph of the resolution, my hon. friend says that the road has cost four times as much as the amount stated to parliament. I think I have dealt with that increase fairly well. Then, in No. 8, he says that having regard to the astounding and unexplained increase in the cost of the railway, it is absolutely essential that there should be a thorough investigation. I have shown that according to the standard of this road its cost is not astounding, and will compare favourably with the cost of any other road on this continent. Nor is it unexplained. It has been explained time and again, and before this discussion is through, I think it will be explained again, and satisfactorily explained, to the people of the country. My hon. friend goes on and asks for a royal commission. Of course, it would not do to put him on the commission, for he would not act. Judging by his conduct in reference to the Lumsden Committee, who are the best people to appoint? My hon. friend says in that connection that his leader ought to have the right to put on a minority of this board.

Mr. LENNOX. Not exactly that—that he should have the right to nominate a minority.

Mr. GRAHAM. His leader did that, but they would not act, on a committee of investigation. While not discussing my hon. friend's point, I would advise his leader, if he got that opportunity, to select somebody who would not run away from the job. But, apart from that, who would be the best people to investigate? Hon. gentlemen opposite have devoted their entire attention to the question of over-classification. Their chief point of attack on the commission and on the engineers has been that they have paid for solid rock or loose rock when they should have paid for common excavation. Who is the best able to judge of that? When this House was not in the heat of a political contest, when there was no striving for party gain, when it had been decided that this road should be constructed, there was a united attempt for a short period to make the contract workable and practicable. What did this House do then—not the government or the Liberals, but my hon. friend from Simcoe, the hon. leader of the opposition, and all the hon. gentlemen opposite? They united in providing for a tribunal of experts who would decide whether there was over-classification or not on this great work. That was not a government act; that was the united voice of parliament. I want to ask my hon. friend now, or any hon. member of this House, if this question of classification as between solid rock, rock in ledge, loose rock, common excavation or whatever you choose to call it, were to be investigated before a board, does he think that he or any gentleman behind him who is not an engineer would be as competent to decide that question as a practical engineer who understands the work? If my hon. friend wanted to have the conduct of a barrister tried, would he bring him before the bar or the benchers, or before a blacksmith's forge?

Mr. LENNOX. Does the minister think that the Lumsden Committee, which has just finished its labours, is a competent tribunal to investigate the question of classification, and does he know that they did it?

Mr. GRAHAM. Without expressing an opinion, I may say that this House ordered my hon. friend to find that out, and he would not do it. If there is any lack in the work done by the Lumsden Committee, my hon. friend cannot blame somebody else. He could have been there, and could at least have tried even if he could not have accomplished. As I was pointing out, this House selected a tribunal of experts to decide. My hon. friend this afternoon played much on the point, and was quite sarcastic about it, that the commissioners appointed to build the road were not practical railway builders. Was he in earnest? If he was, does he not want the men who are to judge as to classification to be practical men dealing with that kind of work. He cannot be on both sides of it, he must take the one or the other. My hon. friend (Mr. Lennox) dealt very strongly with that point. But let me proceed. The engineers were named by Act of parliament, the chief engineer of the Grand Trunk Pacific, which company has to pay the interest and is deeply and vitally interested in keeping down the cost and the chief engineer or the commission acting for the government, these two to choose a third party. These are the experts. Now let me ask my hon. friend (Mr. Lennox) if he thinks any better arrangement could have been made for that portion of the work?

Mr. LENNOX. If the minister wants an answer, I get back to the basis of the transaction. I say that arrangement never was made by parliament, that it is not the meaning of the section, and I will challenge my hon. friend to get opinion of any prominent counsel and see whether the arbitration has been proceeded with under that section or not.

Mr. GRAHAM. My hon. friend has done what the hon. leader of the opposition charged me with doing. He has not answered the question, but his answer serves my purpose. My hon. friend knows that for the purpose of classification or the straightening out of those differences, it

was the proper thing to do, and parliament did it.

Mr. LENNOX. I do not know that.

Mr. GRAHAM. If he does not agree, he will disagree with the statute. That is how legal gentleman live. If they all agreed on the statutes, there would be nothing for them to do. I want to go back again to that tribunal. That tribunal was designated for the sole purpose of settling these matters; that tribunal has been at work and will re-commence its work. It has done some work, and I am here to say on behalf of the gentlemen who form that tribunal, Mr. Schreiber, Mr. Kelliher and Mr. Grant, that there is no man in this House who would not leave his case, if it were his own personal case, in the hands of these three men. For it seems to me it is a business proposition. It is a thing which could not have been done any other way than parliament did it, and I believe that this House will stand by it, and that it is giving satisfaction to the people of Canada. Now, we come to the last clause. As I said at the beginning, this last clause was probably added as an afterthought in order to serve as an antidote to the electors of Halifax for the position taken by the leader of the opposition in opposing a Canadian constructed navy. Now, I will read the resolution, and who will say: what connection has it with the cost of the Transcontinental?—it may have with the operation, but not with the cost—and I ask the House to reason out what possible connection this can have with the appointment of a royal commission, and why it was put there except for the purpose I have indicated. I have been told by lawyers that in a Bill passed by the British House of Commons years ago to define certain rights over public works, I think, there was a clause added granting a divorce to somebody, and this went through as a statute.

Mr. R. L. BORDEN. This is to prevent the divorce of Canadian traffic from Canadian ports.

Mr. GRAHAM. But my hon. friend made no attempt to marry the traffic to Canada when he had the opportunity. In fact, he could be called as a witness in the divorce proceedings if traffic went away from Canada. In this connection he might almost be called a co-respondent. Leaving out the reasons for it being there, and it has as much reason to be there as three wheels on a cart, what is the situation? Sir, the position that this government has taken, that the party has taken, is that this road is to be constructed on Canadian territory, between Canadian ports. One of the great objects in the construction of this line was to bring the traffic, not to the American ports, but to Canadian ports.

Mr. CROSBY. Where is the eastern terminus of this road to be?

Mr. GRAHAM. There will be two when they get through.

Mr. CROSBY. But where is it to be?

Mr. GRAHAM. I may tell my hon. friend that to-day I heard that the Grand Trunk Pacific have purchased property for terminals at St. John.

Mr. CROSBY. Does the hon. minister know as a matter of fact that it has?

Mr. GRAHAM. I think I will be able to show my hon. friend in concrete form after dinner. Perhaps I should not tell him as it will be disappointing to him, but there will probably be two termini for this road, and traffic enough for both. Now the object of the country, one of the things the country had in view, was the carrying of goods between Canadian ports, and can we wonder at the astonishment of the people of Canada at the frantic appeals now made by hon. gentlemen opposite on behalf of Canadian ports. Sir, the operation of this line that they fought in every possible way, and with which they are now finding fault, is an operation that will carry all traffic to Canadian ports in the maritime provinces. If the plan which was proposed had been adopted, of taking the road to North Bay, and then dodging out to some other point to get the traffic of Montreal or Toronto, there would have been every possibility of that traffic going to Portland, as the Grand Trunk railway has its terminus there now. If that had been the case, there would be some grounds for alarm over the reports I have indicated, but as a Canadian I feel no alarm that Providence, Rhode Island, will take the place of any Canadian port either on the St. Lawrence or in the maritime provinces. In the first place there is going to be sufficient traffic for all the ports we have in Canada, and in the second place Providence has not the harbour that we have in the maritime provinces, and will never be in a position to handle the traffic that we will be in. We are not afraid of Providence. My hon. friend (Mr. Lennox), went into hysterics about Providence being a port, but I am not a bit alarmed about any of those ports reaping the traffic of Canada. I want to point out to my hon. friend, and to the people that it was only by the determined effort of the government of the day, by the encouragement given to them by their followers, and by the people of Canada that there is a road being constructed that will take the traffic not to American ports, but to free Canadian ports. Now as I said a moment ago, I am not at all alarmed about anything that these other ports will do injuriously to the Dominion of Canada. I have faith

in this Dominion. I have faith in the country in which I live. If I were so weak-kneed as to feel alarmed by somebody in some small town saying that they were going to get our traffic, I would not be a Canadian, and I would not be in the House of Commons. I would go away to the United States or somewhere else. But we are not a bit alarmed over those speeches made by our friends in the United States about our ports. They are pleased to hope that they will get some of the traffic. We are pleased, in fact we feel confident, that the ports of the Dominion will have all the traffic they can handle. Sir, this is a big country, and this is a big proposition. The transportation problem is too large a question to deal with generally, but I just wish to remind you, Sir, first of the ever increasing riches of our great west. We have our wheat lands there, and there will shortly be three lines through to the coast, for I believe that the Canadian Northern will be constructed shortly to the west; and then there is the Hudson Bay route, and in a few years there will be the construction of the Georgian Bay canal, and the Welland canal.

And why should my hon. friend from Simcoe get alarmed at Providence, Rhode Island? I want my hon. friend to join with me in the opinion that, when we have all these transcontinental lines, the Dominion of Canada will only be in the eve of her great development and will not have solved the question of transportation even of her own products. My hon. friend has shown alarm, and has spoken about Providence, Rhode Island, carrying our trade away. Sir, it rests with the people of the Dominion of Canada not to have the United States take our carrying trade from us, and not only that but to do a part of their carrying trade as well. That is the ambition of the people of Canada. This country has an advantage in transportation. We have the St. Lawrence route, because we own the outlets to the sea of that great river. When the St. Lawrence comes to the town of Cornwall it bids farewell to Uncle Sam and runs on through the Dominion of Canada to the ocean. That is our entrance to the Atlantic and it belongs to no other country. Sir, in knocking these great questions which the country is trying to solve, in finding fault and making it difficult for the men who have this work in hand to finance their undertaking, in aiding, knowingly—or, I would rather say, unwittingly—to make it difficult for us to have our own transcontinental line, hon. gentlemen opposite are undertaking a responsibility that men in any Canadian legislature ought to hesitate to assume. There are some things on which we should unite. And when it is a question of this kind, with the competition that to-day exists between our maritime ports, the city of Montreal, the city of Quebec, and the United States ports, instead of trying to tell the world that we shall never be able to compete with the United States, we ought to join hands in this House, and in the country to assert ourselves, and show the people of the world that we are able to compete with any other country. Sir, the people of Canada have undertaken this work. They have said to the present administration, and to the right hon. gentleman (Sir Wilfrid Laurier) at its head that this work is to be put through. And, after it had been begun and carried on a few years, they said again: Though we know what has been said as to the cost, though we have had put under our door mats, and in at our front doors and back doors all kinds of circulars showing that we are going to be ruined by this undertaking, though it has been pointed out that the Grand Trunk Pacific will never run this road, still we command the government of the day to proceed with the undertaking—or, in other words, 'Let Laurier finish his work'. In the face of that, why do not hon. gentlemen opposite accept the verdict? Why do they continue to rehash old statements to the effect that the head of the government said some years ago that the road would cost $13,000,000? Why my hon. friend from South Simcoe said himself that he knew that was not what the Prime Minister meant, but only meant, that this was the amount of money that was to be paid out and not got back.

Mr. LENNOX. I stated as distinctly to-day as my command of language would allow me to state that I distinguished between the total cost of the work and the amount that Canada will have to pay. I said that it was recognized that the First Minister meant that Canada would be out of pocket $13,000,000. And I have shown that the Dominion will be out of pocket fully four times that amount.

Mr. GRAHAM. I am glad to have my hon. friend (Mr. Lennox) explain again that he did not mean to have the country understand that the Prime Minister had said that the construction of the road would cost only $13,000,000. It was rather indefinite before. But why rehash it? What influence has that on the country?

Mr. LENNOX. A good deal.

Mr. GRAHAM. Must history repeat itself again? It will be when the next opportunity is afforded the people. The matter has already been decided by the people. And I say again, in all sincerity, that Canada would look better in the eyes of the world if it were known that, once a public undertaking in this country is settled, we unite and bend all our energies to have that undertaking carried out so as

to give the people, as soon as possible, the benefit of it. If that were done, we should present a united front to the world. The men at the head of this enterprise could then go to the old world and have no difficulty in getting cash. They would not meet the speeches of hon. gentlemen opposite in the hands of the financiers of London and elsewhere when they seek money to carry out this Canadian enterprise.

Mr. Speaker, I have spoken too long. I only wish to say that I believe the people are satisfied with the way the government is carrying on this work. That work has its difficulties. If the hon. member (Mr. Lennox) should, some day, occupy the position which I occupy, and to which, I know, he aspires——

Some hon. MEMBERS. Oh, oh.

Mr. GRAHAM. I say that without prejudice in the absence of the hon. member for Lincoln (Mr. Lancaster)—I say that if the hon. gentleman (Mr. Lennox) should occupy this position, he will find out that in carrying out these great works there are innumerable difficulties. He will realize how easy it was for him to find some little wrong done, some error in subtraction or addition; he will find how easy it was to criticise. But he will find also how difficult it is to carry out a great enterprise of this kind, particularly if men in the House of Commons and elsewhere, who should be encouraging the enterprise, are doing their best to give it a black eye every day. This work will be carried out. The people of Canada have undertaken it; the financiers of the old world, notwithstanding the efforts made to discredit it, are willing to stand behind it and will stand behind it, for they believe that what the people have said shall be done, will be done. And, in view of this, I have no hesitation in asking hon. members of this House to vote against the resolution of my hon. friend (Mr. Lennox) which can only serve one purpose, if carried, and that is to injure this great enterprise in the eyes of the financiers of the world.

Mr. C. A. MAGRATH (Medicine Hat). Mr. Speaker, I feel that the hon. Minister of Railways (Mr. Graham) is to be congratulated on the eloquence with which he defended his cause. I believe also that the people of Canada should be deeply indebted to the hon. member for South Simcoe for the very exhaustive manner in which he has brought this National Transcontinental muddle before the public. As I am to devote some attention to the subject, it will be necessary for my purpose to give a brief history of the undertaking. It is evident that certain interests in this country considered another transcontinental road necessary. I understand that the Grand Trunk railway was prepared to extend its system from North Bay westward to Winnipeg and on to the Pacific coast. That, I have heard, was not agreeable to some friends of hon. gentlemen opposite, who insisted that the road should be carried down to Quebec and on to Moncton, New Brunswick. I have not attempted to verify these statements, as they are not of much account in the argument I am about to make. We know this, that in 1903 a bargain was arranged between the government and the Grand Trunk Pacific, the offspring of the Grand Trunk railway, whereby the Grand Trunk Pacific was to build the line from Winnipeg westward to the Pacific coast; the people of Canada were to endorse the securities of the Grand Trunk Pacific to the extent of $13,000 a mile across the prairies, a distance that was afterwards determined at 916 miles, and that, for the balance of the distance to the Pacific, across the mountains, some 839 miles, the people of Canada were to endorse the securities of the Grand Trunk Pacific to the extent of 75 per cent of the cost of that section of the road. Then, Sir, coming to the eastern division between Moncton and Winnipeg, a distance of 1,805 miles, the arrangement was that Canada was to build the road, that upon its completion it was to be handed over to the Grand Trunk Pacific under a fifty-year lease. During the first seven years, no rental was to be paid, but for the balance of the period the annual rental was to be an amount equal to 3 per cent upon the total cost plus the accrued interest up to the date of completion.

There was some other details in connection with the transaction which it is unnecessary for me to refer to. I will not attempt to trace up these wild guesses that were made by the government regarding the cost of this road, which I understand commenced with $13,000,000, and which the Finance Minister subsequently extended to $50,000,000. We have had estimates of the cost placed before us to-day by the hon. member for South Simcoe (Mr. Lennox), and so far as I could see the hon. Minister of Railways has failed to give us any estimate of his own as to the probable cost of this road in Canada from ocean to ocean when completed.

Mr. GRAHAM. I did not deal with that point, because it was not covered by the resolution; I was dealing simply with the resolution.

Mr. MAGRATH. The hon. gentleman at one point stated that no part of the cost of the Quebec bridge should be charged to this National Transcontinental railway. Are we to suppose that when the railway gets down to the St. Lawrence river there will be balloons to carry the cars across?

This road is to be carried from Moncton to the Pacific coast, and I cannot see how we can leave out of the cost of construction of the Quebec bridge.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. MAGRATH. Mr. Speaker, when the House rose at six o'clock, I was stating that the hon. Minister of Railways appeared to think that no part of the cost of the Quebec bridge should be included in the cost of the National Transcontinental railway as if our trains would approach the river from both sides and be taken over in balloons. Of course, the Quebec bridge will form part of the National Transcontinental railway system and I believe that the hon. Minister of Finance (Mr. Fielding) has practically made an admission to that effect by presenting a statement to this House in which he has charged up against the National Transcontinental railway fourninths of the cost of the Quebec bridge. After all, Sir, the question is what interest have the people of Canada in this matter? The hon. gentleman's view is that the people will be satisfied if they are getting value for their money. That was the statement that the hon. gentleman made. Now, I beg to take issue with him. Were the government to invest the money of the people in an elevated railway system we know that it would cost an immense amount of money. The people would have their money invested in that system, but will any one attempt to say that the people would be satisfied with such work? I hold, Sir, that the people of the country are concerned in securing transportation privileges at the lowest possible cost. Therefore, the question of cost is a very essential feature of this matter. As the government do not appear to be disposed to submit an estimate at the present time, I must make use of the figures which have been placed before us by the hon. member for South Simcoe (Mr. Lennox). I have prepared a statement showing estimates of the cost of the Transcontinental railway under construction from Moncton to Prince Rupert, and the proportions to be borne by Canada and the Grand Trunk Pacific Railway Company.

STATEMENT showing Estimates of Cost of Transcontinental line under Construction from Moncton to Prince Rupert and proportions to be borne by Canada and Grand Trunk Pacific Railway.

—	Miles.	Estimated Cost.	Proportion to be found by :	
			Canada.	G.T.P. Ry.
		$	$	$
Moncton to Winnipeg	1,805	218,000,000 *(a)*	218,000,000	Nil.
Prairie section	916	33,007,449 *(b)*	11,908,000	21,099,449
Mountain section	839	67,056,000 *(b)*	50,292,000	16,764,000
Total	3,560	318,063,449	280,200,000	37,863,449

(a) Estimate by hon. member for South Simcoe (Mr. Lennox).
(b) Estimates by Mr. Schreiber, who placed cost of prairie section at $36,034 per mile.

Now, Sir, it appears from this statement that Canada will be behind this enterprise to the extent of about $280,000,000, while the Grand Trunk Pacific will be called upon to find about $38,000,000. The figures show this rather interesting feature that while the western division consisting of 1,755 miles and is to be built by the Grand Trunk Pacific at an estimated cost of $100,000,000 we find that the eastern section, being built by the government and practically the same distance—1,805 miles —will cost Canada about $218,000,000, and it must be borne in mind that the section being built by the Grand Trunk Pacific penetrates the Rocky mountains for several hundred miles and we do know that there is any quantity of solid rock to be found there. What reasons can be advanced for such excessive cost and, after all, there is where the people of Canada are interested in this matter. If we have excessive cost we cannot expect very low rates. We know that at the very outset of this undertaking the government undertook to depart from the ordinary rules which govern business people in the opening of new territory by projecting railways therein. We know that the principle is to lay down a moderately fair road and, as the traffic increases, to set aside from the earnings from time to time amounts for the

betterment of the road. No fault can be found with the government for endeavouring to secure the very best location, no fault can be found in the matter of securing proper alignment or easy curves, but when it comes to insisting that the gradients shall not exceed four-tenths of one per cent, which is practically a level road, in that wilderness for several hundred miles east of Winnipeg, it is a case of extravagance let loose. Why, Sir, the very gentleman whom the right hon. leader of the government (Sir Wilfrid Laurier) placed in charge of the Railway Department of this country at that particular time would not father this project. The very gentleman who was supposed to know something about railway matters and who was placed in charge of the railway affairs of this country refused to continue in office and resigned. I refer to the late Hon. Andrew G. Blair.

Then, the Grand Trunk Pacific had held up before it as a standard the roadbed of the parent company between the cities of Montreal and Toronto, a roadbed that has taken fifty years to bring it up to its present standard of excellence. It is a wonder that these government railway experts of that day did not go to the extent of insisting that the face of the rock cuts should be sandpapered because evidently they looked upon the Canadian taxpayer as a cheerful giver, an easy prey and ready to freely part with his money.

Now, Mr. Speaker, take the section of the road between Quebec and Moncton, where we already have a railway of our own and the hon. Minister of Railways is getting thin chasing the country looking for traffic to get rid of the deficits. I refer to the Intercolonial railway. We are going to build a road over the same territory. It is true that the government stated that the road would be 120 miles shorter than the Intercolonial railway. As it turns out the road is now only about 28 miles shorter and the estimated cost of the National Transcontinental railway between Quebec and Moncton is something like $28,000,000. That shorter distance is secured at about a million dollars per mile while the National Transcontinental railway from Quebec eastward to Moncton, for over 100 miles, parallels the Intercolonial railway and within a distance of 15 miles therefrom. As to this extraordinary cost of the Transcontinental railway, I wish to show the extent to which it will be embarrassed by fixed charges. I have prepared a statement making a comparison with the Canadian Pacific railway based upon the figures that have been brought before us.

STATEMENT showing comparison of probable fixed charges G.T.P. and C.P.R.

G.T.P. RY.

—	Miles.	Cost to G.T.P. Ry.	Fixed Charges.
		$	$
Moncton to Winnipeg	1,805	175,475,754 (a)	3%=5,264,272
Prairie section 916		33,007,449	3%= 990,223
Mountain section 839	1,755	67,056,000	3%=2,011,680
Total	3,560	275,539,203	8,266,175

(a) This is the estimated cost to the Grand Trunk Pacific. The cost to Canada will be about $218,000,000. The difference is due to the G.T.P. Ry. having the use of the road without rental during the first 7 years—all of which time Canada has to pay interest on the investment.

C.P. RY.

—	Miles.	Cost.	Fixed Charges.
		$	$
Entire system	10,543	302,196,637 (b)	9,427,032

(b) Railway and equipment as shown in last annual return.

This is not a fair comparison for the simple reason that for the Grand Trunk Pacific no amount is given for equipment or for terminals at the Atlantic ocean. Yet this statement shows this condition of affairs that the Grand Trunk Pacific, a trunk line solely, of 3,560 miles has fixed charges amounting to over $8,000,000 and the Canadian Pacific railway, with a trunk line of practically the same length and with feeders having mileage equal to double the length of the trunk line, has practically the same fixed charges. That is rather a serious state of affairs for people who live in Western Canada and who hope to have the enjoyment of very low rates on the Grand Trunk Pacific road. I might point out also that the bulk of the fixed charges for the Transcontinental railway are on the National Transcontinental end where there is practically no local traffic, outside of possibly 500 miles. I then hold that not only is Canada's credit being impaired by such unnecessarily heavy expenditures, but it is very questionable if the Grand Trunk Pacific will be able to meet its heavy obligations, and I want to say that the impression is gaining ground in this country not alone among railway men, that the Grand Trunk Pacific will be forced to drop a portion of the National Transcontinental railway and the actions of the Grand Trunk railway, to which I shall presently refer, lend some colour to that opinion. It is no pleasure to me to make a statement of that character. I have not got sufficiently far into politics to wish to discredit any undertaking, no matter what government has set it on foot, but I hold that to be the situation and I think it is my duty as a member of this House to bring it forward. The right hon. gentleman claimed that this railway shall be a Canadian railway for the development of Canadian trade for the benefit of Canadian ports. The language of the agreement made on July 29, 1903, between the Dominion of Canada and the Grand Trunk Pacific Railway Company is very explicit. Section 42 of that agreement reads as follows:

Section 42. It is hereby declared and agreed between the parties to this agreement that the aid herein provided for is granted by the Government of Canada for the express purpose of excouraging the development of Canadian trade and the transportation of goods through Canadian channels. The company accepts the aid on these conditions and agrees that all freight originating on the line of the railway, or its branches, not specifically routed otherwise by the shipper, shall, when destined for points in Canada be carried entirely on Canadian territory or between Canadian inland ports, and that the through rate on export traffic from the point of origin to the point of destination shall at no time be greater by a Canadian than by United States ports, and that all such traffic not specifically routed otherwise by the shipper, shall be carried to Canadian ocean ports.

Section 43. The company further agrees that it shall not in any manner within its power directly or indirectly advise or encourage the transportation of such freight by routes other than those above provided, but shall in all respects, in good faith, use its utmost endeavours to fulfil the conditions upon which public aid is granted namely: the development of trade through Canadian channels and Canadian ocean ports.

The opposition, the Conservative party in this House, at that time did not consider these covenants on the part of the Grank Trunk Pacific were of much use so long as the parent company, the Grand Trunk Railway Company, was allowed the fullest freedon, especially in view of the language used by the Minister of Finance, speaking of the Grand Trunk Railway Company in 1903, at 'Hansard' page 8570:

We have not been content that they shall stand behind it. We have required and they have readily consented that they shall be in it and of it and form the whole thing.

The Grand Trunk Railway Company then, Sir, is the whole thing according to the Minister of Finance, and at the same time it is free of the covenants contained in sections 42 and 43 in the matter of developing Canadian ocean ports with Canadian products. Then we have the valuable opinion of the Minister of Railways, when addressing this House last session, speaking of the Intercolonial Railway, at 'Hansard,' page 2694, 1909, he said:

We have, it is true, an understanding and agreement with the Grand Trunk Railway but the Grand Trunk Railway has its own connections to Portland and will shortly have connections further east. And while it may live up to its agreement with us, it does not give to the Intercolonial railway a pound of freight that it can get out of giving to that road. It gives as much as it can to its own line and carries it to Portland.

Mr. Speaker, that is ordinary business sense on the part of the Grand Trunk railway. The opposition saw the situation very clearly in 1903, when the Grand Trunk Pacific Act was under consideration. The hon. member for Hastings (Mr. Northrup) moved an amendment to the seventh clause, 'Hansard,' page 12711 of 1903, in which the following sections appears:

(a) That the Grand Trunk Pacific Railway Company so long as the Grand Trunk Railway Company of Canada shall hold the common stock of the said Grand Trunk Pacific Railway Company to the amount of $24,900,000, shall perform, fulfil and carry out according to the true intention and meaning thereof, all the provisions of this Act, and of the covenants, stipulations and conditions in the said agreement contained, which according to the terms thereof, ought to be performed, fulfilled or carried out by the Grand Trunk Pacific Railway Company.

(b) That neither the Grand Trunk Pacific Railway Company, nor the Grand Trunk Railway Company of Canada shall in any matter within its powers, directly or indirectly permit, advise or encourage the transportation of traffic by routes or at rates other than those in the said agreement, provided that each of the said companies shall in all respects and in good faith use its utmost endeavours to fulfil the conditions upon which public aid is granted and accepted, namely, the development of trade through Canadian channels and through Canadian ocean ports.

I cannot do better than read two or three paragraphs from the hon. gentleman's speech in support of this amendment:

When we consider that we are making a contract with a company whose whole line when completed will be mortgaged for every single dollar that it cost to build the line, I think no further comment is necessary to show of how little value the covenant of the Grand Trunk Pacific railway company really is.

Again he said:

If we look at the position of the Grand Trunk Railway Company we find that company by the Act being enforced to accept practically the whole of the stock, we have the Grand Trunk Railway Company controlling the Grand Trunk Pacific Railway Company without any obligation whatever.

Elsewhere the hon. gentleman stated:

Therefore as to this subclause (a), I think we are justified in assuming, that, as the Grand Trunk Pacific Railway Company, which after all is as clay in the hands of the potter as between itself and the Grand Trunk Railway Company, the Grand Trunk Railway Company should covenant that it, itself, will see that the child of its creation shall carry out the contract which has been entered into. Another feature of the contract is as to the carrying of trade through Canadian channels and through Canadian ports. I will not occupy the time of the House in reading clauses 42 and 43 of the contract, which provide that the Grand Trunk Pacific Railway Company shall see that freight is routed through Canadian channels and through Canadian ports. Subclause (b) of the amendment which I moved provides that the Grand Trunk Railway Company shall do, in fact, itself what the Grand Trunk Pacific Railway Company is bound by the contract already made with the government to do. It also provides that the Grand Trunk Railway Company, itself, shall not in any roundabout way defeat the true intent of the agreement by itself doing what the Grand Trunk Pacific Railway Company would be liable under its covenant for doing.

Now, Sir, we know that the Grand Trunk Pacific Railway Company has built a branch from Lake Superior Junction on the National Transcontinental railway down to Fort William, a distance of about 200 miles; we know that it has terminals and elevators at Fort William; we know that the Grand Trunk railway has terminals at Depot Harbour and at Midland on the Georgian bay; we know that the Grand Trunk railway has the Canada Atlantic running from Depot Harbour to Coteau, we know that the Grand Trunk railway has its own line running from Midland to its main line, and thence to Coteau; we know that the Grand Trunk railway controls the Vermont Central, which runs southward from Montreal to New London in Connecticut on the Atlantic; we also know that the Ontario government railway intercepts the National Transcontinental at Cochrane due north of North Bay. So that there are two outlets from the Grand Trunk Pacific whereby freight can be diverted down towards the Grand Trunk railway system, and it appears to me, with that in view, that it would have been wise for hon. gentlemen opposite to have accepted the amendment offered by the hon. member for Hastings. The following information as to distances may be of some interest to the House:

TABLE OF DISTANCES.

	Miles.	
Quebec to tidewater at Portland, Me., via Grand Trunk railway	319	
Quebec to Moncton via Grand Trunk Pacific railway	460	
Moncton to tidewater at St. John, N.B.	90	
		550
Cochrane, on Grand Trunk Pacific railway, to tidewater at Portland, Me., via Grand Trunk railway and its connections (including Canada Atlantic)	939	
Cochrane, on Grand Trunk Pacific railway to tidewater at Providence, R.I., via Grand Trunk railway and its connections (including Canada Atlantic)..	998	
Cochrane to Moncton via Grand Trunk Pacific railway, say	1,015	
Moncton to tidewater at St. John, N.B.	90	
		1,105

Finally, I wish to bring before the House some evidences of Grand Trunk railway activities in acquiring another ocean port at Providence, R.I. I suppose it is only reasonable that the Grand Trunk railway should wish to get as much freight business as possible for its lines, the Canada Atlantic and the Central Vermont, but I do not think it will appeal to the people of this country, especially in our maritime provinces, to see so much activity on the part of the parent company in securing another ocean port when there is practically no activity on the part of its offspring or itself as the 'whole thing,' according to the Minister of Finance, to establish ocean ports on the Atlantic in this country, especially in view of the agreement which the government made with the offspring 'to promote the internal and

foreign trade of Canada and to develop the commerce through Canadian ports.' I find that a Bill (H 78) substitute A, was presented to the general assembly of the State of Rhode Island in January, 1910, and being 'An Act to incorporate the Southern New England Railway Company.' This railway is designed to connect with the Central Vermont, and the measure was originally opposed by local railway interests and only became law a few weeks ago. The incorporators, according to section 1, are Charles M. Hays, E. H. Fitzhugh, James S. Kenyon, D. F. Sherman, Herbert W. Rice, Henry A. Carpenter, George H. Webb, G. C. Jones, E. C. Smith, Albert Tuttle, E. H. Baker, M. M. Reynolds and C. W. Witters. Section 3 provides that 'said corporation is hereby authorized and empowered to construct, maintain and operate a lateral branch from some convenient point on its road, through the city of Providence, to tide-water, etc.' Now, it is well known that Mr. Hays is president of the Grand Trunk Railway Company, and Mr. H. Fitzhugh is its first vice-president. These are responsible gentlemen, and their utterances either directly or through agents to the people of Providence justify me in giving some extensive quotations from the press of that city. From the Providence 'Journal' dated February 16, 1910, there is a long article under the heading:

Business men favour Grand Trunk project. Men representing millions of capital endorse move. Board of trade approves. Emphatically supports extension of railway into Rhode Island and appoints committee to investigate details of charter—Governor Pothier makes significant statement.

Among the expressions of opinion cited in the article, the following appear:

Governor Pothier—It has been the dream of my life as a Rhode Islander to have Providence become the terminus of a great transcontinental railroad.

I do not want to say what I think of the Grand Trunk Railway's application for a charter, for I shall probably have to act upon that matter and I do not want to appear to prejudice the case.

Governor Pothier continues:

So far as a connection with a Canadian railway is concerned, I said recently, speaking in Boston:—

The export trade of the Dominion in years to come will open the eyes of the commercial world. The development of her wonderful natural resources, the stores of iron and coal, the fertile fields and virgin forests will result in an immense and increasing yield. The port that handles that trade on the Atlantic sea-board will assume a place of power and influence in the maritime circles of the world.

In the same article Frederick W. Aldred, connected with one of the mercantile houses in Providence, states:

Providence has the greatest opportunity in its history in the knocking at its doors of the Grand Trunk Pacific Railway. Every manufacturer and merchant in Rhode Island has a vital stake in forcing the question to an issue at once in the General Assembly and in forcing our legislators to grant a reasonable charter now—not next year or next month, but at once.

The entrance of the Grand Trunk Pacific into Rhode Island means that Rhode Island will have, as a competitive railroad system, one of the most aggressive on the North American continent. It means that Rhode Island manufacturers will come into direct touch with the fastest growing, most prosperous and potentially richest sections on this continent—out Pacific Coast States, the Canadian Northwest and Alaska.

Mr. Aldred further states:

It means finally competition, rivalry and resulting improvement in our transportation facilities, lower freight rates and a great commerce on land and sea.

Mr. Rathbone Gardner is credited with saying:

Taking Mr. Hays' statement as sincere, and that the Grand Trunk railway intends, if allowed to enter Rhode Island, to afford full connections with its system throughout the western and northwestern parts of this country and Canada, it is certainly a very desirable thing for the legislature to grant the privilege asked for.

In the same issue of the 'Journal,' under the heading:

Hays declares Road Acts in good faith—Reasserts Grand Trunk's intention to build if chartered.

(From a Staff Correspondent of the 'Journal.')

Montreal, February 15.

The intention of the Grand Trunk railway to build a line into Providence if the charter now pending in the Rhode Island legislature is granted was reiterated emphatically by President Hays of the Grand Trunk in an interview with a 'Journal' representative to-night * * * * *

To the question, What prospect is there under the Grand Trunk plans of Providence being made a great port for ocean service from the Canadian grain fields?

Mr. Hays replied, 'There is this to be said: When the Canadian wheat fields are developed there will not be ports enough to handle the great production from that area. There will be 250,000,000 acres under cultivation, with a yield of 20 bushels to the acre.'

* * * * * * *

I now propose reading some interesting paragraphs from the Providence 'Sunday Journal' of February 27, 1910, which presents five large photographs showing 'scenes at Montreal, freight centre, and in the vast grain growing territory whose development has been the decade's marvel.' The titles under these photographs are: Harvesting oats in Saskatchewan, modern methods of harvesting in the new northwest, threshing wheat in Saskatchewan, Grand Trunk elevator in Montreal, Grand Trunk freight

terminals in Montreal, and the article is introduced under large headlines reading, 'How the Grand Trunk system taps the new northwest.' The following extracts are taken from the article in question:

Rhode Islanders will have several large slices of wholly new geography to learn, as a matter of purely local knowledge, if the Grand Trunk system is brought into the state, for that will mean the joining of Narragansett bay's tidewater to the immense tracts of the new northwest, which only yesterday were regions unknown to civilization, and even to-day have barely made their bow to the world.

Already men who desire to appear well informed speak familiarly of the resources of Saskatchewan and the mineral wealth of the areas just being tapped by the army of workmen who are busily adding to Canada's railroad mileage. But few, save those who have actually visited the country, have much conception of the development that is taking place.

No small part of this is due to the activities of the Grand Trunk system, under the direction of President Hays. In a general way these have been described since the petition for a charter was presented to the general assembly, but perhaps nothing could make it more graphic than the prediction, freely made by railroad men, that the Grand Trunk will ultimately be able to claim the title of 'America's greatest railway,' with America in this case the whole western hemisphere. * * * * *

Down along the water front of Port Arthur there are seven rows of huge, circular bins, not unlike the gas tanks so common in eastern cities. Ask a native about them and he will tell you that they are wheat wells; that they have a capacity of 25,000,000 bushels; and that they are only a part of the number that the railroad intends to erect. Some day, he will say, there will be enough bins to handle 40,000,000 bushels.

In those wells you have the secret of the Grand Trunk Pacific's anxiety to open up the far northwest—it is wheat and nothing more. From Winnipeg westward a hundred million bushels a year is being grown now, with only one-tenth of the soil being tilled. A hundred million bushels of wheat means much freight; its transportation means that thousands on thousands of freight cars must be brought into use.

This great northwest that the Grand Trunk Pacific will tap is mainly a wheat-growing country. Nowhere on earth are the conditions more conducive to raising wheat than here. Southern Alberta says with pride that it has the finest winter wheat lands on the continent. In the district around Calgary the average yield of wheat in 1908 was 31 bushels to the acre; on the best lands of the United States in the same year, it was little more than half that amount. * * * *

Such is the country with which the Grand Trunk railway, now desiring to gain another outlet to the sea by way of Providence, will connect Rhode Island. It is as full of vast posibilities as was our own northwest a hundred years ago. It is waiting only for people to develop it to make it one of the great food sources of the world. It is already up and doing; and it deserves more than any other country on either side of the Atlantic or the Pacific the name of the 'land of to-morrow.'

And now, Mr. Speaker, I come to some rather important and interesting statements attributed to Mr. William Wainwright, the second vice-president of the Grand Trunk Railway Company. I am quoting extracts from the Providence 'Journal,' Providence, R.I., March 2, 1910:

Grand Trunk Steamer lines here planned—
Officials find City's Tidewater Facilities excellent—Portland not satisfactory.

Vice-President William Wainwright of the Grand Trunk railway declared yesterday that the tidewater facilities of Providence are an important consideration in his company's plans, and that steamship lines are contemplated in connection with the projected local branch of the road—the Southern New England Railway Company.

Hereto the officials of the company have been cautious in their statements as to immediate development of steamship lines. Vice-President Wainwright, according to despatches from Montreal, is very candid in his statement of what the railroad is planning here if the charter is granted.

The officials until yesterday confined themselves to the assurance of adequate accommodation of the freightening interests of the section, and the prediction that, with the development of the Canadian west, there would be export business for all the tidewater terminals of the company.

The statement by Mr. Wainwright, however, aims directly at the establishment of an ocean steamship line or lines from this city.

Best Port on Coast—'We consider Providence the best place between Nova Scotia and Florida for our purpose,' said Mr. Wainwright, who has been connected with the Grand Trunk for many years, in an interview in Montreal.

'Both the Canadian Pacific and ourselves,' he continued, 'have had surveyors and experts up and down the Atlantic coast for the last 10 years looking for the best place to bring our rails to tidewater. We have Portland, but Portland is unsatisfactory in many ways.'

'We consider Providence the best place. It will do us out of any mail subsidy for our steamers if present conditions continue to exist, but we believe we shall more than make up for this in other ways.'

Mr. Wainwright declined to discuss plans further until a charter had been granted in Rhode Island to the Southern New England Railway Company.

Finally, the company's plans to extend the Grand Trunk system into Providence appear to have been ratified by the London directors on or about the 11th March last, as would appear from the following extracts from the same journal in its issue of the next day:

An announcement that the Grand Trunk directors in session in London yesterday had unanimously endorsed the plan of a branch

to Providence furnished a sensation at the House hearing on the Southern New England's application for a charter at the State House yesterday. * * * * *

Mr. Murdock then unfolded a telegram received only a few minutes before by Vice-President Fitzhugh from Montreal. As he read the message the big gathering listened intently. The telegram said—'Following received from Mr. Hayes to-day—Providence Branch discussed by Board this morning. Action taken fully approved, and you may so state.'

* * * * * * *

A complete stenographic report of the Grand Trunk hearing, at which Mr. Murdock, the company's attorney, made such a sensation by announcing the decision of the London board, appears in the Providence 'Journal' of March 12. I propose trespassing a few moments longer on the time of this House by reading some statements taken from that report and made by certain prominent officers of the Grand Trunk Company:

Providence, R.I.,
Room 313, State House.

Hearing before the House Committee on corporations on 'An Act to Incorporate the Southern New England Railway company,' H. 7-18, beginning at 1.35 p.m. on Friday, March 11, 1910. * * * * *

JOHN S. MURDOCK. 'Mr. Chairman and gentlemen of the committee I appear in behalf of the petitioners. I think it is no exaggeration to say that this is the most important question that you have had before you during your legislative career.'

* * * * * * *

But in the proposition now before you you have, without any asking of financial aid, opportunity to give to the people of this state the outlet that they longed for forty years ago, and through a connection with a line which as I have said before, extends from the Atlantic to the Pacific—or will when work under construction is completed.

* * * * * * *

Therefore you will be concerned, as members of this committee with the questions which must be uppermost in your minds, which I put as follows: First who are the people who are behind this petition? Second, what is their object in seeking an entrance into Rhode Island? And, third, will they build the road if this charter is granted? These questions gentlemen, being answered to your satisfaction, it seems to me that it leaves no doubt, must leave no doubt, in your minds, as to what your actions should be on this petition.

Now as to the first question. The person whose name first appears on this petition is Charles M. Hays—a man who has had a most remarkable railroad career.

* * * * * * *

Mr. Hays conceived the idea of a road extending from the Atlantic to the Pacific, and for a road more northerly than any other road across the continent.

Such a project as that, of course demanded government aid; it was beyond the means of a purely private enterprise; and Mr. Hays sought and obtained that government aid after a fierce political battle—the fiercest in the annals of politics in the Dominion of Canada; so that line is now under way. It is opening an absolutely new territory—a territory rich in possibilities, which Mr. Hays believes will be in the future the granary of the world. And upon that proposition he is expending these millions of dollars; and, if his judgment is wrong why his whole structure will fall.

On the possibilities of the agricultural development of that section of this continent we are intensely interested for two reasons. In all probability we will have to look to that portion of this continent for our wheat, I am informed that now we export only about three per cent of what we raise and with the increased population and the decrease in the areas devoted to wheat growing, we will be dependent upon the Canadian northwest for our wheat supply.

The full story of the Grand Trunk Pacific and the development of the Grand Trunk proper reads like a romance. * * * *

Now as to the advantages of this line. We have what we believe to be one of the finest harbours on the Atlantic coast, Mr. Hays and his associates believe that, when this vast territory about which you will hear more from Mr. Loud, is developed, that they will have further need of ports, to take care of this vast amount of grain that is coming out of this wonderful country. Besides Portland they have Montreal, which is closed during a large part of the year. * * * * *

I am authorized to state that if we can offer adequate harbour facilities, if the improvements now projected in the harbour are carried to completion, that when this line is built we will have a transatlantic service running from Providence to Europe. Mr. Fitzhugh was cautious in his statement. He says, if we have the facilities. We will not promise to spend the vast sums that will have to be spent upon our harbour itself; but if the expenditures now authorized are carried through and facilities are afforded we will have that service. * * * *

Now if these gentlemen are acting in good faith—and I believe they are, and you will believe so when you hear it from their own lips—they see the advantages here in Providence, see them much more clearly than we see them ourselves, and they offer to come here to spend a great many million dollars within this state and all that they ask of you gentlemen is favourable consideration of this charter such as you have given to other roads. * * * *

Mr. Fitzhugh: Mr. Chairmain and gentlemen, the question of extending the Grand Trunk system to run to the State of Rhode Island and Providence is one that has been before the company for a number of years and has been considered from time to time.

* * * * * * *

I want to assure you gentlemen that if the charter is granted upon reasonably fair terms the railway will be built, that the great corporation which I have the honour to represent, I would say has not only the means but also the charter to make the railway in this community a paying proposition, but in order to do so we must have the goodwill of the community, and we hope that, if permitted to build the Southern New England railway we will receive liberally of your help.

Gentlemen, on account of the difficulties under which I speak I want to ask Mr. Loud, our general traffic manager, to tell you some of the advantages to be derived by this community by the operation of the Grand Trunk system to tidewater, through the State of Rhode Island. Mr. Loud, who is the traffic manager of all the Grand Trunk railway system, is entirely familiar with not only the conditions that exist in New England but throughout the western states, the central western states, in which we operate, as well as the Canadian and the great northwest and the eastern provinces of Canada. In conclusion I desire to again assure you that if this charter is granted on reasonable terms the road will be built by the Grand Trunk system.

Mr. Loud. Mr. Chairman and gentlemen, I will endeavour to explain to you the advantages that a connection with the Grand Trunk system would give or rather afford in the way of distributing traffic from this territory. You are all familiar with the situation in the east, for instance, the Grand Trunk is at Portland, Me. It is at New London and from a point in New London you have been told it is intended to run to Providence and on to Montreal through White river. * * *

The Grand Trunk has to-day its steamship lines at Portland in the winter and at Montreal in the summer, running to European ports. It has been pointed out to you in connection with this city that a steamship line, the advantages of a steamship line from here would be great. A successful steamship line not only needs to take business away from you such for instance as grain and the product which the United States has to ship, but a steamship company also needs to have inbound cargo in order to give it business in both directions. One of the conditions of a steamship company is in having a port where there can be imports. * * * * *

Now the Grand Trunk system is the parent of the Grand Trunk Pacific. The Grand Trunk Pacific to-day is in the course of building the road. It starts in New Brunswick running to St. John, N.B., Nova Scotia, through to Winnipeg on what is called the Transcontinental Commission of the Canadian government. A great deal of the mileage is already laid, but it is not connected up.

From the La Superior Junction to Winnipeg the rails are down and cargoes are actually taken over there, and it is expected during the year it will be in full operation from Winnipeg to Lake Superior. The Grand Trunk Pacific proper has built a branch line from Fort William to Lake Superior Junction, there connecting with the Transcontinental section and with the Grand Trunk Pacific proper at Winnipeg. The line is complete and in operation from Winnipeg to Edmonton a distance of 790 and odd miles. There are also branches at points to Yorkton.

Then follows nearly a column of material in which Mr. Loud deals with his company's railway development in the far west and dilates at some length upon the productivity of that section of Canada, especially its grain growing possibilities. He proceeds:

To give you some idea of this territory a thought which is suggested by some questions asked with regard to the grain production, it is a fact that the United States is ceasing to be an exporter of wheat. Of course it exports a little wheat to-day but as a matter of fact it is getting less each year and there are probably two reasons for it. One is that there is a larger consumption of wheat in the United States, and the country of itself is increasing in its population and is needing more flour each year. People are consuming more flour and the flour exporting certainly is decreasing. We are coming to a time when the United States will want more wheat, Mr. J. J. Hill has said that they are going to get it from the Canadian northwest. He is building his lines to go in to the grain traffic.

The Grand Trunk is building branch lines through different portions of that country for the interchange of business. In the future there will be a great interchange of business in that territory. With the greater interchange of business and with the Grand Trunk system extending its lines to Providence I believe that Providence will be greatly the gainer in being able to reach such a tremenduous distributing country as it affords now. Even if you are not interested in anything going on in Canada you are interested probably to some extent in the export to Japan and China. It is intended that the Grand Trunk will have its steamer lines from Prince Rupert, and when that line is opened it will be the shortest line from the Atlantic coast to China and Japan by several hundred miles.

Now, Mr. Speaker, we do not know what all the plans of the Grand Trunk railway are in the state of Rhode Island. I do not, however, think we would be very far astray if we concluded that their expenditures for terminals and building this new road would amount to at least ten millions of dollars, and without any financial aid given to them by the people of Rhode Island. Yet, we in this country obligate ourselves to an enormous amount in order to get another road across the continent. Our western provinces obligate themselves to assist the Grand Trunk Pacific, and we have a set of very prominent gentlemen coming here on behalf of the Grand Trunk Pacific making a contract with our government to in no way attempt to divert traffic from that road to the detriment of Canadian ocean ports, yet we find some of the same gentlemen acting on behalf of the Grand Trunk railway, dealing with the state of Rhode Island and certainly leading the people of that state to believe that they are to have an ocean port, to a certain extent built up by traffic to be diverted from the Grand Trunk Pacific. I felt it necessary to quote very extensively from the Providence papers, so that no one can say that they were merely accidental statements that were made by irresponsible parties to the legislatures of that state, and I consider, Sir, that is sufficient justification for bringing this matter to the attention of the House and the country.

Mr. E. M. MACDONALD (Pictou). Mr. Speaker, every condition which surrounds

the moving of this resolution and the debate so far as it has progressed, indicates that the resolution is not offered in this House in any serious way or with the idea that there are any grounds why the proposal of my hon. friend from North Simcoe (Mr. Lennox) should be adopted. It has been brought forward at this very late period of the session, though my hon. friend has had in his possession for some weeks all the information upon which he thinks he is warranted in presenting this motion. A complete opportunity has been given him to investigate the integrity of the engineers connected with the construction of the Transcontinental railway, an opportunity especially open to my hon. friend, but it was deliberately refused by him and without warrant or reason. This motion is brought forward without any ground being given why a royal commission should be appointed. Surely, when the intervention of a body of that kind is sought, some reasonable ground should be given to parliament why the request should be granted. There should be something to be ascertained which parliament, even with all its machinery, could not ascertain.

My hon. friend has not ventured to suggest anything of that kind; on the contrary, he studiously avoided making any suggestion which would afford any ground for invoking the aid of a tribunal like a royal commission. No allegations of impropriety on the part of the cabinet are suggested, and no suggestion is made that any other course could have been adopted by this government during the past seven years since the inception of this project has been given to the House. We have simply and solely the assertion that because the Grand Trunk Pacific railway, or the National Transcontinental railway, to use its legal designation, is costing a great deal of money, that fact should be investigated. One needs only to state that proposition to realize the absurdity of it. If every proposition that comes before this House which involves the expenditure of a sum of money of $50,000,000 or $100,000,000, should be followed by a royal commission simply on account of the size of the expenditure, why, there would be nothing going on in this country but royal commissions, having regard to the way in which Canada is advancing and prospering and its expenditure increasing. Of course it would suit the hon. member for Hamilton (Mr. Barker), nothing would delight him better than royal commissions going on all the time. If he would devote more of his time to perfecting the legislation going through this House, instead of asserting incompetence where none exists, he would be performing his parliamentary duties much better. Some hon. gentlemen have suggested that the reason why the hon. member for Simcoe has brought forward this resolution is because the country is beginning to realize that he and his colleagues have played the baby act when they withdrew from the Lumsden committee, and that fact has become so much appreciated all over this country, that he thought he would put up a big bluff before the session expired, and talk about a royal commission, which he did not want, and would not know what to do with if he had it. Then there is another suggestion, that this resolution is a bold attempt on the part of hon. gentlemen opposite to try and resussitate some relic of a policy in which they once stood together with a united front before the country. If you recollect recent political history, you will realize that never since 1904, have our friends opposite ever stood united on anything in this country which has been the subject of legislation. Of course it is natural that they should endeavour to rally together their shattered ranks, very much shattered this session, ranks which are somewhat decimated, and before the close of the session to rally them together on attack upon the National Transcontinental railway administration. Then was the other hope that if they got back to first principles, at least they might stand together for the old policy. Let me commend to my hon. friends this one fact, that if they want to rally their party together they must catch some glimmer of the old faith, the old patriotism and the old belief in Canada that dominated the grand old man who led them in days that are past. If the Conservative party was dominated by the traditions of Sir John A. Macdonald to-day, you would not find them raising quibbles, and all kinds of false issues about the development of that northern country, and about the construction of a second transcontinuental railway, about attacking the credit of Canada, or the men who are building that road, you would find them standing together for that proposition and standing for the building up of this country. But that is not the position of hon. gentlemen opposite. They are back where they were in 1904, no further ahead, and just as far off from the promised land for which so many of them sigh. The one assertion upon which my hon. friend started out in this resolution was indeed a matter of ancient history. After their assertion that the right hon. gentleman the Prime Minister of this country had stated that the Transcontinental would only cost $13,000,000 in 1903, and after my right hon. friend at a previous period in this session absolutely disclaimed any idea of that kind, we find him bringing to the front and putting in his resolution the allegation that this country was practically deceived, because the right hon. gentleman had said that this proposition was only going to cost this country $13,000,000. My hon. friend went

back on that proposition this afternoon; when reproved by the Minister of Railways he took it back in a most unqualified way. But they put that in the resolution for the purpose of deluding some people in this country who still believe in the Tory party, and who still listen to that old story. My hon. friend knows very well that the right hon. gentleman leading this House, was speaking about the interest upon the cost.

Mr. LENNOX. I know exactly what I stated this afternoon, and it is correct.

Mr. MACDONALD. My hon. friend has stated so many things in regard to this matter, and put such quite different things in his resolution, that one hardly knows how he stands on the resolution. What are the facts? In that same session of parliament when the Finance Minister gave to this House the estimate which had been made by Mr. Schreiber of $55,000,000, or, if certain gradients were used $62,000,000, my hon. friend would like this House to believe that because Mr. Schreiber had given that estimate the country was deceived, dreadfully deceived. That is the allegation in the resolution, if it alleges anything. What are the facts? Every one knows full well that Mr. Schreiber had never made a survey of any kind in that country.

Mr. LENNOX. Then why did the Finance Minister quote him as an authority?

Mr. MACDONALD. Because he knew very well the conditions under which that statement was made; it was made from information gathered from exploratory surveys in that northern country made by engineers, from the information in possession of this House, and of the whole country

Mr. BARKER. Will the hon. gentleman state whether that report of Mr. Schreiber was ever laid before this House?

Mr. LENNOX. And did the Finance Minister mention Mr. Schreiber at the time?

Mr. MACDONALD. Does the hon. member for Hamilton (Mr. Barker) dispute the fact that it was Mr. Schreiber who made that estimate?

Mr. LANCASTER. The Finance Minister made it to the country.

Mr. MACDONALD. Don't let us resort to quibbling in this matter.

Mr. BARKER. The hon. gentleman said a moment ago that that estimate was based on the statement of Mr. Schreiber; I ask him: Will he state whether that report of Mr. Schreiber was ever laid before this House?

Mr. FIELDING. Will my hon. friend state where anybody ever demanded Mr. Schreiber's report, or questioned the accurracy of the information which the Minister of Finance gave?

Mr. MACDONALD. My hon. friend knew that when the Minister of Finance made that statement in the House he made it as the statement of an engineer who was speaking from the information that had been gathered by exploratory surveys, before any location survey had ever been made by any engineer in this country. Every hon. gentleman in the opposition knew that that information was given, not upon any location survey, preliminary or otherwise, that had been made in that northern country, and they knew that no survey of a preliminary character had ever been made in that land.

Mr. BOYCE. Did not the Prime Minister say that they had 'mountains of information' to give to the House?

Mr. MACDONALD. Of course, he had mountains of information. Is my hon. friend so green, is this erudite gentleman who comes from that northern country so green, that he did not know there never had been any location surveys made in that northern country? My hon. friend knew that, of course, and so did every other hon. gentleman opposite.

Mr. LANCASTER. Did not the hon. gentleman know that their campaign literature was headed, 'A New Transcontinental Railway for $13,000,000'?

Mr. MACDONALD. My hon. friend is living in the past.

Mr. TALBOT. He has not seen Halley's comet.

Mr. MACDONALD. In 1903, when the government came to this House and when the government went to the country asking for a mandate to build this road, they knew that no location survey for a railway had ever been made, and parliament knew that. They knew that there had been exploratory surveys, just as there are now exploratory surveys going on all over this northern country, certain information was coming into this government—mountains of information, if you like—and on that information Mr. Schreiber made this general estimate which was laid before parliament. Hon. gentlemen opposite were not satisfied with the information or with the estimate. They did not believe it then.

An hon. MEMBER. And they do not believe it now.

Mr. MACDONALD. And they do not believe it now. Let me give one or two statements made by hon. gentlemen opposite as to what their judgment was with reference to the cost of this Transcontinental railway just for the purpose of showing

whether there was any deception in so far as they were concerned. The then hon. member for East Toronto (Mr. Kemp), at page 9171 of 'Hansard,' said that the road would cost $73,000,000. Mr. Bennett said that it would cost $72,000,000. The hon. member for Lennox and Addington (Mr. Wilson) adopted the estimate of the Toronto 'Mail,' whose estimate was that it would cost $114,000,000. Then my hon. friend from Peel estimated that it would cost $100,000,000.

Mr. LANCASTER. At least.

Mr. MACDONALD. At least. So that my hon. friends are not at all put out when they find it costing more. Mr. Lefurgey stated that the member for West Toronto (Mr. Osler), being the director of a railway company, ought to know, and that the hon. member for West Toronto believed that the railway would cost $280,000,000.

An hon. MEMBER. That is pretty near it.

Mr. MACDONALD. My hon. friends knew better than we did apparently, and now they say that they were deceived.

Mr. BLAIN. What did Mr. Blair say it would cost?

Mr. MACDONALD. Mr. Lefurgey said that he did not think that the estimate of the hon. member for West Toronto was exactly right, but he thought it would cost from $120,000,000 to $150,000,000. The hon. member for West Hastings (Mr. Porter) said that it would cost $150,000,000, and Mr. Clancy said that it would cost $120,000,000. Then the hon. leader of the opposition (Mr. Borden) made up an estimate of $75,000,000, and later on he stated that no one could estimate within $10,000,000 what this railway, with four-tenths of one per cent grade, would cost. So that neither the leader of the opposition or anybody else was deceived by the statement that this railway was only going to cost $13,000,000, because every one of these hon. gentlemen were perfectly satisfied that it was going to cost over $100,000,000. The hon. leader of the opposition went so far as to say that nobody could tell within $10,000,000 what it was going to cost with a grade of four-tenths of one per cent. My hon. friend went to the country asserting this.

Mr. R. L. BORDEN. I would like to ask my hon. friend whether he and other hon. gentlemen did not rise in their places and declare over and over again that our estimates were wildly and absurdly extravagant?

Mr. MACDONALD. I am surprised at my hon. friend the leader of the opposition putting forward a tu quoque argument like that. I would not expect that from the hon. gentleman; I would expect a back bencher to do that. Does the hon. gentleman remember that he made the statement that noboby could tell within $10,000,000 what it would cost.

Mr. R. L. BORDEN. Yes, and I challenge any member of the government to do it.

Mr. MACDONALD. Now my hon. friend is complaining and he says that he was deceived as to the cost of the road.

Mr. R. L. BORDEN. I have never said that I was deceived.

Mr. MACDONALD. What does this resolution say?

Mr. R. L. BORDEN. I have said that there was an attempt, successful for the time being, to deceive the country.

Mr. TALBOT. The country was not deceived.

Mr. MACDONALD. Fortunately for this Canada of ours the people were not deceived by hon. gentlemen opposite on this question.

Mr. R. L. BORDEN. Was my hon. friend deceived as to the cost of the road?

Mr. MACDONALD. In regard to being deceived as to the cost of the road, I may say that I wanted to see this road built, no matter what it cost, for the benefit of Canada. I was not in the House at that time, but irrespective of the question of estimates or anything else—I would not have been bothered with estimates—I would have said that Canada must have this road, that Canada should have it in the interest of the country and in the interest of its future.

Mr. R. L. BORDEN. That is not quite an answer to the question. Will my hon. friend state whether he was deceived as to the cost of the road?

Mr. MACDONALD. Not at all, for the simple reason that the leader of the opposition assurely should know that while he fought as a maritime province man against the construction of the only link which will enable those little provinces down by the sea to participate in the development of the west and take their part in the national life of this country, I was prepared to stand for it no matter what the cost was.

Mr. R. L. BORDEN. I will challenge my hon. friend to produce one line or word in support of what he has said in parliament or out of parliament.

Mr. MACDONALD. I was not in parliament at that time, but perhaps my hon. friend will tell me why he supported the

resolution of his friend from East Hastings (Mr. Northrup) who did not want the railway from Winnipeg to Moncton, but who wanted it to come to North Bay?

Mr. R. L. BORDEN. What resolution does my hon. friend refer to?

Mr. MACDONALD. Did you support it?

Mr. R. L. BORDEN. I know of no such resolution.

Mr. MACDONALD. It was read by the hon. member for Medicine Hat (Mr. Magrath) a few minutes ago.

Mr. R. L. BORDEN. There was no such resolution read here to-day. I challenge the hon. gentleman to produce any such resolution that I supported.

Mr. MACDONALD. My hon. friend is taking a very bold course. Let us have this question settled. Either the leader of the opposition was in favour of the construction of the railway from Winnipeg to Quebec or he was not. Was he in favour of it, or was he not?

Mr. R. L. BORDEN. I stated that I was in favour of it. I stated further that I was in favour of the construction of the road from Quebec to Moncton, and I stated in this House that I thought that the line from Quebec to Moncton ought to be constructed as part of the Intercolonial railway and not as a competing line with the Intercolonial railway.

Mr. FIELDING. Did my hon. friend not hear the hon. member for East Hastings state that every member of the opposition agreed with the policy that the road should terminate at North Bay?

Mr. R. L. BORDEN. I did not hear the hon. member for East Hastings state anything of the kind.

Mr. FIELDING. Is the hon. gentleman not aware that he said it?

Mr. R. L. BORDEN. I am not aware that he said it.

Mr. FIELDING. I will furnish the hon. gentleman with his words if he desires.

Mr. R. L. BORDEN. The hon. gentleman can furnish them or not, as he likes. The hon. member for East Hastings spoke for himself, and I for myself never made any such statement as that. I spoke for myself in regard to that line; I made my views known on the floor of parliament both by speech and resolution, and I challenge the Minister of Finance to produce here or to quote one single word of mine in parliament or out of parliament that will support the statement which has been made by the hon. member for Pictou (Mr. Macdonald) and backed up by the Minister of Finance

Mr. FIELDING. I have no right to participate in the debate at this time, and I will sit down if I have not the permission of the hon. gentleman, but I state that the hon. gentleman for East Hastings made a speech in which he stated, amidst the applause of hon. gentlemen on that side—

Some hon. MEMBERS. No, no.

Mr. FIELDING. I repeat my words that he made the statement amidst the applause of hon. gentlemen on that side of the House that what the opposition stood for was a line of railway from North Bay westward and not one mile of road east of North Bay. He was applauded, and 'Hansard' will show that he said in view of the cheers which he received. I am glad to see that I speak for the party.

Mr. R. L. BORDEN. I never before was aware that cheers in this House were the equivalent of resolutions. The hon. member for Pictou made the statement that there was a resolution, and the Minister of Finance has got up to support him in it.

Mr. FIELDING. I never said anything about a resolution.

Mr. R. L. BORDEN. The Minister of Finance should not have arisen.

Mr. FIELDING. I am the best judge of that.

Mr. DEPUTY SPEAKER. Order.

Mr. R. L. BORDEN. Mr. Speaker—

Mr. DEPUTY SPEAKER. The hon. gentleman should be seated when I rise to a point of order.

Mr. R. L. BORDEN. Mr. Speaker—

Some hon. MEMBERS. Order, order.

Mr. DEPUTY SPEAKER. Neither the hon. gentleman (Mr. Borden), nor the hon. Minister of Finance (Mr. Fielding), has any right to the floor. The floor is now in the possession of the hon. member for Pictou (Mr. Macdonald) and it can only be taken with his consent.

Mr. R. L. BORDEN. With all deference to you, Mr. Speaker, I had a perfect right to arise. I was——

Mr. DEPUTY SPEAKER. Unless the hon. gentleman has himself risen to a point of order, he has not the right to address the House at this moment.

Mr. R. L. BORDEN. I have always understood, subject to your ruling, that when I am absolutely misquoted in this House I have a right to get up to a point of personal explanation. That has been my understanding up to the present time, and I have yet to learn that that is not the reasonable and fair rule of this House.

Mr. DEPUTY SPEAKER. I have given, I think, ample opportunity for personal ex-

planation. It is not an absolute right of a member to rise to a point of personal explanation. He must rise to a point of order, otherwise he cannot rise. In this case, I have allowed the hon. leader of the opposition (Mr. R. L. Borden), and the hon. Minister of Finance (Mr. Fielding) to continue for some time. They have both interrupted the hon. member for Pictou (Mr. E. M. Macdonald), who has the floor. There is no point of order before the Chair. There has been ample time for each hon. gentleman to make any personal explanation. I must now rule that the hon. member for Pictou (Mr. E. M. Macdonald) has the floor and has the right to continue.

Mr. R. L. BORDEN. I have the right to rise to a point of order, and I do so.

Mr. DEPUTY SPEAKER. Certainly, if the hon. member rises to a point of order, he has the right to do so.

Mr. R. L. BORDEN. I want to know whether, when I am deliberately misrepresented in this House, I have not the right to rise to correct that misrepresentation.

Mr. FIELDING. I wish to debate the point of order. I object to the hon. gentleman's rising under any such circumstances. He has a right or I have to give a personal explanation later on, but neither he nor I has a right to interrupt the hon. member except by his permission.

Mr. BOYCE. Then why did the hon. minister rise?

Mr. FIELDING. I rose to ask a question of the leader of the opposition, and I asked his permission to do so.

Mr. R. L. BORDEN. I was engaged in an endeavour, which I thought proper under the rules of this House, to put myself right in respect of a statement made with regard to me which was not founded on fact. My hon. friend the Minister of Finance, who was not concerned in that personal issue between the hon. member for Pictou and myself which I was endeavouring to settle with that gentleman in all courtesy, rose to make a political point and to interrupt me.

Mr. FIELDING. I rose to ask a question, and I asked the hon. gentleman's permission.

Mr. R. L. BORDEN. That was the point, and I say with respect to that, and with all deference to you, Mr. Speaker, that I was exercising only my just rights as a member of this House.

Mr. DEPUTY SPEAKER. I have given my ruling in the case, and I still maintain that the hon. member for Pictou (Mr. E. M. Macdonald) is entitled to the floor. Ample opportunity has been given to the hon. gentleman——

Mr. DEPUTY SPEAKER.

Mr. R. L. BORDEN. I do not deny that the hon. member for Pictou was entitled to the floor.

Some hon. MEMBERS. Order.

Mr. DEPUTY SPEAKER. I cannot allow the hon. gentleman (Mr. R. L. Borden)——

Mr. R. L. BORDEN. Mr. Speaker——

Mr. DEPUTY SPEAKER. Order; I have the floor and not the hon. gentleman. I have risen to order. The hon. gentleman has been given ample opportunity, more, I believe, than the rules of the House warrant under the circumstances, and I cannot allow the hon. gentleman to take the floor from the hon. member for Pictou, who even now stands waiting to continue.

Mr. R. L. BORDEN. Mr. Speaker, may I put myself right with you? The hon. member for Pictou (Mr. E. M. Macdonald) had very courteously yielded the floor to me for the purpose of making a personal explanation. I would not have arisen unless he had yielded the floor to me. I thought I was perfectly right in arising to make a personal explanation when the hon. member for Pictou had yielded the floor to me, and yet, Sir, with some vehemence, that I do not think was called for by any action on my part, you have seen fit——

Some hon. MEMBERS. Order.

Mr. DEPUTY SPEAKER. Order. The hon. gentleman must not in that way criticise the action of the Speaker. The Speaker is giving the very best judgment he possibly can to the situation. The hon. gentleman has, I think, been repeatedly out of order. I do not acknowledge the right of the hon. member to interfere with the hon. member for Pictou, who has the floor, unless he has arisen to a point of order.

Mr. R. L. BORDEN. I do not question that.

Mr. DEPUTY SPEAKER. The hon. gentleman must not interrupt the Speaker in that manner. The hon. member for Pictou has the floor. I have given, as I said, ample opportunity for personal explanation. When it became a personal debate between the Minister of Finance and the leader of the opposition, I think I was amply justified in refusing to allow it to continue. The leader of the opposition has had ample opportunity to place himself in a correct light and is not, I think, at liberty to continue a debate with the Minister of Finance as to which of them was right as to certain statements of fact.

Mr. R. L. BORDEN. I do not claim—

Some hon. MEMBERS. Order.

Mr. R. L. BORDEN. May I be permitted just to say this. I do not desire, with all

deference to you, that you shall be under any misapprehension as to my attitude, I did not claim and I do not claim the right to take the floor away from the hon. member for Pictou, but when the hon. member for Pictou (Mr. Macdonald) yielded the floor to me for the purpose of enabling me to make a personal explanation, I thought, with all deference to you and I still think, that I had a perfect right to rise and make that personal explanation.

Mr. DEPUTY SPEAKER. I ruled and I rule again, that the hon. gentleman was given that opportunity, but he broke into a discussion with the Minister of Finance —possibly tempted to do so by the Minister of Finance—and when that point was reached, then, in my judgment, was the point to stop it. The hon. member for Pictou (Mr. Macdonald) has the floor, and I must now insist on his right to continue.

Mr. R. L. BORDEN. Mr. Speaker.

Some hon. MEMBERS. Order.

Mr. DEPUTY SPEAKER. The hon. gentleman, I think, has time and again been out of order in this case, and I regret very much that it should be necessary to say so, but it must be closed at some point, and I presume that neither hon. gentleman is satisfied with the particular point at which it is stopped. However, I shall allow the hon. gentleman if he wishes——

Mr. R. L. BORDEN. Will you do me the justice to say—

Some hon. MEMBERS. Order.

Mr. DEPUTY SPEAKER. Order.

Mr. R. L. BORDEN——that I did not break into the discussion with the Minister of Finance, the Minister of Finance broke into a discussion with me and that is all I have to say about it.

Mr. FIELDING. I also must ask permission to put myself right. I asked the permission of the leader of the opposition to put a question to him. That was the beginning of my interruption. If he had said no, that would have ended it. I accept the ruling; I have nothing more to say about it.

Mr. R. L. BORDEN. Nor have I—at present.

Mr. MACDONALD. If the hon. the leader of the opposition has again made friends with you, Mr. Speaker, I hope I may be permitted to go on. I desire to say that I welcome the leader of the opposition to the ranks of those who believe that it is in the interests of this country and has been in the interest of this country for the last seven years, that a line of railway should be built as proposed by this government from the city of Winnipeg down to the city of Moncton. The fact that he occupied that position was not altogether clear to me. I was under the idea that he had had two or three different policies at various stages of the game in regard to this matter, and it is therefore a matter of satisfaction to those of us in the maritime provinces, who realize the importance to us as a portion of Canada, in order that we may be identified with the future greatness of this whole country by means of this railway transportation—it is a matter of gratification to us to know now that the leader of the opposition (Mr. R. L. Borden) is at one with us for the establishment and maintenance of that railway. But my hon. friend unfortunately through his followers comes to this House and declares that there is something wrong about this proposition for the reason that it was stated that this railway was going to cost Canada only $13,000,000. True, the next clause of the resolution asserts that it was going to cost $55,000,000 or $62,000,000 although both those statements were made in the same session of the same parliament. In that respect they are a little inconsistent, although the statements have no weight or reference to the proposition at the close of the resolution. This much is certain that my hon. friends on the other side vociferously asserted that the railway would cost all the way from $70,000,000 up to $200,000,000.

Mr. BARKER. No.

Mr. MACDONALD. I can refer my hon. friend to 'Hansard' where Mr. Lefurgey, speaking at page 9549 of 'Hansard', 1903, said that the member for West Toronto (Mr. Osler) estimated it at $280,000,000.

Mr. BARKER. Will you allow me to say one word?

Mr. MACDONALD. It is rather difficult to get along with the hon. gentlemen.

Mr. TALBOT. They cannot stand fire worth a cent.

Mr. BARKER. The hon. gentleman is referring to two distinct subjects. One is the cost to Canada and the other is the cost of the whole railway.

Mr. MACDONALD. Nobody wanted to introduce into this discussion any question or doubt about the cost, it is the hon. gentlemen who have been quibbling about the $13,000,000. Nobody ever thought until these gentlemen attempted to deceive the electorate of this country with their assertions that the government declared it was going to cost only $13,000,000, that that was what Canada was to pay for the railway, and yet my hon. friends are going back on that representation of their party in the back districts all over Canada where their supporters were asserting in 1908 that Laurier had promised to build this rail-

way for $13,000,000 and it was costing over $100,000,000. When I am quoting the language used by Mr. Lefurgey in which he said that the hon. member for West Toronto stated that the road would cost $280,000,000, my hon. friend has no right to complain when I say that the people weighed every one of these statements and weighed the men who made them, and in 1904 decided that the country wanted this National Transcontinental railway built, and that the country must have it, no matter what it would cost. This government obeyed the mandate to construct it, and what did they do? What were estimates for, and why were estimates required after 1904, after the contract with the Grand Trunk Pacific Company had been ratified by this House and the country? Do hon. gentlemen opposite seriously mean to say that it was the duty of this government, or of the commission which they constituted, to spend millions of dollars of the people's money in boring holes and sinking pits all through that northern country, and in making exhaustive inquiries for the purpose of ascertaining how much this road which they had decided they were going to build was going to cost? Of what good was that going to be to the country? Of what purpose was it? The country had decided that this road had to be built, and built speedily. No great railway enterprise carried through in Canada during the last 30 years has had the kind of preliminary work which hon. gentlemen opposite contend ought to be had. The Canadian Pacific railway would not have made its way across this country to the Pacific ocean for 10 years after it did if the conditions which these hon. gentlemen impose as preliminary had been applied to the construction of that road. If we had sent troops of engineers through the northern country to dig pits and bore holes in order to satisfy the quibblers on that side of the House, there would not to-day have been a single contract let for the construction of the National Transcontinental railway. This country would have been put to the expense of millions of dollars in getting information for no purpose whatever. The only estimates this country required were for the purpose of enabling the commission to figure out the tenders in order to decide which was the lowest for the different sections. They were of no other value to the country; and when hon. gentlemen talk about estimates as to what this railway was going to cost or was not going to cost, they must feel on reflection that they are not only deceiving themselves, but are trying to deceive the honest people of this country.

Some hon. MEMBERS. Order.

Mr. E. M. MACDONALD.

Mr. DEPUTY SPEAKER. The hon. gentleman should not attribute to any hon. member of this House a desire to deceive.

Mr. MACDONALD. I can say, I think, Mr. Speaker, that they may deceive themselves. Then I say that hon. gentlemen opposite need not try to deceive themselves any longer with the delusion that it would have been to the interest of the people of this country to have spent fifteen or twenty millions of dollars to find out what this railway was going to cost. If that is so, we might as well clear the air of a lot of cobwebbs that have got into the discussion of this question for reasons of political partisanship. My hon. friend from Simcoe quoted to-day from a commission, a partisan commission, which sat in 1880, for the deliberate purpose of imputing some blame to the government of Alexander Mackenzie in connection with the portion of the road which they built between 1874 and 1878. But there is to-day a living witness who spoke then and who speaks to-day, a man whose position as an engineer of this country is unquestionable and has been unquestioned during all his long career. He was charged by gentlemen before that commission with having done wrong to the interest of the country in going ahead and doing just what the engineers of the Transcontinental railway are doing to-day. He did not go out and dig holes in the ground for the purpose of finding out what the conditions were, because he would have needed to do that every ten feet from end to end of this continent; and this is what he said about the value of that kind of work in answer to an inquiry of the commission. I refer to Sir Sandford Fleming, who in a letter to the Secretary of State dated May 1, 1882, said:

> The commission proceed to blame me for not 'learning before locating and contracting for the construction of the road-bed, the nature of the material which was likely to be met with in the prosecution of the work. The serious omission to which we have here called attention would not have occurred, had the chief engineer and his subordinates acted on the elementary principles of railway engineering.'
>
> The commission appear to have made some researches in engineering literature in support of their accusation, and they base their criticism on the views expressed in a text book written by a professor in a college in Scotland.
>
> They quote Professor Rankin, and lay great stress upon the necessity of 'Trial pits and borings,' 'in order to ascertain the strata of the ground, borings are the less costly in time, labour and damage to ground, &c.'
>
> Do the commission mean that in equipping the various surveying parties where stores of food and clothing, with shelter, with axemen and axes to force a passage through the forest, and with packmen to carry supplies for all, that I should still further have increased

the impediment? In all seriousness do they mean that I should have added boring implements and gangs of men to work them, with the additional food shelter which these extra men would need? Suppose I had so acted, would not the commission have had some ground for censuring me for absurdly wasting public money?

It is one thing to cite a sentence from a college text book, to sustain a far fetched argument; it is another to know what is reasonably expedient, and to carry into execution what is really practicable.

The Commission, sitting in their room at Ottawa, must have been reminded of matters which attracted attention twenty years ago and in which one of its members filled a prominent place. I refer to the enormous amount sunk in the foundations for the parliament buildings, by which the estimate and appropriation were so largely increased. On that occasion the principal officer of the Department of Public Works was censured for not having an examination made of the ground where the buildings were to be placed. The principal officer referred to is now one of my accusers, and he must know perfectly well that the cases are totally different. The examination of the ground for a massive building is an every day occurrence; that of the site at Ottawa might have been accomplished at any time in less than a fortnight. In the other case, such examinations are not common; they are not as a rule deemed necessary in this country, and in all probability, had they been ordered, it would have been necessary to delay construction for another year.

The Commission in one sentence pass censure because the surveying parties were unnecessarily expensive; in another they blame me for not making them more expensive still by adding more men, by dragging through forest and swamp, across rivers and lakes, the tools and machinery to make borings.

In a country like England, with good roads and good inns everywhere, and where land damages are an important factor, the practice may without difficulty be observed, but it certainly is not common in America.

At quite a different stage of the work, viz:—as construction advances, boring is sometimes resorted to, but the process is slow and tedious. A whole summer was spent in making the borings at one river crossing on the Intercolonial railway.

I have yet to learn that the practice, which the Commission condemned me for not observing is observed anywhere. I ask, is there at this moment any gang of men with boring implements, 'ascertaining the strata of the ground' on any of the new lines under survey in Ontario or Quebec?

I state, advisedly, that notwithstanding all the experience of the past there is not a single boring instrument in use to-day in the manner and for the purpose referred to by the Commission on any one of the surveys now being made by the Canadian Pacific Railway Company at any point between the Atlantic and the Pacific.

Here we have an illustration of how the Canadian Pacific railway was built, without any of these preliminary surveys carried on at an enormous expense. The country had decided to build the railway, and the engineers went out and made preliminary surveys merely to obtain sufficient information to enable the government to call for tenders in order to decide which was the lowest tender. That is the only purpose for which estimates of that kind are obtained by any railway constructors in Canada, or in the United States, according to the testimony of engineers whose position and knowledge are undoubted. If such extensive preliminary surveys as hon. gentlemen opposite suggest had been made, we would have hardly started with the work of construction to-day; the contracts would not have been let. The link between Fort William and Winnipeg, which every one, especially in the west, was anxious to see, instead of being completed as it is to-day, would not have been begun; because if you had to get an estimate which would indicate what the exact cost was to be, the whole line would have had to be cleared from end to end, and would have had to be cross-sectioned. The result would have been that it would have been an utter waste of time and money; and moreover it would not have enabled this railway to have been built by the country one cent cheaper than it has been.

Those statements cannot be questioned. There is no doubt about them. I am sure any one on reflection will see their effect and realize that if we had engaged in all that preliminary work it would have given to the country no information of a satisfactory character; once the railway had been decided upon, it would not have enabled us to get the road built one cent cheaper for the reason that the final locations having been made, the construction work having been started, the earth had to be removed, the loose rock had to be taken away and the solid rock had to be blasted, these had all to be classified and the prices had to be determined and it would not have made one cent of difference, if a preliminary location had been made to arrive at these results. This government went on and appointed a commission and an engineering staff was formed. They took Mr. Lumsden, who, was a man in my judgment too old to deal actively with a great undertaking of the kind, but whose previous record had been good; they took Mr. Butler as deputy chief engineer, and his record of success and his position to-day indicates that he was a man in whom the country should have full confidence, both in his integrity and in his equipment for dealing with a great work of that kind. Mr. Butler was the man who drew the specifications, it was he who prepared them. Then, as the under engineer, we have in section (B) when the work was first begun, Mr. Doucet. Mr. Doucet is a

man who has had 25 years experience as an engineer in this country. He is a graduate of the Royal Military College. He is a man who in addition to his engineering experience did service for his country in the Riel rebellion in the Northwest, where he distinguished himself, and was wounded in active service. His whole record has been an absolutely clean one all through his business career, and no man who knows Mr. Doucet, and he is known not only in the province of Quebec, but throughout the whole of Canada, will question his capacity or integrity as an engineer. Then another district engineer was Mr. Poulin, who had served for long years with the Canadian Pacific railway in the days of its government construction and with the company afterwards, in South America, and all over Canada, who had been connected with various enterprises, and had spent 34 years of his life in fitting himself to carry on this great work. Both of these men are Canadians. Could you find in this country anywhere, two men with better records than those two to put in charge of the different districts they had to construct.

Now my hon. friend (Mr. Magrath) is a true apostle of the doctrine of 1904. He did not think that the railway to the east should be built, and in addition to that, he did not think we should have this four-tenths per cent grade. Too good a road, he said, for Canada, we should have gone on and spent our money, putting the rails down in any old way so that trains could run over them and afterwards the country could spend a lot more money in getting better grades. That, Mr. Speaker, would be a penny wise and pound foolish policy. Why, two years ago, I was in a position to know, that the Canadian Pacific railway, in one year spent over $40,000,000 in improving the construction of their road.

Mr. HUGHES. Not in re-constructing.

Mr. MACDONALD. Well the hon. gentleman knows.

Mr. HUGHES. Double tracking its lines.

Mr. MACDONALD. Two years ago the Canadian Pacific railway spent $40,000,000 in improving the construction of its road, and at this very moment the Ontario government proposes to spend between one and two million dollars in reducing the grades on the Temiskaming and Ontario railway, in order to connect with this Grand Trunk Pacific railway of ours and in order to get the four-tenths per cent grade, so that they may haul up and down to the main line. They are spending this year on that comparatively small line, nearly two million dollars. Would it have been wise for Canada to have gone on with a policy of building any old kind of a line, a line with poor gradients and dangerous curvatures and all that? Is it not better, would it not be better, did not the country stand for it in 1904 and 1908, and would hon. gentlemen in their honest hearts not say that if we are going to build a national highway, let us build it of the very best, so that we will have a connection between east and west maintained under conditions the most favourable? There should be no difficulties of transportation anywhere. Hon. gentlemen say, Oh, but the percentage of cost is so much greater than the estimate. I do not know what estimate they are making their comparison on. I find that at various times within the last 20 years, the Canadian Pacific railway, on the scheduled rates in the northern part of Ontario and throughout the west, paid from 20 to 65 per cent in different cases more than what was estimated in the preliminary estimates at the time the contracts were let. The figures are at hand, and if necessary I can quote them, giving the contracts. Hon. members opposite, however, make an estimate and declare that the disproportion is very great. There has never been anything yet of an estimate brought down to this House with any degree of authenticity or indicating that there was any work put behind it from the time of the final location, with the exception of the estimate brought down by the minister two years ago of one hundred and fourteen millions. Those estimates were made up between November, 1905, and January, 1906, and they did not include in a great many cases some of the unforeseen difficulties that were encountered as the road went along. Let me give you one or two illustrations of the conditions that have arisen in some of those sections that show how legitimately and naturally the cost of construction is necessarily greater than it would be determined in any preliminary survey. After the estimate was prepared, a large contract was let in contracts numbers 9 and 10 on section B. There had only been a first location of 90 miles out of the 150. On the other 60 there was not then a preliminary location, no revised location, no final location, but basing the estimate of the balance of the 150 miles on the information they had from the 90 they made estimates which were sent up to the commission. Now, what followed when they came to the revised location and to the final location? As of necessity it would follow anywhere, in going into a new country under conditions like these, from the 56th to the 65th mile the final location was changed two miles from where it had been in the original preliminary location, because it was necessary to get the four-tenths per cent grade. Of course, if the road could have gone right along on the preliminary location it would not have been necessary

to make a change, but in order to get the four-tenths per cent grade, it was necessary that the location should be shifted two miles. Then they came to the Milieu river, and about nine miles of location was changed there, shifted about three miles on account of the continuity of the river bank and in order to get the grade it cost $427,000.

That cost $427,000. At La Tuque, 12 miles of the railway was changed, causing a diversion of about 6 miles and adding 4 miles to the distance in order to get the proper grade and avoid the curves, which were difficult. This cost an extra $550,000. At the St. Maurice river, there was riprapping necessary on account of falling bank, to protect the track from the river, which is deep at that point, and this cost $252,000. Other changes needed owing to the depth of the water and the extra amount of earth to be taken down cost $238,000 more. These things were necessary. Every hon. gentleman who has studied the question or who has talked with the engineers concerning railway construction, must have learned that these things were the necessary result of conditions and the endeavour to get these gradients and curves. It is known that the only information in making the first estimate was that furnished by a preliminary location. The result was that reports sent in by the divisional and resident engineers when the tenders were made showed a largely increased cost in the work. My hon. friend says that this should not have been the case, that they should have spent the money to go out and make an estimate. But I have shown very clearly that there is no ground for that position, that it is utterly untenable. There were estimates before the specifications were issued in order that the the great enterprise might be actively undertaken. When the estimates were first made, it was with the intention of having momentum or velocity grades of one per cent. Subsequently, Mr. Lumsden, the chief engineer, gave instructions that these were not to be allowed, that there must be a uniform grade of four-tenths of one per cent. That also occasioned extra expenditure. In the estimates on which the contracts were made, there was no estimate for train haul; the estimate was for borrow, which, as the hon. member for South Lanark (Mr. Haggart) knows, would be about half as cheap as train haul. It was necessary to have the train haul in order to get the filling, and this cost $1,211,000 in the 150 miles of section 'B' alone. Then, there were divisional yards. The location of these could not be determined in any preliminary estimate; they had to be located as the engineers finished the location of the road, and in locating them regard had to be had to local conditions. This cost $513,000 additional. I have referred to these matters merely for the purpose of indicating samples of what would necessarily occur in the location of a transcontinental line. The instances I have given were all in Quebec, but let me give an illustration in Ontario—on section 'F.' There the estimates were prepared by Major Hodgins in the very early stage. They were revised by him and reduced a great deal, according to his statement. But what were the conditions under which they worked in northern Ontario? There, on account of the frost in the ground, and the coldness of the weather, there were practically only four months of the year in which operations could be carried on free from frost. The hon. member for South Lanark, with his experience of railway direction, would know that this is a material element in the work. And it is a fact that has been substantiated on oath and can be proven at any time that the 150 miles of the McArthur contract of section 'F' running around the north of Lake Superior is said to be the most difficult work of construction of its kind on the continent—far exceeding in difficulty the building of the Canadian Pacific railway around the north shore of Lake Superior. When we understand this we realize some of the difficulties that were met in carrying on this great enterprise. Well, we heard a great deal about classification, but if the earth and loose rock and solid rock were there, they had to be taken out, and this country had to pay for it on the certificate of the engineers who were there overseeing. But when over-classification is spoken of, it is to be remembered that the present chief engineer of the Transcontinental railway has stated on oath that there is not two per cent of the classification of the whole Transcontinental which is in question. With all this talk about royal commissions and investigations, after careful supervision, not only on the part of the government engineers, but on the part of the engineers representing the Grand Trunk Pacific, who have to pay the interest on the cost of construction, not two per cent of the whole classification of that railway is in question between the engineers at this time. Now, of course, I feel that my hon. friends are very well assured of that. The course of my hon. friend from South Simcoe (Mr. Lennox) in moving this resolution is an indication of that. I know that we ought not to impute motives, and perhaps I was unkind in suggesting motives in the remarks I made in opening. But I cannot but think that the attitude of the hon. member indicates that he has learned some of these facts, which some of us have learned who have looked into the matter a little. But, unfortunately, the press outside cannot be controlled. My hon. friend's

friends on the press will go on asserting things without the slightest justification. For instance, I have here a copy of the Toronto 'News' of 19th April, referring to sections 'B' and 'F' under flaring headlines: 'Startling conditions on Transcontinental—Table of facts submitted to Canadian people—Public opinion gathering force for honest administration of great undertaking.' And so on, with these headlines, which are so easily set up, and which form so important a feature of an opposition newspaper in these latter days. Let me direct attention to a couple of statements made here which are so wide of the mark that they deserve special mention. Referring to residency 10 on section 'A,' they say:

A cutting between stations 6,307 and 6,310 residency 10, contains 106,005 cubic yards classified as 23 per cent solid rock. It is described by Mr. Woods and his assistant, Mr. Boulton, as earth, clay, gravel and a few boulders. They report that it should be classified as 10 per cent solid rock, 60 per cent loose rock and 30 per cent common excavation. It works out as follows:

The country pays..	$ 80,774
It should cost..	62,602
Over-payment..	17,172

The cut on residency 10, given as between stations 6,307 and 6,310, should be stations 5307-5320. Yardage handled has been called 106,005 cubic yards, whereas it is actually 11,605 cubic yards, or more than nine times smaller. The gentleman who is writing this classification story for the press added a matter of 90,000 yards to the statement in order to make it read a little better and to afford some groundwork for his headlines. The classification of this is 22½ per cent solid rock, 61½ per cent loose rock, and 16 per cent common excavation. The cut has cost $6,148.17. You will notice that the loss to the country is said to have been $17,172, whereas the engineer shows that the whole thing cost only $6,148.17, at a cost to the contractor who took it of $9,038, so that he lost about $2,200 in making it up. I do not wish to delay the House, but we could run through the whole schedule in the same way. Let me direct your attention to another thing in the same paper, entitled 'A borrow pit':

Another startling case in residency 17 is the case of a borrow pit. The July estimate returned 149,000 cubic yards loose rock, costing $89,400. The engineer is not so specific as to classification in this case, but by his description of the picking, shovelling and ploughing which he found in progress, he evidently means that the work was not entitled to classification—was common excavation in fact, and should only cost one-half the amount allowed.

This is what the engineer says about that:

Mr. E. M. MACDONALD.

On residency 17. Borrow pit station 1266-1270. The article states that there was 149,000 cubic yards loose rock, costing $89,400. The fact is, as can be seen by looking over the July estimates, that the returns of that date were 14,900 cubic yards at 35 cents, $5,215, or $84,185 less than stated in the Toronto 'News' item.

The addition of a naught at the end of a statement makes quite a difference in the force of a newspaper article, as it does in the amount of money involved. I could take you through these other districts where we have had comments made on over-classification, and over returns, and when I tell you that the present chief engineer of the Transcontinental railway has sworn that all this talk about over-classification was a tempest in a teapot, and that not less than two per cent of the classification on the whole road was in question at this moment, you can see how much warrant there is for hon. gentlemen talking about a royal commission. Now there is only one way in which this country could be cheated in the quantity of earth or rock taken out, and as to classification, and that would be by means of a conspiracy between the district engineer and each one of his subordinates. Every one would need to be in the conspiracy, and if there was any false allowance of solid rock in any residency, it would be speedily known by the other men who are working alongside and the proposition has been made on behalf of hon. gentlemen opposite, though not in this House, that on each one of these districts these reputable men to whom I have referred, the head of each district, have entered into a conspiracy to defraud the government by over-classification, and wrongful classification. You can readily see what an absurd proposition that would be. Not only that, but the professional reputation of every one of these men in position would be forever shattered at the instance of any one of these men who could at any time disclose the facts. To suppose that there exists any such condition in connection with this work of construction, is to my mind so utterly ridiculous that, having regard to the ordinary conditions that exists among men to-day, I marvel that presumably intelligent gentlemen like our hon. friends opposite should ever have given it credence. I am glad to note that my hon. friend from Simcoe does not take the responsibility of suggesting any cause of that kind for this commission, but he has confined himself to these extra estimates and figures to which he has treated the House, and which I have not been able to understand, and I do not think anybody else, but himself could understand. I say, Mr. Speaker, that in view of these facts, which I have gathered hurriedly to-night, and in view of the further fact that no reasons have been

presented to justify the conclusion that a royal commission should be appointed, I submit that hon. gentlemen opposite have not seriously put forward this proposition, and that it should not be treated seriously by this House, as I am sure it will not be when we come to decide upon it

I am at a loss to understand why the clause should have been tacked on to the conclusion of this resolution, which asserts that 'the government should take immediate and effective action to investigate the danger of a diversion of Canadian traffic to foreign ports, and to prevent such diversion.' Judging from the remarks of my hon. friend from Medicine Hat (Mr. Magrath), I would understand that the talk about the resolution was only put in for filling, and that this clause is the meat of the whole thing; because the hon. member for Medicine Hat read some menacing editorials in American newspapers showing that those gentlemen had awakened to the fact that Canada possesses the best half of this continent. It is gratifying to know that they have discovered that fact down there. But I want to say that it is rather peculiar to see my hon. friends becoming so solicitous about trade through Canadian ports. I did not see so much anxiety here a year or two ago when some hon. gentlemen from the maritime provinces were pressing upon the attention of the House the importance of adopting a proposition that the British preference should be limited to trade which came through Canadian ports. Some hon. gentlemen who will vote for this resolution to-night would not, or did not, manifest any particular enthusiasm for the proposition that the trade which came to Canada from the mother country, and which was entitled to receive the benefit of the preference, should only receive it if it came through Canadian ports. It may be that they had had a change of heart, I trust they have; it would be a matter of great satisfaction to know that a good many of the hon. gentlemen opposite stand with us on that proposition. And let me remind my hon. friends who are solicitous about this last portion of the resolution, that were it not for this government proposition whereby this additional Transcontinental railway is to be provided from Winnipeg down to Moncton, connecting with our maritime points through present and additional railway facilities, this proposition of trade through Canadian ports, so far as the Grand Trunk is concerned, would never be a matter of consideration at all. I cannot understand why this matter should be injected into this discussion, in view of the contract with the Grand Trunk Pacific, which hon. gentlemen are fully acquainted with, and which guarantees, so far as any thing can be guaranteed in a bond, the pledge of that great enterprise that the trade going to and fro over this road shall, as far as possible, go through Canadian ports. I am satisfied myself to leave that matter in the hands of this government, as a maritime province man, the government who initiated the idea of giving us a transcontinental railway, and making this Canada of ours one country from ocean to ocean; I am willing to leave in the hands of this government the protection of Canadian interests as regards our maritime ports. I think the last clause of this resolution is entirely out of place in the resolution itself, and is one that will not be accepted by the House.

Mr. CROTHERS. If the hon. member for Pictou (Mr. Macdonald) will allow me, I would like to ask him if he thinks he is in a proper state of mind this evening to give a fair and impartial judgment on the report of the Lumsden Committee?

Mr. MACDONALD. My judgment on that matter is found in the report of the Lumsden Committee. which I am willing to discuss at any time with the hon gentleman.

Mr. R. L. BORDEN (Halifax). Mr. Speaker, let me, in the first place, apologize to my hon. friend from Pictou (Mr. Macdonald) for having been the unfortunate cause of a considerable hiatus in his speech. I asked him a question in the course of his remarks, and, with his usual courtesy, he was good enough to yield the floor to me for the purpose of settling a matter of personal difference as to a fact. I did not anticipate at the time that my hon. friend the member for Pictou would have been interrupted to the extent that ensued. Otherwise I would have awaited my turn to speak without putting a question to him at that time. I can only say that the extent of the interruption was, to a certain extent, a matter beyond my control and that I did not anticipate when I asked the question that the interruption would be so prolonged.

Now, my hon. friend from Pictou has said that he gave judgment on the Lumsden charges last night. I would be inclined to think that he would have been a little more accurate if he had said that he had given judgment last year. We have heard a good deal about the condition of mind of those hon. gentlemen who have undertaken to become impartial judges on this question, and I think that the hon. member for Pictou, even if he had not had the advantage of sitting on that committee and making that which he evidently believes to have been a very thorough and complete investigation, would have made pretty much the same speech to-night as that which he has made after sitting as a member of that committee.

I have only a few words to say to-night in reply to his somewhat long and discursive speech. I understand him to take the ground that in the acceptance of

tenders which deal with the price of this road, not as a lump sum, but which tender for its construction at so much per yard of solid rock, so much per yard of loose rock and so much per yard of common earth excavation, it is absolutely unnecessary for any government to have the slightest information for the purpose of determining which is the lowest tender. It is inconceivable that men of reasonable business experience, such as the hon. Minister of Railways and Canals (Mr. Graham) and the hon. member for Pictou (Mr. Macdonald), could possibly arrive at such a conclusion. Take three tenders, one one the highest in loose rock, one the highest in common earth excavaton; how is it possible for any government, corporation or company to come to a conclusion as to which is the highest tender or which is the lowest tender unless they have some reliable information in advance as to how much there will be of solid rock, how much there will be of loose rock and how much there will be of common excavation? We do not need engineers to tell us that it is impossible. We can see it for ourselves. You must know how much solid rock, you must know how much loose rock, you must know how much common earth excavation there is before you can tell whether tender No. 1 is higher or lower than tender No. 2. There can be no gainsaying of that statement, and all the equivocation, argument and humbugging, that any man in or out of this House may employ cannot possibly change that conclusion in the mind of any reasonable man.

Now, Mr. Speaker, my hon. friend says that there were no borings, that there were no cross sections and nothing in the possession of the government which enabled them to tell whether one or the other was the highest or the lowest tender. If that is so he has uttered the gravest condemnation against the government that has been uttered by any hon. member in this House. We were told by members of the government sitting on the treasury benches, over and over again, not only that they had reasonable information in regard to this matter, but that they had information which enabled them to give the assurance to this parliament and to the people of the country that the cost of that road could not exceed a certain sum. A member of the government, the hon. member for Brandon (Mr. Sifton), at that time Minister of the Interior, said that it was of no use for the opposition to laugh at the statement of members of the government in regard to $13,000,000 being a sufficient sum to cover every responsibility of this country in connection with the construction of that road. The member for Brandon, speaking for the government in that regard, said that it was an absolutely proved and demonstrated fact that the liability of this country could not by one single cent exceed $13,000,000. I am not giving his exact words but I am giving a fair and reasonable interpretation of the language which he used on that occasion.

The hon. member for Pictou practically says that all this has been investigated sufficiently and that there is no further need of investigation. He speaks of classification. Does he recall the statement of Mr. H. A. Woods, assistant chief engineer of the Grand Trunk Pacific railway, in regard to classification? It will be found at pages 2675 to 2677 of unrevised 'Hansard.'

Mr. MACDONALD. Is that the letter written by Mr. Woods, dated October 7, 1907, because he withdrew the statement.

Mr. LANCASTER. That does not matter.

Mr. R. L. BORDEN. Who withdrew the statement?

Mr. MACDONALD. Mr. Woods.

Mr. R. L. BORDEN. When?

Mr. MACDONALD. Last night.

Mr. R. L. BORDEN. Does my hon. friend say that Mr. Woods declared that these statements over his signature were absolutely false?

Mr. MACDONALD. No, he did not say that.

Mr. R. L. BORDEN. What did he say?

Mr. MACDONALD. He said that statements had been made by him there and that he had made a mistake in regard to them.

Mr. R. L. BORDEN. Every one of these statements?

Mr. MACDONALD. I do not suppose he went into them all in detail. He referred to the statement to the effect that there were directions from the superior that wrong classification must be changed.

Mr. R. L. BORDEN. What are the words used by Mr. Woods upon which my hon. friend relies?

Mr. MACDONALD. My hon. friend will find that when we come to discuss the report of this committee.

Mr. R. L. BORDEN. I am sorry that the recollection of my hon. friend, which goes to a certain extent, does not go farther. I have the statement here of Mr. H. A. Woods, which has been quoted over and over again in this House, brought down in a government return, and which declares that the classification upon this road in more than one of its sections and on more than one of its contracts was so abso-

lutely outrageous—I am not using his exact language—but was of a character that called from him the strongest and most vehement protest as to the extravagance and mal-administration which has prevailed in connection with the construction of this road. My hon. friend from Pictou is familiar with these statements. Let me refer to one or two of them:

Take the cutting from stations 5818 to 5826, estimated 71 per cent solid rock and 29 per cent loose rock. Slopes taken out 1½ to 1.

That means common earth excavation, as every man knows who is at all familiar with railway construction. Then he goes on to say:

Very little ledge in this cut.

What is the meaning of the word 'ledge' as used by engineers?—solid rock. Therefore, this is classified as 71 per cent solid rock, when there is very little solid rock at all. He continues:

Some large boulders but a very large percentage is common excavation.

Yet, this is classified and proposed to be paid for by this government on the basis of 71 per cent, or nearly three-fourths solid rock. The hon. member for Pictou in the face of illustration after illustration such as that, declares to this House upon his responsibility as a public man, upon his responsibility as a representative of the people, that there is absolutely no cause whatever for an investigation into the circumstances disclosed by Mr. Woods over and over again in regard to the construction of this railway.

The Minister of Railways referred in a somewhat sneering way to the industry of the hon. member for South Simcoe (Mr. Lennox). The hon. member for South Simcoe has his reputation in this House, he has the reputation of being an exceedingly industrious and capable member of parliament. His industry is not to be sneered at by the Minister of Railways, who might very well employ for a better knowledge of his own department some of that industry which he sneers at in the hon. member for South Simcoe. He says that the industry of the hon. member for South Simcoe (Mr. Lennox) was only equalled by his imagination. Imagine a statement such as that coming from a member of the government which had declared that this whole road from Moncton to Winnipeg would cost no more than $51,300,000. What wealth of imagination is that! I would ask whether the sneer of the Minister of Railways was one which we might properly have expected from that hon. gentleman in making an answer to one of the gravest indictments that has ever been levelled against this government or any government in respect to the construction of a railway or any other work? The Minister of Railways pumped up a good deal of fictitious indignation in regard to this. He spoke of articles written in the public press by hired men. Might I ask to whom he was alluding in that statement? Did he intend to suggest that any hon. gentleman on this side had hired any one to write articles about this railway?

Some hon. MEMBER. Answer.

Mr. GRAHAM. If I am required to answer I say distinctly and positively not that members of the opposition in this House, I did not make any such suggestion—but I say that members of the party to which my hon. friend belongs, and which he leads engaged men to write articles condemning the Grand Trunk Pacific railway, and these articles were distributed throughout the country by the cart load.

Mr. R. L. BORDEN. Will my hon. friend state who they were?

Mr. GRAHAM. My hon. friend is now asking for something that he knows no hon. gentleman would give.

Mr. R. L. BORDEN. I appreciate the considerations which animate my hon. friend, and I do not press him. But at times when similar statements are made by members on this side we have had loud shouts of 'name, name,' from the other side, and I would suppose that what is a fair question from one side would be a perfectly fair question from the other.

Mr. GRAHAM. I am not objecting to the question.

Mr. R. L. BORDEN. My hon. friend is not objecting to the question, but it is difficult, as in a good many other cases, to get him to give any answer to very pertinent questions. I may tell him that so far as I am aware no person with the knowledge of any member on this side of the House ever did anything of the kind. I declare on my responsibility as a public man that if any person connected with the party with which I am allied ever did anything of that kind, to-night is the first occasion on which I ever heard of it. I know nothing of it, and, with all deference to the Minister of Railways, I still have a great deal of doubt as to whether any such thing was ever done.

Mr. GRAHAM. I made the statement publicly the day it was brought to my attention, without any qualification, in Guelph. It was fully reported in the papers and has never to this moment been denied by any one.

Mr. R. L. BORDEN. What statement?

Mr. GRAHAM. The statement I have made to my hon. friend.

Mr. R. L. BORDEN. That hired men were doing it?

Mr. GRAHAM. The statement I made a few moments ago, so far as I remember, I made in the city of Guelph.

Mr. R. L. BORDEN. It was not brought to my attention. All I have to say is that so far as I am concerned or have any knowledge I give it the most emphatic and direct denial. My hon. friend said that the figures presented by the hon. member for South Simcoe (Mr. Lennox) were misleading, and he would undertake to prove it. I leave it to the judgment of any hon. friend as to whether he did prove it or whether he had got within 1,000 miles of proving it when he arrived at the end of his speech. What was his position? He said there was a substructure, a superstructure and a tower to this resolution. Well neither the substructure nor the superstructure, nor the tower had any such fate as that which befell many of the structures of this government. My hon. friend, with all the dynamite of his very forcible, and somewhat vehement speech was not able to disturb either the substructure or the superstructure or the tower and his efforts from beginning to end were absolutely and utterly unavailing.

The minister referred to the clause of this resolution which speaks of $13,000,000 having been put forward by the Prime Minister as the total cost to Canada for the construction of this road. The hon. member for South Simcoe (Mr. Lennox) put in the resolution exactly the words which were used by the Prime Minister. Does the Minister of Railways deny that? He does not. Further than that, he gave in this resolution a statement respecting that sum of $13,000,000 which is infinitely fairer than the statement which I hold under my hand, distributed by the hundreds of thousands of pamphlets in the campaign literature of hon. gentlemen opposite in 1904. Does the Minister of Railways deny that? Because if he does I will read it to him.

Some hon. MEMBERS. Read it.

Mr. R. L. BORDEN (reading):

Transcontinental railway for $13,000,000.

Further down.

The feature of the bargain in regard to which most of this is done is the financial arrangement. It is an actual fact, and an indisputable fact, that $13,000,000 will cover every cent of the country's expenditure in connection with the railway. If $8,853,502 were invested to-day in some insurance or investment company it would have grown large enough by the time the railway is completed to actually pay all the expenditure the country will make.

Mr. GRAHAM.

The Minister of Railways referred, as he has on other occasions, to the cost of other roads. He told us that in New South Wales, in France, in Germany, in Russia, in Austria-Hungary, in Great Britain, and in the United States, the average cost of railways was very much in excess of the estimate which was brought down by the government of this country to parliament in 1903 and 1904, and in some cases was a good deal greater than the actual cost of the National Transcontinental railway to-day. I asked the Minister of Railways what I thought to be a fair question, I asked him whether the government in 1903 or 1904, had taken the trouble to look into the records of the Department of Railways and Canals, and ascertain that fact before they made in parliament their statement with regard to the probable cost of this road. My hon. friend the Minister of Railways has referred to three hon. gentlemen on this side as having run away from the Lumsden Committee. Who was it that did the running away when I put that question to the Minister of Railways? I would have thought that my hon. friend the Minister of Railways and Canals was a big enough man not to run away from that. What answer did he make to me? The same answer that he made to me on another occasion—he said he was not a member of the government at the time, and therefore, he could not give me any information on it. That was a bold way to meet that question, which was a very pertinent one. If the hon. gentlemen on the other side of the House now rely on the cost of other railways in Canada and other countries, is it not legitimate to ask why they did not take the cost of all these other railways into consideration, and give the House that information at that time? The Minister of Railways and Canals gave me no answer to that question, but took refuge in the statement that he was not a member of the government then. Surely he knows that he is invested with political responsimility for all that this government did in 1903 and 1904, and I would have expected him to have given me a bold and straightforward answer either one way or the other.

Let us come to the next point. He states that no portion of the Quebec bridge should be taken into consideration in dealing with the cost of this road. I have under my hand the statement of his colleague the Minister of Finance, made in 1903 or 1904, and recorded in 'Hansard', in which he fixed the cost of the Quebec bridge at $4,500,000 as far as the country was concerned, and declared that it would be fair and reasonable to charge $2,000,000, or four-ninths of the total cost, to the Transcontinental railway. Whom are we to be-

lieve—the Minister of Finance at that time, or the Minister of Railways at the present? My hon. friend from South Simcoe did not take the course which I think he might very well have taken, of charging the whole cost of the Quebec bridge against the National Transcontinental railway, which could not become an accomplished fact unless there were a bridge built across the St. Lawrence river. He took the moderate course of accepting the statement of the Minister of Finance, speaking on behalf of the government in that regard, and included four-ninths of the cost of the bridge instead of the whole cost.

Then the Minister of Railways and Canals went on to a very remarkable statement. He said that the contract of 1903 was the united act of the government and the opposition. That is to say, section 7 and section 47 were not the action of the government at all, but the united act of the government and the opposition. Why, my hon. friend is possessed of an ignorance in regard to this matter that is absolutely appalling. Has he not read this contract even enough to know that it was made by the government before the measure was presented to parliament at all? They signed, sealed, executed and delivered the contract on the 29th of July, 1903, and the Bill was introduced into parliament on the 30th of July, 1903, and I may tell my hon friend that I had no part in it.

Mr. GRAHAM. Did not parliament ratify that contract, and if hon. gentlemen opposite objected to that part of the contract, should they not have said so in the customary way? By not saying so, does the hon. leader of the opposition not agree with me that they agreed to ratification of the contract with that clause in it?

Mr. R. L. BORDEN. If my hon. friend meant that in the course of his speech, he has the very unhappy faculty of saying what he does not mean.

Mr. LENNOX. And the Minister of Finance said that they could not alter one line of the contract.

Mr. R. L. BORDEN. Absolutely nothing. It was declared in 1903 by the Minister of Finance and by other members of the government, that not one line in that contract could be changed; and yet we had the spectacle of their coming back the next year and presenting to parliament another contract containing terms by which the first contract was changed in some particulars in favour of the railway company and not in favour of the country. My hon. friend declared, for the reason he has mentioned, that we were committed in some way to the abnegation of all our rights in connection with this expenditure, because he said that section 7 and section 47 afforded the best possible remedy, and indeed the only remedy for determining whether or not there had been any mal-administration or extravagance in connection with this contract. I want to tell my hon. friend that I do not concur in the slightest in that view. Section 7 does not deal with expenditure at all. It deals with adherence to specifications, and it says that if there is any question as to that, such question shall be determined by engineers. In order to make my point perfectly clear, I will quote that section:

> In order to insure, for the protection of the company as lessees of the eastern division of the said railway, the economical construction thereof in such a manner that it can be operated to the best advantage, it is hereby agreed that the specifications for the construction of the eastern division shall be submitted to, and approved of by, the company before the commencement of the work, and that the said work shall be done according to the said specifications and shall be subject to the joint supervision, inspection and acceptance of the chief engineer appointed by the government and the chief engineer of the company, and, in the event of difference as to the specifications, or in case the said engineers shall differ as to the work, the question in dispute shall be determined by the said engineers and a third arbitrator, to be chosen in the manner provided in paragraph four of this agreement.

If I understand the English language, that is not a provision for arbitration in respect of cost; it is a provision for arbitration in respect of the character of the construction of the road and adherence to the specifications according to which the road was to be built; it is that, and nothing more. My hon. friend did not refer, as he might have done with a great deal more force, to section 47 of the agreement. I am bound to say that while he sneers at the hon. member for South Simcoe, a little of the industry of that hon. member would be of great assistance to the hon. Minister of Railways, as it would enable him to find out that there are clauses in this agreement which he might have used for the purpose of his argument, but which he does not cite at all, while he does cite clauses which have no relation to the point he is dealing with. Section 47 deals with the question of cost, but it has never been invoked or acted upon up to this time. It is as follows:

> Any dispute which may arise as to the meaning of construction of this agreement, or as to the performance of any of the obligations of either of the parties to this agreement, or as to working expenditure or cost of construction, shall if not herein otherwise provided for, be determined by the award of a single arbitrator, if the parties concur in his appointment, or if not, by the award of three arbitrators, one of whom shall be appointed by the government, one by the company, and the third by the two so appointed, or, in the case of their being unable to agree, by the Chief Justice of the Supreme Court of Cana-

da, and the award of a majority of such three arbitrators, shall be final.

If my hon. friend had understood the contract on which he is relying, he would have referred to that, but he took care not to refer to it, perhaps for the reason that it has never been invoked up to the present time. But it would not make any difference so far as my point of view is concerned if it had been invoked. What does section 47 do? It simply creates a tribunal for the purpose of determining certain questions between the Grand Trunk Pacific Company and the government. If that tribunal had not been so created where would these questions have been determined? They would have been determined in the Exchequer Court of Canada. My hon. friend the Minister of Railways then is driven to this argument, that because it might be open to the Grand Trunk Pacific Company to bring an action in the Exchequer Court of Canada, or because the Grand Trunk Pacific Company had brought a proceeding in the Exchequer Court of Canada, therefore this parliament would have no further jurisdiction to investigate the question of extravagant expenditure and possible maladministration in connection with the construction of that road. Such an argument as that is unheard of and unthinkable. I will give my hon. friend some reasons for that. Suppose we had an arbitration under section 47, suppose my hon. friend had had the advantage of being able to argue that—he has not that advantage and therefore he is absolutely out of court—but suppose he had had the advantage of that, it would not interfere in the slightest degree with the jurisdiction of parliament. In the first place the Grand Trunk Pacific Company themselves are contractors, and in so far as they are contractors, section 7 and section 47, would give absolutely no relief, would afford absolutely no safeguard in respect to classification or cost or anything else, because it would be the interest of the Grand Trunk Pacific to get the highest classification and to make the most they possibly could out of the contract. On the other hand there would be the question so far as they are concerned of the payment of three per cent during a period of 43 years as rental upon that cost. But the country is interested as bearing the ultimate cost and also in the rental which it does not receive during the first seven years. It is interested because it may receive no rental after the expiration of 50 years. It is interested in the rental during the period of 43 years in so far as that rental is less than the interest which this country must pay. I say to my hon. friend the Minister of Railways and Canals, that a parliamentary investigation might be necessaary for the very reason that an action had been brought in the Exchequer Court of Canada or an arbitration had taken place under section 47 and that the disclosures in that action, or in that arbitration had shown that parliament ought to take a hand in the proceedings and find out the conditions under which this road had been constructed.

Now, I have disposed of this which was the only argument from the Minister of Railways and Canals which could be dignified by that name. But he went further. He said he was going to show that there was an error of $16,000,000 in the estimate of the hon. member from South Simcoe, and in the terms of this resolution. Did the Minister of Railways and Canals show an error of $16,000,000. I asked my hon. friend the Minister of Railways and Canals a direct question with regard to that. I pointed out to him, or it was pointed out to him in the course of his speech that the hon. member for South Simcoe had made up his statement on a certain basis. What was the basis of the statement of the hon. member for South Simcoe. First that according to the official returns brought down by this government there were 13 contracts which according to the first estimate were to cost $37,340,723. The official return brought down by the hon. Minister of Railways and Canals shows that these 13 contracts will cost $60,792,969. My hon. friend for South Simcoe (Mr. Lennox) took the other 8 contracts. According to the original estimate they were to cost $26,866,054. My hon. friend the member for South Simcoe correctly stated that the 13 contracts had been increased over the original estimate by 62·8 per cent, and he made a perfectly reasonable, and legitimate argument, that the other eight contracts will be increased in certainly no less a proportion. Therefore we may reasonably expect that the $26,866,054 will be increased to $43,737,936 or about $16,000,000 more than the original estimate made by the government engineer. What was the course of my hon. friend the Minister of Railways and Canals? He took that item of $16,000,000, because his argument did not apply to anything else, and he said my hon. friend the member for South Simcoe has made a mistake of $16,000,000. My hon. friend from South Simcoe made no mistake unless he was not justified in applying the same percentage of increase to the eight contracts they had entered upon by the test of experience of the 13 contracts. Yet when I asked my hon. friend the Minister of Railways and Canals across the floor of this House as to whether he was allowing any increase upon these eight contracts I got absolutely no answer, no satisfaction from him in reply to what was a perfectly fair and direct question.

Mr. GRAHAM. If my hon. friend will allow me, what I said was to try to make it clear that my estimate was absolutely made on the estimate and calculation of the chief engineer, and I thought that was the best average I could give. I freely admitted that I did not make the calculation.

Mr. R. L. BORDEN. That is the way in which it was made up. I understood perfectly from the speech of the hon. member for South Simcoe. He took 13 contracts and said the official returns brought down to this House show in respect of these 13 contracts an increase of 62·8 per cent and he said: I take the other 8 contracts, I have the original estimates for the other 8 contracts, and I am perfectly justified in saying that there will be at least as great an increase in respect of these 8 contracts as in respect of the 13 contracts that we know about. And the $16,000,000 difference is the alleged mistake pointed out with so much gusto by my hon. friend the Minister of Railways and Canals in attempting to answer, and a very poor attempt it was, the indictment of my hon. friend from South Simcoe. Well, what becomes then of the argument of my hon. friend the Minister of Railways and Canals? Why, Mr. Speaker, it vanishes just as some light sprinkling of snow in May may vanish before the sun as soon as the light is poured in upon it. We say that there is absolutely no foundation whatever, no scintilla of evidence whatever to demonstrate to this House that my hon. friend the member for South Simcoe has made the slightest error in the estimate of the cost of this road.

Well, let us go on. My hon. friend the Minister of Railways and Canals and the hon. member from Pictou (Mr. Macdonald) ventured upon some very singular statements in respect of the safe-guarding of Canadian ports. I understood both these gentlemen to bewail the fact that the members of the opposition in 1903 and 1904 had not a due, proper and a patriotic regard for the interests of Canadian ports and for the safe-guarding of Canadian traffic through these ports. I do not want to weary this House, but I think this point is of sufficient importance to make it perfectly plain. My hon. friend the member for Medicine Hat (Mr. Magrath) has pointed out to this House in his speech this afternoon that the Grand Trunk railway having a great terminal in the United States of America, in the city of Portland, is building a railway and creating another great terminal in the city of Providence, and that the Grand Trunk railway is doing with the express declaration and pledge to the people of Rhode Island and the legislature of Rhode Island, that that city of Providence by means of those terminals and of that railway will be a great port of shipment for the grain which is to be grown in the provinces of Saskatchewan, Manitoba and Alberta. There is absolutely no question about that. If any hon. member of this House ventures to think that these newspaper articles are unfounded, I desire to assure him that I have under my hand here, and can produce, an official stenographic report of the application to the Rhode Island legislature on behalf of the Grand Trunk railway. So, there is absolutely no question about the application or about the purpose of the application. Now, how does the government of this country stand in that regard? Are they able to control that situation or are they absolutely unable to control it? And, if they are unable to control that situation, how does it happen that the people of Canada, spending $250,000,000 on this National Transcontinental railway are liable to have the great traffic of the west diverted to ports of the United States? I will tell my hon. friend the Minister of Railways and Canals (Mr. Graham)—for he was not a member of the government of that time and does not know anything about these matters—and how it happened. I can tell him that, in 1903, when this measure was being put through the House, a member of the opposition moved this resolution:

> That the Grand Trunk Railway of Canada shall covenant and agree as follows:—That the Grand Trunk Pacific Company, so long as the Grand Trunk Company shall control the policy of that company, shall perform, fulfil and carry out, according to the true intent and meaning thereof, all the provisions of the National Transcontinental Railway Act and all the covenants, stipulations and conditions in the schedule agreements, which, according to the terms thereof ought to be performed, fulfilled or carried out by the said Grand Trunk Pacific Company.

And this further resolution was moved by another member of the opposition:

> That the Grand Trunk Company shall covenant and agree as follows:—That neither the Grand Trunk Pacific Railway Company nor the Grand Trunk Company shall in any manner within its power, directly or indirectly, permit, advise or encourage the transportation of traffic by routes or at rates other than those provided in the said agreement and that each of the said companies shall in all respects and good faith use its utmost endeavours to fulfil the conditions upon which public aid is granted and accepted, namely, the development of trade through Canadian channels and to Canadian ocean ports.

It is perfectly true, and I ought to state to the House, that the Grand Trunk Pacific Railway Company is itself committed to that covenant by the terms of the agreement. What we pointed out, and what I point out now, is that the Grand Trunk Railway Company owns the whole of the common stock of the Grand Trunk Pacific

Railway Company, and absolutely controls it. The Minister of Finance (Mr. Fielding) put that in perfectly plain and direct terms and I have his words here under my hand. In 1903, as reported at page 8570 of 'Hansard' of that year, the hon. gentleman said:

> We have not been content that they—the Grand Trunk Railway Company—shall stand behind it; we have required and they have readily consented that they shall be in it and of it and form the whole thing.

The Grand Trunk Railway Company is in it, and of it, and forms the whole thing so far as the Grand Trunk Pacific Railway Company is concerned. Here was a measure passed upon the recital that its object was to conserve Canadian commerce and traffic to Canadian ports, to protect and safeguard the interests of Canadian ports. And we asked that the Grand Trunk Railway Company, absolutely controlling in every respect the Grand Trunk Pacific Railway Company, should be bound by the same covenant which was made binding upon the Grand Trunk Pacific Company, and that the Grand Trunk Railway Company, receiving through the Grand Trunk Pacific Railway Company enormous aid for the construction of this transcontinental railway, should not be at liberty to divert traffic brought over the Grand Trunk Pacific railway to its terminals in Portland or elsewhere in the United States. And my hon. friend the Minister of Railways and Canals sits upon the same treasury benches with the gentleman who absolutely refused to accept that amendment, and absolutely refused to impose any stipulation whatever upon the Grand Trunk Railway Company in that regard. So that, to-day we have a singular position. I have not heard that the Grand Trunk Railway Company or the Grand Trunk Pacific Railway Company are purchasing any lands or building any terminals in the city of Halifax. The Minister of Railways and Canals has told us twice in this House during the present session that he has heard that they are buying some lands in the city of St. John. Up to the present time that is only a rumour. But it is not a rumour so far as Providence, R.I., is concerned. They have gone before the legislature of that state and they propose to expend $10,000,000 or $15,000,000 in developing an American port. And they propose that this railway, which according to the ex-deputy Minister Railways and Canals, as reported in the public press, will cost $350,000,000—

Mr. J. HAGGART. Butler's report.

Mr. R. L. BORDEN. I do not know whether the report is an accurate one, but it is in the press to-day, that Mr. Butler has stated that the whole enterprise will cost $350,000,000. And more than $250,000,000 of that will have been furnished by this country before the road is completed. Well, the position is that this road, costing the people of this country at least $250,000,000, is to be used for the purpose of building up and developing a great port in the United States of America. What about the recital of the agreement? What about the stipulation that we asked to have made binding on the Grand Trunk Railway Company? What have the gentlemen sitting on the treasury benches to say in regard to that object? I understand that the president of the Grand Trunk Railway Company has said that Providence, Rhode Island, is to be used as an overflow. There is nothing in the address of his counsel which indicates that; there is nothing in the reports which appeared in the Providence newspapers to indicate that. Is there any reason why Providence, Rhode Island, should be equipped at enormous cost for the purpose of carrying and receiving traffic from our Northwest, while not a finger is being lifted or a dollar spent to develop St. John and Halifax in that regard? The situation is a most remarkably peculiar one, Mr. Speaker, and one which, I think, demands the attention of this government. Let us look at the circumstances for a moment. I have the figures, but I will content myself with speaking in general terms. The Grand Trunk Railway Company can haul grain to Portland at less cost than it can haul it to St. John or Halifax, for the distance is shorter. It is bound under the contract to make the rates to St. John and Halifax the same as to Portland; it is bound—if I understand the terms of the contract correctly—to make the rates to St. John and Halifax, the same as to Providence.

Well then if it gets the same rate for St. John and Halifax that it gets for Providence and Portland, and if in hauling grain to St. John and Halifax it is obliged to give a certain proportion of the haulage to the Intercolonial, will its interests lie in the direction of St. John and Halifax, or will they lie in the direction of Portland and Providence? Is there any question about that? The members of the government, when we put that point up to them, over and over again in debate were obliged to admit what I am saying now. Then does not every circumstance emphasize the absolute necessity that existed when this contract went through the House, that there should have been some stipulation inserted binding the Grand Trunk Company to conserve the interest of our Canadian ports? My hon. friend from Medicine Hat (Mr. Magrath) to-day said something with which I absolutely concur; he said the Grand Trunk Company having its interests to carry to Portland and Providence, would do so, and that in doing so it would only

exercise good business sense. I entirely concur in that view from their standpoint. I find no fault with the Grand Trunk Railway Company for making the best bargain they could, but I denounce this government for having been weak enough absolutely to refuse the imposition of any stipulation or safeguard whatever which would prevent the Grand Trunk Company from doing that very thing. The financial aid contributed by the maritime provinces towards the construction of this railway will not fall short of $35,000,000 or $40,000,000, and if the ports of Halifax and St. John are to have no safeguard whatever that that enormous grain trade of the west will go in the winter months at least to the ports of Halifax and St. John, I ask whether a contract such as this is to be regarded as fair, just and reasonable to the interests of the maritime provinces. I unhesitatingly declare that it cannot be so regarded. And so, Mr. Speaker, the circumstances to-day suggest either that the government is either in a position to deal with this proposed diversion of traffic to the terminals of the Grand Trunk Railway at Portland and Providence, or it is not; if it is not capable of dealing with the situation, then its incapacity is due to its own default, to its refusal in 1903 and 1904 to impose any stipulation or condition upon the Grand Trunk Railway in that respect. I say if the government are in a position to deal with this question, they should take the matter into immediate consideration and act at once in such a manner as to conserve the interests of the maritime ports of Canada; if they are in a position to do that, if they are absolutely incapable under the terms of the contract they have made of conserving and preserving the interests of the maritime ports, then I say that, in all fairness and in all honour, they ought to give up the seals of office, resign their seats, and give place to men who are actuated by a more patriotic regard for the true interests of this country.

House divided on amendment Mr. Lennox).

YEAS:

Messieurs

Barker,
Barnard,
Best,
Blain,
Blondin,
Borden (Halifax),
Boyce,
Bradbury,
Broder,
Burrell,
Campbell,
Chisholm (Huron),
Crosby,
McCall,
Magrath,
Marshall,
Meighen,
Middlebro,
Nantel,
Northrup,
Owen,
Perley,
Porter,
Reid (Grenville),
Rhodes,
Roche,
Crocket,
Currie (Simcoe),
Daniel,
Doherty,
Donnelly,
Edwards,
Elson,
Goodeve,
Haggart (Lanark),
Haggart (Winnipeg),
Henderson,
Herron,
Jameson,
Kidd,
Lake,
Lalor,
Lancaster,
Lennox,
Lortie,
Russell,
Schaffner,
Sexsmith,
Sharpe (Lisgar),
Sharpe (Ontario),
Sproule,
Stanfield,
Staples,
Taylor (Leeds),
Taylor (New Westminster),
Thoburn,
Thornton,
Wallace,
White (Renfrew),
Wilson (Lennox & Addington),
Worthington,
Wright.—62.

NAYS:

Messieurs

Allard,
Allen,
Aylesworth,
Béland,
Borden (Sir Frederick),
Boyer,
Brown,
Bureau,
Carrier,
Cash,
Chew,
Chisholm (Antigonish),
Chisholm (Inverness),
Clark (Red Deer),
Clarke (Essex),
Congdon,
Delisle,
Demers,
Douglas,
Dubeau,
Ecrement,
Emmerson,
Ethier,
Fielding,
Fortier,
Fowke,
Gauvreau,
Geoffrion,
Gervais,
Girard,
Graham,
Guthrie,
Harty,
Hodgins,
Hunt,
King,
Lachance,
Lafortune,
Lanctot (Laprairie-Napierville),
Lanctot (Richelieu),
Lapointe,
Laurier (Sir Wilfrid),
Lavergne,
Law,
LeBlanc,
Lemieux,
Loggie,,
Lovell,
Macdonald,
MacNutt,
McAllister,
McCoig,
McCraney,
McGiverin,
McIntyre,
McLean (Huron),
McLean (Sunbury),
Major,
Marcile (Bagot),
Martin (St. Mary's),
Martin (Regina),
Martin (Wellington),
Mayrand,
Meigs,
Michaud,
Miller,
Molloy,
Murphy,
Nesbitt,
Neely,
Oliver,
Pardee,
Parent,
Paterson,
Pickup,
Proulx,
Prowse,
Pugsley,
Rankin,
Reid (Restigouche),
Richards,
Robb,
Ross (Middlesex),
Ross (Rimouski),
Roy (Dorchester),
Roy (Montmagny),
Rutan,
Savoie,
Schell,
Sealey,
Seguin,
Smith (Middlesex),
Smith (Nanaimo),
Sperry,
Talbot,
Templeman,
Tobin,
Todd,
Tolmie,
Turcotte (Nicolet),
Turcotte (Quebec County),
Verville,
Warburton,
White (Victoria),
Wilson (Laval).—105.

PAIRS.

Messieurs

Ministerial.	Opposition.
Brodeur,	Foster,
Fisher,	McCarthy,
Knowles,	Fraser,
German,	Macdonell,
Kyte,	Armstrong,
McColl,	Arthurs,
Currie (Prince Edward),	Maddin,
Bickerdike,	Cowan,
Stratton,	Gordon (Nipissing),
Low,	Smyth,
Gordon (Kent),	Osler,
Sinclair,	Monk,
Beauparlant,	Crothers,
Harris,	Beattie,
Conmee,	Lewis,
Carvell,	Price,
Papineau,	Paquet,
Smith (Stormont),	Maclean,
Turriff,	Bristol,
Rivet,	Forget,
Black,	Ames,
McKenzie,	Clare,
McMillan,	Stewart,
Champagne,	Wilcox,

Amendment (Mr. Lennox) negatived.

Mr. GEO. TAYLOR. Before you put the motion, I just want to draw attention to the fact that when the vote was being taken last night the deputy clerk made a mistake in calling the name of the hon. member for Kings, P.E.I., (Mr. Fraser) for that of the hon. member for East Toronto (Mr. Russell). The hon. member for Kings was away and was paired. The hon. member for East Toronto was in his place, but his name was called as Mr. Fraser.

WESTERN GRAIN TRADE.

Mr. A. MEIGHEN. Mr. Speaker, before this motion is put, I desire to take occasion to draw the attention of the government to a matter communicated to me by parties in western Canada who are interested in the grain trade. The communication draws attention to the fact that on the 22nd February last a deputation representative of the grain trade of the west waited upon certain members of the government, inclusive of the hon. Minister of the Interior (Mr. Oliver) and the hon. Minister of Labour (Mr. King), whom I see present to-night, urging the immediate need of legislation to remedy certain grievances that then weighed upon the grain trade of the west, having relation to the over-classification of grades, to the necessity for sufficient registration of terminal elevators, to the necessity of preventing the elimination of competition by terminal elevators purchasing other elevators, and the further elimination of competition by the Canadian Northern and Grand Trunk railway companies leasing their terminal facilities to alien interests. They also called attention to the fact that the government has recognized one of these grievances and purposes and are proceeding in an indifferent way, to apply some remedy this session, and to the further fact that the recent fining of certain terminal elevator owners in the police court in Winnipeg emphasizes the correctness of the representations made by the representatives who waited upon the minister on the 22nd February. I would like to ask the members of the government who were present at that interview why it is that the application of a remedy to the other three grievances is being deferred by the government.

Hon. FRANK OLIVER (Minister of the Interior). I have not been able to catch clearly what my hon. friend has said. I did not get a thorough understanding of his question, and, therefore, I am not able to answer at the moment. I would suggest that the matter stand until to-morrow, when there will be an opportunity of seeing the report of what he has said in 'Hansard,' and I will be able to give him a more complete answer than I could to-night.

OBSCENE LITERATURE.

Mr. A. C. BOYCE. Mr. Speaker, before you leave the chair, although the hour is late, I take this opportunity of adverting again to a matter which was brought to the attention of the hon. Minister of Justice (Mr. Aylesworth) on April 14. That is the release in a summary manner of the two men, King and Skill, who, upon their own admission, were found guilty of selling and distributing obscene literature. The matter was first brought to the attention of the Minister of Justice on the 14th April, and not then being in a position to give any definite information to the House he postponed his answer until the following day, when he gave to the House certain reasons why he had recommended executive clemency to these men. The reasons given by the hon. gentleman on that day are somewhat extraordinary. I do not desire, Sir, to comment upon any reasons which may have guided the Minister of Justice in recommending executive clemency where he thought the circumstances of the case were such as to call for the exercise of the prerogative of the Crown. But when an hon. gentleman presents a statement such as that put forward in this case I think it calls for some comment, as it has called for considerable comment of a public nature from sources which are generally in sympathy with whatever views the hon. gentleman advances in this House. But before I refer to that, I would like to remind the hon. gentleman of the concluding paragraph of the speech in which he gave his reasons for recommending executive clemency in this case.

I seek to put no responsibility upon him in this matter.

That is referring to the Attorney General of Ontario.

I willingly assume the whole responsibility myself, I gave the advice to His Excellency that these men should be summarily released, because, in my humble judgment, speaking as a lawyer, they were not guilty of the offence with which they were charged.

It was not, therefore, a recommendation of executive clemency. It was a statement of the Governor General that these men had been improperly convicted. These men were represented by three eminent counsel in Toronto, and upon the recommendation and advice of these counsel who had seen the literature they pleaded guilty of the offence with which they were charged, and they were severely reprimanded by the learned judge, and were sentenced to one year's imprisonment in the central prison. The Minister of Justice recommends their summary release, because in his opinion as a lawyer they were not guilty of the offences with which they were charged. I do not want to add any more comment: I think the paper I have in my hand is sufficient comment to pass upon the matter, and I think possibly it may appeal to the Prime Minister, coming from the source it does. I refer to the Toronto 'Globe' of April 21, 1910, a leading article which reads as if it came from the pen of the reverend editor himself. It is as follows:

April 21, 1910.

The abuse of executive clemency.

The time has come for great plainness of speech. In the name of everything decent and clean in Canadian life the 'Globe' makes deliberate and emphatic public protest against the clemency of the Crown being extended to men convicted of traffic in obscene pictures and vilely immoral books. This public protest is made necessary by a suspicious laxness in prosecuting such offenders shown from time to time by subordinate Crown officials, and still more by the occasional pardon or release from prison of vicious-minded convicts whose trade in life was more pernicious than a pestilence. Words need not be minced. The 'Globe' protests, for instance, against the release of King and Skill. These two traffickers in prurient and licentious books were sentenced, on their own plea of guilty, to one year in the Central Prison, and their release after serving two months was defended in parliament by the Minister of Justice on Friday last. The 'Globe' protests even more emphatically against the defence offered for their release. This case and other instances in subordinate courts make the situation utterly intolerable.

In parliament the Minister of Justice defended his action in recommending the clemency of the Crown. He represented that the books are 'classics.' He admitted that they contain 'passages' which if singled out or collected and published together might properly be described by the word 'indecent;' but in this respect he said they were not different from 'that best of books we all revere.' The minister stated that he had 'letters with regard to this case urging clemency' from 'a bishop of the Protestant faith, three other clergymen, one a leading clergyman in the Methodist Church,' 'who are acquainted with the prisoners and knew the style of business that they had been carrying on.' The Minister of Justice made reference to 'a personal discussion of the case with the Attorney General of the province of Ontario,' who 'in his capacity of Attorney General of the province wrote a candid, frank letter expressing his own views and his own recommendation in regard to the case.' The minister closed his speech as reported in 'Hansard' with these words: 'I gave the advice to His Excellency that these men should be summarily released, because, in my humble judgment, speaking as a lawyer, they were not guilty of the offence with which they were charged.'

In the clear light of known facts all this conduct on the part of the Ministers of the Crown and of the ministers of the church is inexplicable where it is not impious. It is not a fact, as the Minister of Justice states, that 'the learned judge, upon the admitted facts of the case, made a conviction.' Judge Winchester did not need to make a conviction. The two men pleaded guilty. They did so on advice of eminent counsel, and that, too, after many weeks of delay and the exercise of all the arts and ingenuities by which the giving of evidence in open court is avoided. The evidence of the Crown was damning to the last degree and its publication would have shocked the public. The chief coroner of Toronto, to whom the books were referred for report by the Crown, testified that they are absolutely without scientific value, and 'are unutterably vile, reeking with filth from beginning to end. After a careful examination of a dozen of these books, the 'Globe' endorses that judgment of Dr. Arthur Jukes Johnson. Their only value to science is as samples of the erotic factors in the making of degenerates and perverts. As literature they range all the way from the scrofulous French novel, unexpurged, vilely illustrated, and elegantly bound, to the still more lecherous exposition and advocacy of the grossest unnatural sensuality.

How comes it, then, that the persistent and even defiant purveyors of this corrupt, and corrupting literature, having pleaded their guilt in open court, were 'summarily released' on the advice of the Minister of Justice? How comes it that, as he declared in parliament, such executive clemency was 'urged' by 'a Protestant bishop and a leading clergyman in the Methodist Church' and 'recommended' by the Attorney General of Ontario? The only answer the 'Globe' can give is that no one of these gentlemen—not the minister, not the Attorney General, not the bishop, not the clergyman—could have had personal knowledge of the essential facts. Their ignorance is their excuse. But in this case and under its circumstances to give 'character' letters or to recommend clemency without knowing the facts was itself inexcusable, while to do it with a knowledge of the facts would have been criminal.

But the obscene picture postcard is even more of a leprous plague than the immoral book. Many of those books are expensive,

while the cards are scattered broadcast in every part of Canada, polluting boys and girls in the schools, and leaving on their minds and memories scars which neither repentance nor lifelong experience will wholly eradicate. Last week the police authorities in Toronto destroyed 87,000 picture cards of unimaginable obscenity, taken from a man now serving sentence, but for whom, the 'Globe' is informed, the clemency of the Crown is now being urged. More than 50,000 of such cards were circulated in Toronto a few months ago, and thousands of others were sold to towns in Ontario. They are all unspeakably vile. And yet for the assassins of youthful purity who engage in this business, the protection of the Crown is claimed. Such a thing would violate every sense of decency and would rightly involve all parties to it in shame and inevitable disgrace.

The 'Globe' offers no apology for this protest. It will not cease its open denunciation so long as the need remains. This is a matter neither of politics nor of law, but of fundamental morality, and touches the very life of the nation. No quarter can be given in Canada to the vices that ruined ancient Rome and are sapping the virility of modern Europe. Of those corroding vices, the immoral book and the obscene picture are the chief agents. Every citizen, who is not a traitor to private decency and national character, must stand unflinchingly against what makes only for decay.

Those are not my comments on the matter, they are the comments of the Toronto 'Globe,' after, as I understand it, a personal inspection of the literature which formed the subject of the charge. Unless I am incorrectly informed the Prime Minister has been interviewed in regard to this subject. He has been shown some of this literature and is in a position to make a public statement as to whether he agrees with the Minister of Justice in the view he takes, both with regard to law and fact in recommending what he is pleased to call executive clemency in this case. I think it only fair to draw public attention to this article in the 'Globe,' the chief organ of the government in Ontario, in order that both the right hon. the Prime Minister and the hon. the Minister of Justice may have an opportunity to publicly state in this House, what their views are with respect to offences of this kind.

I have read in another paper, a letter from a gentleman holding a high position in one of the churches of Ontario, in which he makes a comment, which is very unfair, that a gentleman holding a seat in the House of Commons, not behind the government, he is careful to say, is seeking to obtain some public notoriety by bringing this matter to the attention of the House. There is only one hon. member to whom that letter can refer and that is myself. I resent it utterly. I made no comment on the case, I did not even ask the Minister of Justice if the article in the 'Canadian Municipal Journal,' to which I drew his attention as Minister of Justice on April 14, was true or not, but I felt it was proper to bring an item like that to the attention of the government and especially of the minister, in order that such explanation might be given as was called for by the nature of the article which imputed directly to the Minister of Justice, that these men were released as a result of the exercise of political pressure upon him. That feature of the case the Minister of Justice utterly denied, and it is only in view of the second statement made by the Minister of Justice, which called forth this comment from the 'Globe,' that I rise now for the purpose of putting on 'Hansard' that comment from that organ, and of asking the right hon. gentleman and the Minister of Justice, whether they care or feel disposed or feel it due to the public to make any further statement concerning this matter.

Hon. A. B. AYLESWORTH (Minister of Justice). It will lie in your memory, Mr. Speaker, and in the memory I have no doubt of every member of this House, that when this matter was first brought to the attention of the House by the hon. gentleman, it was by the reading of an article in some Montreal newspaper, in which the charge was made, not in any insinuating or disguised form, but in so many words, that these particular prisoners, who had been pardoned then some six weeks or two months before, had been released solely and only because the application for their pardon was made by Mr. Robinette of Toronto, who was said to be a personal friend of my own, and a man who had a pull with me in matters of this kind. That was the gravamen of the charge which the hon. gentleman made, or which he endorsed to the exent of reading the article in question and asking some statement from me on the subject.

Mr. BOYCE. Mr. Speaker, I must ask permission to correct the hon. gentleman in that statement. I neither made nor endorsed any charge at all in reference to this matter.

Mr. AYLESWORTH. I have read what the hon. gentleman said when he brought the article to which I have referred to the attention of the House. In saying that he endorsed the article to the extent he did, I mean that he took the responsibility that I suppose any hon. member of this House takes when he reads in the House an article from a newspaper, and asks or suggests that there should be some explanation in regard to it, made by the member of the House against whom it is levelled I need not stop to discuss whether that constitutes an endorsation of the charge or not The question I want to bring to the attention of the House is whether the recommendation I made to His Excellency in this

matter was an honest and bona fide exercise of the responsibility which is placed upon me in that regard, or was something which I had done improperly, and as I would think dishonourably, and in contravention of the duty which is put upon me—if I had in fact acted as the newspaper which was read in so many words charged. With regard to this whole matter, I have nothing to say in addition to what I have already said in this House, unless it may be to say that if the same thing were to be considered over again, under the same circumstances, I should act in exactly the way in which I have acted throughout. I have taken the course which I thought was right, and which I still think was right, I am sorry if my hon. friend cannot concur in it. I am very sorry if the learned gentleman to whom he refers as in his opinion the writer of some editorial comments upon my action which appeared in the 'Globe,' newspaper does not concur in the course I took. I have nothing to say in that regard except that the writer of that article is as entitled to his opinion as everybody else in this country is entitled to his opinion in the matter. But the important thing to be borne in mind is that this prerogative of pardon, one of the most important, possibly the most important, of the remaining prerogatives of the Crown, is one which under our system of government cannot be exercised upon the personal responsibility of His Majesty or His Majesty's representative in this country. The action which was taken in this matter, and which is taken in any of these cases, is something which can properly be taken only upon the advice of some person who is responsible for that action. I do not know that I can take any exception to the phrase which the hon. gentleman has used to-night, that these men were summarily released by me. Of course, that is not strictly accurate, as every one knows. My action in the matter was not to order any release; it was to recommend, and I take the whole responsibility for what was done. I thought I made that as clear as I could in what I said on this subject some days ago. I have never sought to place any responsibility upon the legal gentlemen who applied for the release of their clients, who urged that release, who made their representations, and their pleas for clemency or for executive action in the way of the granting of a pardon. No more did I seek or do I seek to put any responsibility in the matter on the men in the various walks of life, to whom I alluded in speaking before, who did not sign petitions, but who wrote independent letters to me on the subject, each urging in his own way his own view. Nor did I ever seek to put the slightest responsibility in the matter upon the learned Attorney General for the province of Ontario. That gentleman has, according to this morning's Toronto newspapers, made a statement with regard to the letter which he wrote to me in connection with this matter, a statement which I need not say is entirely in accordance with the facts, which gives the purport of his letter, as it was his privilege to do if he saw fit, though I certainly would not have considered that I had any right to give to the public the contents or the substance of a letter which he had written to me on such a subject. I put no responsibility whatever upon him in the matter. I do not seek to say that his advice or his views influenced me in the matter. I take the whole responsibility for what was done, because it was upon my advice, and my advice alone that His Excellency was pleased to exercise his power of pardon in the premises. In this connection, Mr. Speaker, I want to remind the House that this responsibility is not a responsibility upon any of my colleagues—is not a responsibility upon the government as a whole. The instructions to His Excellency from His Majesty himself, under his own hand, are that in the exercise of the prerogative of pardon he is to be guided by the advice of his minister, not by the advice of his Council; and His Excellency acted in this matter upon my sole advice, without my having conferred with any of my colleagues, without there being the slightest responsibility upon the First Minister, or upon any other member of the cabinet. Now, the question is, was I wrong? If I was wrong, I trust that the hon. gentleman, and every other hon. member of this House, will acquit me of the original charge, the charge that was made in connection with this case, as I am sorry to say it has been made with reference to the same Mr. Robinette on other occasions by other members of this House, that because of the man who applied, and because it was Mr. Robinette, some course was taken in the matter which otherwise would not have been taken. That charge, at any rate, hon. gentlemen see for themselves, has not a particle of foundation.

If I made a mistake it was an error of judgment. I have the satisfaction of knowing that it received the approval of His Excellency and I cannot refrain from saying that I value, in a matter of this kind at all events, the approval of His Excellency the present Governor General of this country far and away beyond any importance I would attach to the approval of the editor of the Toronto 'Globe.' I based my action in this matter as I stated to the House the other day simply and entirely upon the fact that as a lawyer I was of opinion that those men by selling the books in question, which it was admitted they had done, had not committed the of-

fence with which they were charged. I say nothing as to whether they had committed some other offence. The question did not arise for consideration. They were charged with distributing literature which was obscene in character. I mentioned, when speaking before, some of the authors whose works were in question. I referred to those authors whom I mentioned as classics. I have nothing to modify in that respect. I did not pretend to say that those writers whose names I mentioned were the only writers. I stated on the contrary, that there were others, that there were some of the more modern French school. I did not refer to those modern writers as classics. I do not know whether the term could or could not properly be applied to them. The question which was presented for consideration here was upon the undisputed facts of the case, whether or not the books which were in evidence, which were marked by the officer of the court and sent by him to me, were books which properly fell within the meaning of the word 'obscene' as used in the particular section of the Criminal Code upon which this charge was founded. I do not know whether all the members of this House would understand the same thing as the meaning of the word 'obscene' that I understand by it. I have simply to say that having examined those books which were sent to me by the officer of the court as being the books in question they did not constitute such literature as I understand would be, as a matter of law, covered by the term 'obscene'. That is the whole question of the conclusion to which I came in this matter. I looked upon it as entirely a lawyer's question. Long explanations were given of the reason which had led the legal advisers of the prisoners, advising them to enter a plea of guilty. Statements as to why that was done, how it came to be done are matters which I need not enter into, and which I may say at once did not influence me. I do not think that in a case which has been disposed of by a court we need enter into a consideration of what the reasons were which led learned counsel for the defendants to take a particular course in court, and certainly I am not passing one way or the other upon any question of the wisdom of the course which was so advised. The whole importance of the matter is this, that there was no dispute about the facts of the case. The books were there. They had been sold by those particular prisoners. That was admitted, and the question was simply whether the sale of those particular books did or did not, as a matter of law, constitute an offence within that particular section of the Code. I have merely to repeat that in my humble opinion as a lawyer, it did not constitute any such offence. Having reached that clear conclusion about which I felt no hesitation at the time, about which I certainly feel no hesitation now, and in respect to which I am not in the least degree influenced by anything which has appeared in the newspapers, I adhere to the opinion upon which I acted in advising His Excellency that the thing which those two men confessedly had done did not constitute the particular offence which was described by that section of the Act. I regard that as a pure question of dry law and though I may have my opinion other lawyers may have an opposite opinion, or men who are not lawyers such as the writer in the 'Globe' is, I presume, may have a different opinion. As to that, I have nothing in the world to say. Many a time before now I have found gentlemen more learned in the law than I am, having a different opinion from mine on matters of law. I have never resented it or considered I had any grievance because they expressed it. In this particular matter I may have a feeling that an attempt has been made to divert popular attention from the real truth of the matter, and from the real facts of the case as I put them before the House when speaking previously. I have simply to rest upon the statement which I made before, and which I am repeating now, that this was a question entirely of law as I understood it then, and as I understand it now, and if I have made a mistake in this matter it is just like a great many other mistakes that I have made in matters of law in my time in coming to a conclusion upon a legal question which was in truth erroneous though I honestly believed it to be correct.

Motion agreed to, and House went into Committee of Supply.

National Transcontinental Railway, $27,000,000.

Mr. R. L. BORDEN. Does the hon. minister remember the date when this was up last?

Mr. GRAHAM. March 11. My hon. friend (Mr. R. L. Borden) asked a question as to the date when it was found that the real cost was differing from the estimated cost. I think he asked also as to the data on which estimates were made, and the names of the engineers who made the estimate. I have a long statement from the secretary of the commission on behalf of the commission, which is as follows:

Ottawa, April 11, 1910.

Hon. Geo. P. Graham, P.C.,
Minister of Railways and Canals,
Ottawa.

Sir,—In compliance with your verbal request, I have the honour to submit herewith, on behalf of the commissioners, a statement furnishing the information requested by Mr. R. L. Borden, M.P., leader of the opposition, as reported on page 5385 of 'Hansard' (unrevised edition); also a statement from our

chief engineer setting forth the data upon which were based the estimates of the quantities made by the engineers before the work was opened up and the several contracts let, which includes an explanation for the apparent discrepancy between the quantities as originally estimated and as returned under the various contracts.

To make clear the distinction between 'solid rock' as generally understood by the layman, and 'solid rock' within the meaning of the general specifications for construction, it may as well, at the outset, to quote the approved interpretation of clause 34 of the specifications defining solid rock excavation, as made by the chief engineer, in January, 1908.

Clause 34—solid rock excavation—reads as follows:—

Solid rock excavation will include all rock found in ledges or masses of more than one cubic yard, which, in the judgment of the engineer, may be best removed by blasting.

The chief engineer's approved interpretation of the above is as follows:—

I am of the opinion that rock found in ledges or masses as specified must (firstly) be rock, and (secondly) it must be in ledges, conglomerate form (known as plum pudding stone), boulders, or ledge rock displaced (in pieces each exceeding one cubic yard in size), rock assembled, also shale rock, such as in the judgment of the engineer may be best removed by blasting.

Accompanying the foregoing interpretation is a diagram in explanation.

When the discrepancies in quantities of solid rock, loose rock, and common excavation as between those estimated by the engineers before the ground was broken and the contracts let, and those actually returned under the several contracts first became manifest; and when difficulties in matters of classification, &c., became apparent in Major Hodgins' district east of Winnipeg, realizing that, however inaccurate the original estimates might have been, the real and predominating question affecting the public interest was to see that what was returned and paid for as solid rock was actually solid rock within the meaning of the specifications; and that, similarly, what was returned and paid for as loose rock was properly classifiable as such under the general specifications for construction; the commissioners determined on the appointment of an inspecting engineer whose duty it would be, under the direction and subject to the instructions of the chief engineer, to go over the line, and report directly to the chief engineer on all matters of classification, &c., along the line under construction. Accordingly, on Mr. Lumsden's recommendation, Mr. Gordon Grant, the present chief engineer of the commission, was, on the 16th of May, 1907, appointed inspecting engineer.

There appears to be a disposition in some quarters to give currency to the view that where, say 1,000 cubic yards of solid rock were originally estimated by the engineers before the work was opened up, and 1,250 or 1,500 cubic yards have been actually returned by the engineers under the contracts, that the difference represents and must be over-classification, or the improper transfer of 250 or 500 cubic yards, as the case may be, from the loose rock or common excavation column into the solid rock column, and that the contractor is paid at the higher rate when he should be paid at the lower. Of course nothing could be more misleading.

Any layman can understand how difficult it is for an engineer to go over a piece of country, particularly if it be a timbered country, with heavy side hills, &c., and estimate exactly, or even very approximately, the number of cubic yards of solid rock (even if that be confined to ledge rock and boulders over a cubic yard in size) in hills, &c., down to a certain grade line.

In the case of contracts Nos. 9 and 10 (150 miles from the Quebec bridge westerly), the quantities were estimated partly on a first location, partly on preliminary, and partly on projected lines and after the contracts had been awarded, it was found necessary to change the location of the line in several places, thus vitiating the value of the original estimates of quantities as a basis of comparison, while at the same time improving the line; in district 'F,' in the case of contract No. 21 (McArthur contract), no allowance was made in the engineers' estimates of quantities for excavation of one foot below grade in rock cuttings; nor was any allowance made for the removal of material outside the regular slopes in rock cuttings or rock borrow; all borrow for fills was estimated as common excavation, although after the work was opened up it was found that from the Canadian Pacific railway crossing at Rennie to Superior Junction, a distance of about 180 miles, the country is all rock; and in district 'A,' from Moncton to the Quebec boundary, there was no outcropping of rock shown on or near the line.

These are some of the reasons accounting for the apparent discrepancy between the quantities as estimated before the ground was broken and the contracts awarded, and as returned under the various contracts. It will be doubtless contended that much more accurate estimates might have obtained had the engineers been required to make borings say every one hundred yards over the entire 1,804 miles of line between Winnipeg and Moncton. And this is readily admitted. But, to have done so would have required a large additional expenditure of time and money before the actual work of construction was commenced on any single contract, without any saving in the cost of construction; such a course, our engineers advise, is rarely, if ever, followed in this country, as it is not believed that the results warrant the additional expenditure of time and money involved.

As has already been pointed out, the important thing is to see that the contractors shall be paid for only what they are entitled to under the general specifications governing the construction of the railway, and that the work is executed up to the standard required. The commissioners believe that they have taken every possible precaution to safeguard the public interest along these lines. Two inspecting engineers reporting directly to the chief engineer are practically continuously going over the work in the different districts. In addition, there are the inspecting engineers of the Grand Trunk Pacific Railway Com-

pany constantly passing on the work as it is performed, and when they do not agree with the engineers of the commission as to the work, their complaints are promptly filed in writing, to be passed upon by a board of experts acting as arbitrators under the authority of the National Transcontinental Railway Act. It would be difficult indeed to suggest any safeguards to protect the public interests which do not already exist on this work.

With respect to the cost of the line, the fact cannot be too much emphasized or too frequently repeated, that when the National Transcontinental Railway is completed, the people of Canada will have a railway constructed to a standard of perfection with respect to gradients and curvature, character of roadbed, and permanency of structures (such as steel bridges and viaducts, culverts, &c.,) which but few railways in the world can equal. Railways such as the Canadian Pacific and Grand Trunk have within the past ten or fifteen years expended many millions of dollars to bring their lines in some places up to the standard which will prevail over the entire National Transcontinental Railway. The costs of operation will be infinitesimal in comparison with those of lines having ruling gradients of one per cent, and the benefits of this economy in operation should accrue to the people of Canada, not only through the development of the country through which the railway runs, but also, eventually, in materially reduced freight and passenger rates.

I have the honour to be,
Sir,
Your obedient servant,
(Sgd.) P. E. RYAN,
Secretary.

District 'A.'

Contract No. 1.—Through mileage 0 to 50·00. Length of contract 50·00 miles. Quantities estimated by Guy C. Dunn, District Engineer, not now in service.

Estimated quantities based on 10 miles 3d location, remainder final location.

Contract No. 2.—Through mileage 50 to 58·00. Length of contract 8 miles. Quantities estimated by Guy C. Dunn, District Engineer.

Estimated quantities based on final location.

Contract No. 3.—Through mileage 58·00 to 96·42. Length of contract 38·42 miles. Quantities estimated by Guy C. Dunn, District Engineer.

Estimated quantities based on final location, remainder final location.

Contract No. 4.—Through mileage 96·42 to 163·80. Length of contract 67·38 miles. Quantities estimated by Guy C. Dunn, District Engineer.

Estimated quantities based on final location.

Contract No. 5.—Through mileage 163·80 to 195·58. Length of contract 31·78 miles. Quantities estimated by Guy C. Dunn, District Engineer.

Estimated quantities based on final location.

Contract No. 6.—Through mileage 195·58 to 256·61. Length of contract 61·03 miles. Quantities estimated by Guy C. Dunn, District Engineer.

Estimated quantities based on final location.

Remarks as to District 'A.'

Some of the reasons accounting for the apparent inaccuracy of the estimates of quantities, made before the opening up of the work and the award of the contracts in this district, are as follows, viz:

(1) There was no outcropping of rock showing on or near the line between Moncton and the Quebec boundary, this in large measure accounting for the underestimate of the quantities of solid rock; (2) test pits were not dug in cuttings, as a rule, as to have done so would have involved a heavy additional expenditure of time and money, without any improvement of the line or saving in cost of construction; (3) no provision was made for rock borrow where earth could not be obtained; (4) quantities were computed from certain heights; no allowance having been made for side hill work, of which there is a large amount in this district; (5) no allowance was made for taking out work one foot below grade in rock cuttings; no allowance was made for material moved outside of slopes in rock cuttings.

District 'B.'

Contract No. 7.—Through mileage 256·61 to 310·22. Length of contract 53·61 miles. Quantities estimated by A. E. Doucet, District Engineer, still in service as District Engineer.

Estimated quantities based on 53 miles first location.

Contract No. 8.—Through mileage 310·22 to 460·45. Length of contract 149·12 miles. Quantities estimated by A. E. Doucet, District Engineer.

Estimated quantities based on 20 miles preliminary, 5 miles projected, 92 miles first location, and 33 miles final location.

Contract No. 9.—Through mileage 460·45 to 510·31. Length of contract 49·86 miles. Quantities estimated by A. E. Doucet, District Engineer.

Estimated quantities based on first location surveys.

Contract No. 10.—Through mileage 510·31 to 610·41. Length of contract 100 miles. Quantities estimated by A. E. Doucet, District Engineer.

Estimated quantities based on 50 miles preliminary and first location and 50 miles projected lines.

Contract No. 11.—Through mileage 610·41 to 656·83. Length of contract 46·42 miles. Quantities estimated by A. E. Doucet, District Engineer.

Estimated quantities based on 22 miles preliminary, 22 miles first location, balance revised location.

Remarks as to District 'B.'

Some of the reasons accounting for the apparent inaccuracy of the estimates of quantities, made before the opening up of the work and the award of the contracts in this district, are as follows, viz.:—

(1.) In the case of the 150 miles from the north abutment of the Quebec bridge westerly (contracts Nos. 9 and 10) the surveys were not completed before the contracts were awarded, and the estimates of quantities were based partly on first location lines, parly on preliminary, and 50 miles on projected lines, the demand for the estimates being made by the chief engineer; on revising the work errors in levels were found requiring a change of line in several places and heavier work to get

a 0·4 grade; the opening up of the work disclosed a vast quantity of mixed material not provided for in the estimated quantities; no allowance was made for train filling where common excavation borrow could not be obtained; the estimates were based on the use of velocity grades, the elimination of which increased the quantities greatly; the estimates were made on the orders of the chief engineer before sufficient information had been obtained regarding the rise and fall of some of the streams encountered, and this in some cases required the subsequent raising of the grade and in increase in the quantities, thus adding to the cost both of the grading and the bridges; the location ran along steep side hills in many places, thus adding to the difficulty of making accurate estimates of quantities, cross-sections not having been taken; (2) many of the above reasons apply to the district generally, and test pits were not as a rule dug in cuttings.

District 'C.'

Contract No. 12.—Through mileage 656·83 to 763·83. Length of contract 107·00 miles. Quantities estimated by District Engineer A. N. Molesworth, still in the service as District Engineer.

Estimated quantities based on revised location. No changes yet reported.

Contract No. 13.—Through mileage 763·83 to 878·80. Length of contract 114·97 miles. Quantities estimated by District Engineer A. N. Molesworth.

Estimated quantities based on final location 59 miles; remainder revised location. No changes as yet reported.

Contract No. 14.—Through mileage 878·80 to 956·74. Length of contract 78 miles. Quantities estimated by District Engineer A. N. Molesworth.

Estimated quantities based on 6 miles revised location; 36 miles first location; (remainder of contract then in District 'D').

Remarks as to District 'C.'

The quantities have been increased on this district owing to the fact that the grades have had to be raised higher than those shown on the profiles from which the first quantities were taken. This was necessary owing to the wet nature of the country; the nature of the material encountered after the cuts were opened rendered flatter slopes in many instances necessary, which resulted in larger quantities of material having to be moved; no allowance made for extra train filling owing to shrinkage on muskeg dumps; no allowance made for catch water ditches, off-takes, etc.; sufficient information could not be obtained at the time to estimate culverts, culvert excavation and bridges; no allowance made for material moved outside of slopes in rock cuttings; no allowance made for spread of material in filling of muskegs and bays.

District 'D.'

Contract No. 14.—Through mileage 956·74 to 1020·80. Length of contract 72 miles. Quantities estimated by District Engineer S. R. Poulin, still in service, employed as District Engineer, District 'F.'

Estimated quantities based on 54 miles first location; 54 miles revised location.

Contract No. 15.—Through mileage 1028·80 to 1172·85. Length of contract 44·08 miles. Quantities estimated by John Aylen, acting District Engineer; not now in service.

Estimated quantities based on 31 miles location; remainder final location.

Contract No. 16.—Through mileage 1128·77 to 1172·85. Length of contract 44·08 miles. Quantities estimated by John Aylen, acting District Engineer; not now in service.

Estimated quantities based on 44 miles revised location. No change as yet reported.

Remarks as to District 'D.'

The quantities have been increased on this district owing to the fact that grades have had to be raised higher than those shown on the profiles from which the first quantities were taken, this was necessary owing to the wet nature of the country; the nature of the material encountered after the cuts were opened rendered flatter slopes in many instances necessary, which resulted in larger quantities of material having to be moved; no test pits were dug; complete information could not be obtained when first estimate was made for calculating of culvert quantities, culvert excavation and bridges; no allowance was made for divisional yard at Cochrane; many banks were made from muskeg; after being dried out this material shrinks over 50 per cent, necessitating a great increase in train filling.

District 'E.'

Contract No. 16.—Through mileage 1128·77 to 1172·85. Length of contract 60 miles. Quantities estimated by T. S. Armstrong, district engineer, still in service as District Engineer.

Estimated quantities based on 60 miles revised location. No changes yet reported.

Contract No. 17.—Through mileage 1232·85 to 1332·85. Length of contract 100 miles. Quantities estimated by T. S. Armstrong, District Engineer.

Estimated quantities based on final location. No changes yet reported.

Contract No. 18.—Through mileage 1332·85 to 1407·85. Length of contract 75 miles. Quantities estimated by T. S. Armstrong, District Engineer.

Estimated quantities based on final location.

Contract No. 19.—Through mileage 1407·85 to 1428·04. Length of contract 20·19 miles. Quantities estimated by T. S. Armstrong, District Engineer.

Estimated quantities based on 20 miles revised final location. No increase yet reported.

Remarks as to District 'E.'

No test pits were dug, and greater amounts of solid and loose rock were encountered than the surface indicated; sufficient information had not been obtained when the estimate was prepared for the calculating of culvert quantities, culvert excavation, and bridges; no allowance made for removal of rock outside of regular slopes, or below grade in rock cuts.

District 'F.'

Contract No. 19.—Through mileage 1428·04 to 1534·04. Length of contract 106 miles. Quantities estimated by S. R. Poulin, District Engineer, still in service as district engineer.

Estimated quantities based on 106 miles final location. No increase yet reported.

Contract No. 20.—Through mileage 1,534·04 to 1,557·80. Length of contract 24·13 miles. Quantities estimated by S. R. Poulin, District Engineer.

Estimated quantities based on final location. No increase yet reported.

Contract No. 21.—Through mileage, 1,557·80 to 1,804·47. Length of contract 246·67 miles. Quantities estimated by A. E. Hodgins, District Engineer, not now in service.

Estimated quantities based on first location.

Remarks as to Contract No. 21.

Insufficient soundings were made in muskegs. No provision was made for rock borrow in bay crossings and very soft muskeg where trestling was not practicable. No test pits were dug in cuttings. No allowance made for spread of material in muskegs. Many trestles were replaced by train filling for which no allowance was made in first estimates. No allowance was made for grading of sidings. Insufficient allowance was made for lowering of lakes. No allowance was made for temporary haulways, pipe lines and grading material yards. No allowance made for removal of material outside regular slopes in rock cuts. Quantities were figured from centre lines and bare centre line quantities recorded. No allowance made for side hill work, catch water ditches, offtakes, etc. In rock cuttings no allowance was made for excavation one foot below grade. No details had been procured for the proper estimation of culvert quantities and culvert excavation, and bridge foundations. In first estimate all borrow for fills was estimated by the district engineer as common excavation, although it was impossible at the time to know whether or not common excavation to make these fills was available. The profiles from which the first estimate was made showed quantities in fills far in excess of the quantities in the cuttings. When operations started it was found that common excavation borrow could not be found in that part of the country from the Canadian Pacific railway crossing at Rennie to Superior Junction, a distance of about 180 miles, as it is all rock, consequently the line in many places had to be revised and thrown further into the side hills to reduce the fills to practicable dimensions and make the only available excavation—rock—balance the fills. This revision was also necessary as it was found that owing to the boggy and soft nature of the bottoms of the swamps, bays of lakes, etc., that trestles could not be built, which, together with the fact that no allowance for rock outside the regular slopes and no rock borrow, and no rock below sub-grade was estimated for, accounts for the rock moved exceeding the rock estimated for in the first estimates.

GORDON GRANT,
Chief Engineer.

Ottawa, April 11, 1910.

My hon. friend (Mr. R. L. Borden) also handed me a memorandum, which I did not return, and I am not sure whether he wants it to go on 'Hansard' or not. I will send it to him. It is in relation to the Peterson matter. I have an explanation from the district engineer, and Mr. Gordon Grant on the subject. The other question he asked was as to certain items to complete, and I think I gave them in the short remarks I made this afternoon.

Mr. J. HAGGART. There was a clause in the agreement by which the Grand Trunk Pacific were to put $20,000,000 of rolling stock upon the road. It was to be distributed, $15,000,000 worth west of Winnipeg and $5,000,000 on the rest of the road. I desire to ask if any of that rolling stock has been placed upon the road. One of the conditions promised by the Minister of Justice and which he said was one of the conditions of the contract, was that there should be no claim or lien of any kind on the rolling stock—it was to be part of the security for the advance made by the government.

Mr. GRAHAM. So far as the security is concerned, that has been adhered to. I am informed that $10,000,000 worth of rolling stock has already been purchased, and they are getting about $500,000 worth per month. A large portion of this rolling stock is already in use on the line between Winnipeg and Edmonton and east of Wolf creek.

Mr. J. HAGGART. What I am particularly interested in is that no lien is to rest on this rolling stock, that it is to be free from any lien by any one but the government.

Mr. GRAHAM. There are no liens whatever. There were equipment bonds issued under the Act for this rolling stock, but I am informed there is no charge against the rolling stock.

Mr. J. HAGGART. The equipment bonds are not a lien upon the equipment?

Mr. GRAHAM. No, I think not, in the sense the hon. gentleman (Mr. J. Haggart) means.

Mr. LENNOX. I do not like to ask too many questions to-night; the minister seemed to think this afternoon that he had given me too much information. I hope he will not think there is any hard feeling between us if I ask a question or two. What is the position of the arbitration proceedings of the three engineers under, as the minister alleges, clause 7 of the agreement? Have they gone to work this spring?

Mr. GRAHAM. I have been making inquiries for the last few days as to what day they would resume, as they had started. I understand that they hope that the conditions along the line will soon enable them to do work.

Mr. LENNOK. Nothing this spring?

Mr. GRAHAM. No.

Mr. LENNOX. I think the minister is mistaken in saying that they did anything as an arbitration. I saw, by a return moved for by my hon. friend the leader of the opposition (Mr. R. L. Borden) that the members of the arbitration had met at

Winnipeg and proceeded on the line, but found it was too late in the year. The snow was on, and they could not make inspection. Then, the engineer of the company and Mr. Gordon Grant went together and made some adjustments. I think that that is as much as has been done.

Mr. GRAHAM. The three arbitrators went out on the question of overbreak. As a matter of fact, the weather would not permit measurements in regard to classification. But the chief engineer of the Transcontinental and the chief engineer of the Grand Trunk Pacific agreed to about 70 per cent of the differences between them on overbreak.

Mr. LENNOX. No arbitrator?

Mr. GRAHAM. There will be no arbitration except as to the thirty per cent remaining, but on this the arbitrators will have to act.

Resolution reported.

FIRST READINGS.

Bill (No. 221) for the relief of James Alexander Hurst Forster.—Mr. W. M. Martin.

Bill (No. 222) for the relief of Emily Maud Nicholl.—Mr. Barker.

Bill (No. 223) for the relief of Edna Shibley DeMar.—Mr. Barker.

Bill (No. 224) for the relief of Clifford Buell Lillie.—Mr. A. H. Clarke.

Bill (No. 225) for the relief of Roland James Botterill.—Mr. German.

Mr. FIELDING moved the adjournment of the House.

Mr. R. L. BORDEN. What business tomorrow?

Mr. FIELDING. Some minor Bills in order to make work for the Senate. The Insurance Bill will come next, and later on Supply for the Minister of the Interior.

Motion agreed to, and House adjourned at 12.15 a.m. Friday.

HOUSE OF COMMONS.

FRIDAY, April 29, 1910.

The SPEAKER took the Chair at Eleven o'clock.

PRIVATE BILLS—SUSPENSION OF RULES.

Mr. MILLER moved that paragraph (a) of sub-section 3 of rule 88 and rules 102, 107 and 114 be suspended for the remainder of the session in so far as the same relate to private Bills from the Senate, in accordance with the recommendation made in the 13th report of the Select Standing Committee on Banking and Commerce.

Mr. HENDERSON. Is there any special reason for this—any special bill the hon. member has in view?

Mr. MILLER. There is no special bill. There are two coming from the Senate, and they can only go through if there is a suspension of these rules.

Mr. R. L. BORDEN. As I understand, it is to avoid the usual delay in respect to bills coming down from the Senate?

Mr. MILLER. Yes.

Motion agreed to.

IRON AND STEEL BOUNTIES.

Sir WILFRID LAURIER. On behalf of the Minister of Finance I beg to move that the House go into committee to-morrow to consider the following proposed resolution, standing in his name:

Resolved, That it is expedient to provide that no bounties shall be payable in respect of rolled, round wire rods after the thirtieth day of June, 1911, under the provisions of section 1 (d) of chapter 24 of the Act of 1907, an Act to amend the Act respecting Bounties on Iron and Steel, except on such rods as may have been otherwise entitled to the payment of bounties under the provisions of said section and which were, on or before the said thirtieth day of June, 1911, sold to wire manufacturers for use or used in making wire by the makers of such rods in their own factories in Canada.

Motion agreed to.

PRIVILEGE—MR. AYLESWORTH

Hon. A. B. AYLESWORTH. Mr. Speaker, before the orders of the day are called, I rise on a matter of privilege. I have on very few occasions indeed felt any need to call the attention of the House to anything that may have been said in the newspapers with regard to myself; and although during the last few days some of the newspapers in Toronto have been devoting a good deal of their valuable space to matters of a more or less personal character so far I am concerned, I should not have taken up the time of the House to say one word with reference to those matters but for a statement which I find in the Toronto 'World' of yesterday morning. The statement, which is at the end of several columns dealing with matters of the description to which I have alluded, is worded in this way:

A lawyer said that there was dissatisfaction among legal men because the Minister of

Justice has given so much work to G. F. Shepley, K.C., and the firm with which he himself was formerly connected.

With respect to Mr. Shepley I have nothing to say except that in regard to any work which as Minister of Justice I have sent to him, I have been guided wholly and entirely by the identical business principles upon which I think any business man would have acted. Legal work of important character on behalf of the government has been sent to Mr. Shepley since I have been Minister of Justice, has been freely sent to him, because with a knowledge of Mr. Shepley extending now over more than 35 years, and with a considerable knowledge of the legal practitioners of Ontario, I have thought that that work would be better attended to by him than it would probably be by any other legal gentleman of the province within my acquaintance. With that portion of the statement which I have read I am not in any degree concerned. But with reference to the remainder of the statement, by which it is charged that since I have been Minister of Justice I have sent a large amount of work to the firm with which I myself was formerly connected, I want to say first that since I have been a member of this House and from the day I became a member of this House I have had no manner of financial interest in the earnings of that firm. I have a natural interest in the success of that firm certainly, not only on account of former associations during the whole period of my professional life, but also because my son is now and has been for a few years a member of that firm. But with reference to the principal matter contained in this newspaper statement, namely, that I have taken advantage of my position as Minister of Justice to send legal work to that firm, I wish to say that there is not one word of truth in it, and that, although prior to my becoming a member of this House, that firm, with which I was then connected, received a very considerable amount nearly every year for the doing of public business for the government, from the day when I became Minister of Justice not one dollar's worth of legal work has been sent to that firm by me or by any department of the government so far as I am aware.

WESTERN GRAIN TRADE.

Hon. FRANK OLIVER. Mr. Speaker, last night the hon. member for Portage la Prairie (Mr. Meighen) asked certain questions which I was not able to answer at the time, regarding certain grievances, which I may mention as follows: Over classification of grades; the necessity for sufficient registration of terminal elevators; the necessity of preventing the eliminating of competition by terminal elevators and other elevators; the further elimination of competition by the Canadian Northern and Grand Trunk Pacific railways leasing their terminal facilities to alien interests. He said:

The government purposes to apply some remedy in an indifferent way to one of these grievances. I would like to ask the members of the government who were present at that interview why it is that the application of a remedy to the other three grievances is being deferred by the government?

In reply, I beg to say that I was in the office of the Minister of Trade and Commerce when Messrs. McKenzie and Henders, representing the Western Grain Growers Association, were there for the purpose of presenting their views regarding possible improvements in grain trade conditions. If I remember correctly the securing of amending legislation was not the chief purpose of their representations. As I understood it was not so much to advise as to legislation as to suggest to the government the propriety of removing the lake front elevators from operation by persons or companies who were traders in grain; preferably to secure their operation by the government. The government has had the suggestion under careful consideration, but it was felt that the matter was one of such importance as to require more full and careful consideration than could be given it in order to reach a satisfactory decision before the close of the present session. The government has been keeping a careful scrutiny of the work of the elevators, with the result that action has recently been taken that may be expected to have a material effect in improving conditions.

INQUIRY FOR RETURN.

Mr. LEMIEUX. Before the orders of the day are called I may say that I was asked by the hon. member for Lisgar (Mr. W. H. Sharpe) on different occasions to bring down a return moved by him in the course of the session. I caused inquiries to be made and found that the file had been lost, but this morning I am pleased to inform my hon. friend that it has been found and sent to the Secretary of State and will be laid on the table in a day or two.

PRIVATE BILLS.

Sir WILFRID LAURIER. It has been represented to me that there are on the order paper several private Bills which stand for second reading and that unless these Bills are advanced a stage immediately they would have no chance of being brought back to the House before prorogation which we hope will take place next week. In these circumstances I would beg to move that the order for private Bills be

now called so as to permit the Bills now standing for second reading to be read a second time and referred to the respective committees. This is not very regular and I cannot make this motion except with the unanimous consent of the House. For my part I see no objection to this course being taken and I do not think that any interest can be prejudiced by it. If there be no objection I move accordingly.

Mr. J. D. REID. I certainly object to that at this late stage of the session. There are several Bills that should have been brought in here long ago. To bring them on at this late hour I certainly object.

RULES OF THE HOUSE.

Sir WILFRID LAURIER. On Monday last, as chairman of the special committee appointed to revise the rules of the House I laid on the table a report of that committee, and it was then agreed that this report should be taken into consideration this morning. I therefore beg to move that the House resolve itself into Committee of the Whole to consider this report.

Motion agreed to and House went into committee.

On the first paragraph:

The committee have carefully considered the present rules of the House and have agreed to certain amendments and additions to the same, which they beg leave to submit herewith.

1. That present rules Nos. 73, 74 and 75 be cancelled and the following substituted therefor:

PETITIONS.

A petition to the House may be presented by a member at any time during the sitting of the House by filing the same with the Clerk of the House.

Petitions presented before 4 p.m. on any day shall be entered in the Votes and Proceedings of that day. Petitions presented after 4 p.m. are to be entered in the Votes and Proceedings of the next day.

Any member desiring to present a petition in his place in the House must do so during routine proceedings and before introduction of Bills.

On the presentation of a petition no debate on or in relation to the same shall be allowed.

Members presenting petitions shall be answerable that they do not contain impertinent or improper matter.

Every member presenting a petition shall endorse his name thereon.

Petitions may be either written or printed; provided always that when there are three or more petitioners the signatures of at least three petitioners shall be subscribed on the sheet containing the prayer of the petition.

On the next day following the presentation of a petition the Clerk of the House shall lay upon the table the report of the Clerk of Petitions upon the petitions presented and such report shall be printed in the votes and proceedings of that day. Every petition so reported upon, not containing matter in breach of the privileges of this House and which, according to the rules or practice of this House, can be received, shall be deemed to be read and received.

No debate shall be permitted on the report but a petition referred to therein may be read by the Clerk of the House at the table, if required; or if it complain of some present personal grievance requiring an immediate remedy, the matter contained therein may be brought into immediate discussion.

Sir WILFRID LAURIER. Perhaps I may explain what the change is. This new rule deals with the method of presenting petitions to this House. At the present time, the only way in which a petition can be presented to the House is for the hon. member to present it here, on the floor of the House of Commons. It is the first thing that is done after the Speaker has taken the chair and the doors have been opened. It is suggested that we adopt in this respect the British practice, that is to say, that petitions can be presented to the House not only openly as is done at the present time, but also by filing them with the Clerk of the House.

Mr. LANCASTER. It can be done either way.

Sir WILFRID LAURIER. It can be done either way. If the member who presents a petition marks an asterisk upon it, it is sent to the Clerk of the House and dealt with accordingly. But there may be some petitions to which members might attach some importance and to which they might desire to draw attention and therefore the old method is kept whereby they can be presented on the floor of the House. So the only change is that it is optional for a member either to move or to file with the clerk. I think the rule can be adopted.

Mr. SPROULE. The only observation I would make upon this, I am not objecting to the change, is that it might be misunderstood. It first says 'a petition to the House may be presented by a member at any time during the sitting of the House,' and then it says 'any member desiring to present a petition in his place in the House must do so during routine proceedings and before introduction of Bills.' The one part gives a whole day to a member to present a petition and the other says it must be done during the routine proceedings. I would be inclined to think that a good many members might misunderstand that. A member might be in his place in the House at any part of the day, whereas it means I take it, that he must present his petition by standing in his place during the routine proceedings.

Sir WILFRID LAURIER. Exactly. The only alternative is that a member can hand his petition to the clerk. If he hands it in before 4 o'clock it will appear on the proceedings of the following day, if after 4 o'clock it will go over one day.

Mr. SPROULE. I see plainly enough what it means, but what I refer to is the fact that a great many members might misunderstand it. One part says you can present it at any time during the whole day and the other part says you must present it during routine proceedings.

Mr. HENDERSON. Yes, but in the one instance the petition is presented to the clerk and in the other it is dealt with in the House by the member who presents it.

2. Present Rule 36 to be amended to read as follows:

QUESTIONS.

36. (1) Questions may be put to ministers of the Crown relating to public affairs; and to other members, relating to any Bill, motion, or other public matter connected with the business of the House, in which such members may be concerned; but in putting any such question or in replying to the same no argument or opinion is to be offered, nor any facts stated, except so far as they may be necessary to explain the same. And in answering any such question the matter to which the same refers shall not be debated.

(2) (a) Any member who requires an oral answer to his question may distinguish it by an asterisk.

(b) If a member does not distinguish his question by an asterisk, the minister to whom the question is addressed hands the answer to the Clerk of the House who causes it to be printed in 'Hansard.'

(3) If in the opinion of Mr. Speaker a question on the order paper put to a minister of the Crown is of such a nature as to require a lengthy reply, he may, upon the request of the government, direct the same to stand as a notice of motion, and to be transferred to its proper place as such upon the order paper, the Clerk of the House being authorized to amend the same as to matters of form.

(4) If a question is of such a nature that in the opinion of the minister who is to furnish the reply such reply should be in the form of a return, and the minister states that he has no objection to laying such return upon the table of the House, his statement shall, unless otherwise ordered by the House, be deemed an order of the House to that effect and the same shall be entered in the Votes and Proceedings as such.

Sir WILFRID LAURIER. The next question refers to the item of questions. The present rule No. 36 is as follows :

QUESTIONS.

1. Questions may be put to ministers of the Crown relating to public affairs; and to other members relating to any Bill, motion, or other public matter connected with the business of the House, in which such members may be concerned; but in putting any such question or in replying to the same no argument or opinion is to be offered, nor any facts stated, except in so far as may be necessary to explain the same. And in answering any such question the matter to which the same refers shall not be debated.

(2) If in the opinion of Mr. Speaker a question on the order paper put to a minister of the Crown is of such a nature as to require a lengthy reply, he may, upon the request of the government, direct the same to stand as a notice of motion, and to be transferred to its proper place as such upon the order paper, the Clerk of the House being authorized to amend the same as to matters of form.

The new rule is as follows: The first paragraph is maintained. Questions may be put to ministers of the Crown relating to public affairs and to other matters, there is no change. But a new provision is put in:

Any member who requires an oral answer to his question may distinguish it by an asterisk.

If a member does not distinguish his question by an asterisk, the minister to whom the question is addressed hands the answer to the Clerk of the House who causes it to be printed in 'Hansard.'

There are many questions which are asked simply for information, and if the member does not require an oral answer to such question, the minister hands the answer to the Clerk of the House, who causes it to be printed in the 'Hansard.' There are some questions to which members may desire an oral answer, and he may continue to have it. There is no change as to the next paragraph. But there is a new provision which I think is an important one:

If a question is of such a nature that, in the opinion of the minister who is to furnish the reply such reply should be in the form of a return, and the minister states that he has no objection to laying such return upon the table of the House, his statement shall, unless otherwise ordered by the House, be deemed an order of the House to that effect and the same shall be entered in the Votes and Proceedings as such.

The House will understand the meaning of this rule if I remind them that very often a question is asked for information, and the minister will answer. There is no objection to that, but if it is too long to be answered, it will stand as a notice of motion. Then the question is put as a notice of motion and it can be called as such. If, when a question is put asking for information and the minister says: There is no objection, but the answer would be too long to give verbally, but I will supply the information; the order of the House issues at once, and that question will stand as an order of the House.

Mr. SPROULE. I think an objection to the first part would be that most members of this House usually listen with a good deal of interest to the answers to these questions. It is one of the educative ways by which members keep themselves familiar with the work of the House going on from day to day. If this suggestion is followed out it will deprive them of that advantage. I know for my own part I have often listened eagerly to answers that are given to questions in the House. Many members will ask questions, and by that means draw the attention of other members to them when otherwise the subject matter would escape the House entirely. But if, under the proposed rule, the answers are handed in without being read, the members may never take the trouble to look them up. The new rule seems to be following the customs which obtains in the United States Congress, where questions may be handed in and the answers to which are never brought to the attention of the House. It seems to be drifting towards the practice that obtains there and which I think is not quite as good as our own.

Mr. R. L. BORDEN. So far as answers to questions in this House are concerned, I am bound to say that I have never been able to understand the answers to ten per cent of them, I always have to look them up in 'Hansard' the next day. Having questions answered by the method which is suggested in this amendment, is the rule which prevails in Great Britain, and it has been found to work very conveniently, and I am inclined to think it will work conveniently here. If a member should desire to see the answer before it appears in 'Hansard', he could go to some officer of the House to whom the minister has entrusted the answer, and get it. But apart from that, he can star his question, and have it answered orally if he desires. Therefore any member of this House who desires to have a question answered orally may retain that right by simply making a mark upon it.

Mr. SPROULE. It is to be remembered that sometimes answers given by ministers are not correct, some portions are omitted, and then the member who puts the question calls attention to the omission. Under this new method there will be no opportunity of correcting the answer.

Sir WILFRID LAURIER. My hon. friend will understand that many questions which are put on the floor of the House have no interest except to the member himself who puts them. But if a member desires to have an oral answer, he has only to put an asterisk to his question and it will at once come before the House.

Amendment No. 3,

Sir WILFRID LAURIER. The following new rule is to be added after Rule 36:

Notices of Motion for the production of papers which the member asking for intends to make without discussion should be marked by him with an asterisk and should be placed by the Clerk on the order paper above 'Notices of Motions,' under the heading 'Notices of Motions for the production of papers.' All such notices when called should be forthwith disposed of; but if on any such motion the government may desire a debate, it will be transferred by the Clerk to the order of Notices of Motions.

The object of this rule is obvious. Almost every day we have notices of motion which go through unopposed, and these may be marked by the member with an asterisk, and the motion may pass without any discussion.

Mr. SPROULE. I think this suggestion is a wise one and will result in economizing time.

Mr. LANCASTER. What would happen supposing an hon. gentleman puts a notice of motion in the way indicated to show that he did not want to discuss it, while another hon. gentleman might want to discuss that very matter? I do not think any one hon. gentleman should have the right to prevent a matter being discussed by simply indicating by an asterisk that he did not want it discussed; he has no right to control the opinion of the whole House on that matter. I appreciate what the Prime Minister is trying to do and I am with him; but it seems to me we are going further here than we intend to go. We do not want to have half a dozen different notices of motion on the same subject on the order paper. When a notice of motion is on the order paper it seems to me that the consent of the House ought to be obtained if that motion is not to be discussed; else we would be in the incongruous position that, because some matter was of great importance and several hon. gentlemen thought it should be discussed, one of them would be able to say that it should not be discussed.

Sir WILFRID LAURIER. I doubt that, in point of fact, that this is very likely to arise. If any hon. member on the other side puts a motion on the order paper asking for the production of papers and desires that the motion should be presented without discussion, I do not know that anybody on this side will object. The government may object, and, if they do, the motion is transferred to the notices to be debated.

Mr. CROCKET. But suppose that a notice comes from the other side, and a discussion is desired on this side, it would seem that there is no provision for that. If the government have a right to transfer a motion to the orders by requiring discussion, there should be some provision by which members on this side should have

the same right with regard to notices from the other side.

Sir WILFRID LAURIER. I think there is something in that. The difficulty could be obviated by providing not 'if on such motion the government may desire debate,' but 'if on such motion debate is desired.'

Mr. LANCASTER. That is my point.

Mr. U. WILSON. How would that affect it so far as the order paper is concerned? Would it go to the foot of the orders?

Sir WILFRID LAURIER. It would go to notices of motion.

Mr. U. WILSON. But if it went low on the order paper it might not be reached again.

Sir WILFRID LAURIER. It would take its place at the end of notices of motions of that day. The clerk will see to that.

Mr. U. WILSON. If there were many notices on the paper and it were put at the foot, it might never be reached again.

Sir WILFRID LAURIER. Possibly,—it will take that chance.

Amendment agreed to.

Mr. J. A. CURRIE. While we are dealing with notices of motion, something should be done to prevent the use of what are known technically here and in England, as 'blocking motions.' Our order paper of this session contains examples of tactics of this kind. Notices of motion are given in grandiloquent terms of legislation supposed to be for the benefit of the people, and these are allowed to stand day after day taking precedence of other motions. And, under our rules, so long as a motion stands on the order paper, the subject matter cannot be referred to in debate, except on that notice of motion. Here, for instance, on our order paper is a notice of motion that has stood there for five months and has blocked the debate of a subject which it is very desirable to have debated. This is a very old legislative trick and was first played by Mr. Gladstone and his friends to prevent the discussion of disagreeable subjects. They put notices on the paper covering these subjects, and then, when a member desired to refer to these subjects, whether on a motion for supply or in any other way, he was called to order, reminded that there was a notice on the paper covering that subject and told that it could not be discussed until such notice of motion was reached. And the notice of motion would be allowed to stand and never discussed. I referred to this once before in an attempt to prevent what is obviously a blocking motion. The difficulty could be overcome by providing that, if a notice of motion is called twice and it is not proceeded with, it should go to the foot of the list, and, if called the third time, dropped altogether.

Sir WILFRID LAURIER. We have such a rule now, but it is not acted upon. We have had no blocking motions in this House this session, nor has there been such a motion within my memory. I think the hon. member (Mr. J. A. Currie) has only to recall what has been going on this session to see that I am correct in that statement. No one has stood in the way of any one else. The rule we have is that, when a notice of motion is called, it must be gone on with or dropped, unless it is allowed to stand at the request of the government.

Mr. J. A. CURRIE. I am well aware that that is the rule. But, unfortunately, the government is interested and sometimes orders call for notices of motion to stand. I have a distinct recollection of instances of two hon. members being blocked in mentioning the agricultural item. This occurred in my hearing this session, the Speaker calling the attention of these members to the notice on the order paper in respect of this matter, and ruling that they were not free to discuss the subject. I think that is very unfair. I do not think the government should have the right arbitrarily to order a notice of motion to stand. The government and everybody concerned should go on with the motion, except by unanimous consent of the House. Anyone who knows the parliamentary history of England knows that these 'blocking motions' have been adopted again and again to avoid the discussion of matters that were regarded by some parties as unpleasant. I think we should have no more of that system, but, when a motion is called the second time and not proceeded with it should go to the foot of the list, and when called the third time, it should be dropped.

Present rule 32 to be amended by striking out the words 'or Thursday' in the second line from the top.

Mr. LANCASTER. I think I understand what the object of that is. I apprehend the point is that Thursday is a government day after the first four weeks of the session. But for the first four weeks of the session, certain matters, public Bills, for instance, have precedence, and if on one of these Thursdays, there is a long debate with the intention of talking out a public Bill, it had a perfect right to the floor of the House under the rules until the government took the responsibility of taking Thursday. At the time that change in the rule was made, some four or five years ago, I protested because I thought the government ought not to take Thursdays until they could give to the House some good reason for preventing any more discussion of public Bills. If we should adopt this amendment, it would be possible for a number of mem-

bers to kill any public Bill by talking on it until the proper hour of adjournment had arrived. Instead of striking out 'on Thursday' make it read 'and on Thursday after the first four weeks of the session.'

Sir WILFRID LAURIER. I do not think my hon. friend has any cause for such apprehension as he now expresses, but if he thinks the proposed change will at all interfere with the privileges of hon. members opposite, I am quite willing to leave it as it is.

Mr. LANCASTER. I have had reason for apprehension, because in the last two or three sessions hon. gentlemen have had important public Bills, and the Prime Minister will remember that until four years ago public Bills had precedence all session, prima facie, but the government undertook to arbitrarily take Thursday by the amendment in the rule. As the rules are to-day, public Bills have no precedence, and are not likely to be reached except in the first four weeks. The House generally meets on a Thursday and as that day is consumed in organization there are practically only three days available. Public Bills are sometimes very important. If the government wish to take Thursdays they should assume the responsibility for doing so by a motion as in the case of Mondays and Wednesdays.

Sir WILFRID LAURIER. I think my hon. friend is entirely in error, but if he thinks the privileges of the opposition are interfered with by this change I shall not press the matter. The existing rule is quite intelligible so far as Wednesday is concerned, because the House adjourns at 6 o'clock on Wednesdays. It is not so on Thursday. Years ago, at the time of confederation, notices of motion had precedence on Wednesday and Thursday up to 6 o'clock, and after 6 o'clock the House went into public Bills and orders. Then the rule was introduced for Wednesday and Thursday. There has since been a change; Thursday is now devoted to public Bills and orders after notices of motion all day from 3 o'clock and therefore there is no reason to make any provision for the business of the House on Thursday evening, because it is the same as on any other day. I do not think my hon. friend is justified in his fear, but I am quite willing to leave the rule as it is.

Mr. LANCASTER. Why not add ' after the first four weeks of the session'?

Sir WILFRID LAURIER. I do not think it would meet the case at all.

Mr. LANCASTER. As I said, if my suggestion is not acceded to hon. gentlemen could practically talk out a Bill, because when public Bills were next called another Bill would go on instead of it and it would lose its right.

Mr. R. L. BORDEN. As far as I understand the matter, the word ' Thursday ' was inserted in the new rules by the clerk or some one else two or three years ago under a misapprehension. Six o'clock on Thursday is just the same as 6 o'clock on any other day except Wednesday. Nothing happens, the business goes on at 8 o'clock just where it left off at 6 o'clock on Thursday, and therefore the insertion of Thursday in a rule regarding Wednesday for which there is special provision, is unnecessary and confusing, and for that reason it was thought best to drop it.

Sir WILFRID LAURIER. By our present rule, for the first four weeks of the session, on Thursdays, we take public Bills and orders after motions at 3 o'clock, and they are to continue until the end of the sitting. It does not matter what is before the Chair at 6 o'clock, if a Bill is before us at 6 o'clock on Thursday it goes on again at 8 o'clock. The rule in 1867-78 for the order of business on Thursday was:

> Until the hour of 6 o'clock p.m questions put by members, notices of motion, public Bills and orders; and after 7.30 o'clock p.m. public Bills and orders.

So if, at 6 o'clock, a notice of motion was under discussion, it dropped when the House met again at 8 o'clock and we went into public Bills and orders.

Mr. LANCASTER. Does the Prime Minister mean that the reason Thursday is now in the rule is simply because it has been forgotten in the revision since 1867? And is the leader of the opposition quite sure that no harm of the kind I suggest is likely to result? I do not want to run counter to the opinion of both the Prime Minister and the leader of the opposition in this matter. They have been on the committee and I have not, and I would like to know from the leader of the opposition (Mr. R. L. Borden) that he is quite certain there would be no danger to public Bills under this amendment to the rules.

Mr. R. L. BORDEN. I feel quite confident that there will not.

On clause 5,

> That the present rule 13 be amended by adding the following: Speeches in Committee of the Whole must be strictly relevant to the item or clause under discussion.

Sir WILFRID LAURIER. That is the English rule.

Mr. J. A. CURRIE. That looks very nice.

Sir WILFRID LAURIER. Does my hon. friend object to this?

Mr. J. A. CURRIE. Well, I am relevant occasionally. There is no necessity for the application of a clause of that kind. I have

been here for two sessions, and I know a little about the work of the House. I have never known of anything in the nature of what you call blocking the work of the House or trying to hold the rules of the House up to contempt. It is true that some Bills have been talked out, especially private Bills. We have a recollection of some private Bills here this session that had to be talked out, and with respect to others we had to talk until we got some amendments to them. I think that the application of a closure rule is not going to benefit the public. Any one who has followed the legislation this year must come to the conclusion that next year we will have more calls from corporations demanding blood and more strenuous efforts will be put forth for the purpose of getting something that is contrary to the interests of the public. Whatever merit the rule may have as applied to public business, certainly, when the House is in committee on private Bills it should not be applied. I have no recollection that the country has ever suffered one particle by these discussions or all night sessions. I have never heard of an all night session by which anybody was injured, but on the contrary the all-night sitting, and the fight which took place this session was for the benefit of the public. The reason why the rules were restricted in the English House of Commons do not obtain here. There the Nationalists deliberately proceed to hold the rules of order up to contempt by discussing every motion that was produced by the Speaker, even such a simple motion as: Shall this Bill be read a week hence or tomorrow? We have had no trouble with obstruction of that kind in this House. This House has always had absolute freedom in debate and the members of the opposition have never taken advantage of the laxity of the rules to unduly harrass the government or hold up the business.

Mr. R. L. BORDEN. I would be inclined to think that this is the rule of the committee now, if the chairman of the committee sees fit to guide himself according to what should be the practice of the committee. I think it is merely placing in the written code of this House, in respect to its work in committee, that which at the present time is and ought to be in the unwritten code.

Sir WILFRID LAURIER. May I be permitted to observe that my hon. friend from North Simcoe (Mr. Currie) that this was a standing rule of the House of Commons in England long before the Nationalists were heard of, and I think moreover that it is a rule which is in line with common sense. This is a deliberative body and the discussions ought to be confined to the question which at the moment is before the House. My hon. friend says there may be occasions when the opposition should fight strenuously a proposition put before it and he instanced the all-night sitting which took place during the present session. There have been all night sittings almost every session of this parliament since I have been in this House, and that runs back for more than thirty years. But the all-night sitting which took place during the present session was an exception to all the all-night sittings that I have ever heard of. It was not my good fortune or misfortune to be present, but I read the debate carefully and I was surprised at the high character of the discussion which took place. It was not at all confined to one side of the House. All-night sittings for the purpose of obstruction are generally confined to one side of the House, the other side taking no part, but on the occasion of that all-night sitting both sides of the House discussed and discussed strenuously the proposition which was before the House. There was no irrelevant discussion as far as I could see in the debate. The discussion was of a very high character and under the circumstances I do not think the chairman would have been justified in imposing such a rule because there was no occasion to do it. I have also his word for it that he was impressed with the high character of the debate. But, if the debate goes on in a rambling manner, without any purpose, I think it is only right that the dignity of the House should be preserved by having such a rule as they have in Great Britain. We are only following the provision of the British House of Commons and I must say that I am shocked that my hon. friend, who is a Britisher, should even interpose an objection.

Mr. J. A. CURRIE. My right hon. friend knows and we all know that from the time that rules were first provided for parliamentary usage there has been a general rule that a speaker must speak to the question. In the Committee of the Whole the practice has arisen of allowing greater laxity in discussion than when we are speaking directly to a motion, and a member has only one chance of speaking. Of course, I do not care—I am only one member of the opposition, but I feel that the House, by putting this rule in, is casting a reflection upon its past action. I do not feel like giving up any privilege or right in the way of obstruction than I have at the present time as a member of the opposition in any legislation which I consider not to be in the interest of the country is being forced through this House against my will. I do not think the Speaker has ever had occasion, since I have been a member of the House, to bring us up very strongly: it is only occasionally that things get a little hot and then he does it under the old rule. I do not see why there should

be any rule of this kind unless it is intended to do something that has not been done before.

Mr. S. SHARPE. In every Bill there are certain formal clauses. Is this new rule going to confine us strictly to the formal clause that may be under discussion, or will it be allowed under such a clause to discuss the merits of the Bill? If not, I think this will considerably restrict the discussion.

Mr. J. A. CURRIE. If this new rule is applied, a member cannot discuss a Bill in committee in a general way, or the chairman will immediately shut him off. If a certain clause is before the committee, it will not be allowable to refer incidently to its bearing on other clauses.

Mr. R. L. BORDEN. I do not regard the rule as going that far. In the discussion of one clause, it would, of course, be allowable to refer to its meaning taken in connection with other clauses.

Sir WILFRID LAURIER. Hear, hear.

Mr. R. L. BORDEN. If I thought the rule did not permit that, I would not consent to it for one moment. Moreover, on a motion that the committee rise or that the committee rise and report progress, there is always room for wide discussion. It does not seem to me unreasonable to say that the discussion in committee shall be relevant, and that is all that the rule amounts to. If the discussion in committee or anywhere else is not to be relevant, it is, of course, impossible to have any business done in order.

On paragraph 6,

The following new rule to be added after rule 18:

Mr. Speaker or the chairman, after having called the attention of the House, or of the committee, to the conduct of a member who persists in irrelevance, or tedious repitition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

Sir WILFRID LAURIER. That is the English rule copied word for word.

Mr. SPROULE. It seems to me that we are making a new departure which may be of a more serious character than is intended. Hitherto members have always had the right to appeal from a ruling of the Chair to the House. In this case, I take it we have no right to appeal; the Speaker is to do just what he likes. I do not wish to insinuate that any Speaker would be partial in his ruling, but the Speaker of the English House of Commons continues to occupy that position no matter what party is in power, whereas the Speaker of this House is elected for every new parliament and is taken from the side of the House which for the time being is controlled by the ministers, so that if he gave a ruling that might be considered a partial one, there would be no redress. If it could be done without materially changing the rule, I think there should be an appeal to the House from the ruling of the Speaker.

Mr. J. A. CURRIE. Under this rule the Chairman of the Committee of the Whole could compel a member to cease speaking during the whole session of the committee.

Sir WILFRID LAURIER. No, it is simply on the question for the time being, certainly not for the whole sitting.

Mr. J. A. CURRIE. Does this mean that if a member speaking in committee persists in beng irrelevant, and the chairman stops him, he can speak again while the House is in Committee, not on the same clause, but on the same Bill?

Mr. LANCASTER. As I understand, he could speak again so long as he did not sin again.

Sir WILFRID LAURIER. Certainly.

Mr. R. L. BORDEN. In other words, the chairman could direct a member to discontinue his speech, but he could not direct him not to begin again.

Mr. SPROULE. I take it that the sense of the House is that there should be no appeal from this decision of the Speaker.

On paragraph 7,

The following new rule to be added after rule 78:

All members who are returned for two or more electoral districts shall make their election for which of the districts they will serve, within twenty days after it shall appear that there is no question upon the return of either district.

Mr. BLAIN. Is this a suggestion of the Prime Minister?

Sir WILFRID LAURIER. No, of the hon. member for Dauphin (Mr. Campbell).

Mr. SPROULE. It seems to me that this clause is imported here without any justifiable reason. I think it should be embodied in the Election Act instead of being a rule of the House of Commons.

Sir WILFRID LAURIER. I see no objection to that, but we have followed the practice in England, where it is not a rule of the House, but a standing order.

Mr. S. SHARPE. What would be the result of a protest being entered against both seats?

Sir WILFRID LAURIER. If a member is elected for two seats, and one of them is protested, he is not bound to elect until the protest is disposed of.

Mr. CROCKET. If there is no petition filed, and there is no return from either district, what will happen? And the practice is, is it not, for a member to make his election in the House of Commons.

Sir WILFRID LAURIER. At present the question which my hon. friend presents is disposed of by statute. The rule is simply to force them to elect within a certain time, and we have fixed the time at 20 days.

Mr. R. L. BORDEN. I think perhaps that the Prime Minister does not quite appreciate the force of the observation of the hon. member for York (Mr. Crocket). Where there is a petition against the return of any member we know by the records of the court that a question has arisen and the member in that case is not obliged to elect until the question is determined. The hon. member for York (Mr. Crocket) asks as to cases where there is no petition against the return of a member either in the one district or in the other, how shall it appear? Well, I suppose it would have to appear just in the same way. That is, if one required technical and effective evidence, it would be necessary to go to the clerk or prothonotary of the court where the petition shall be filed, and procure from him a certificate that there was no petition. That is the only way I think it could be done. I am not aware, although I am not sure about this, that there is any report from the Speaker of the House upon the filing of a petition. There is a report when the petition has been dismissed.

Mr. CROCKET. But when there is no petition there is no return to this House at all.

Mr. R. L. BORDEN. And there is no return on the filing of the petition so far as I am aware. So whether there is a question or not must be determined outside of any infomation which by law is in possession of the Speaker.

8. The following new rule to be added after rule 28:

SENATE BILLS.

Bills originating in the Senate and sent to this House for concurrence shall be placed for first reading on the order paper under the heading 'Routine Proceedings', immediately after introduction of Bills.

9. The following new rule to be added after rule 29:

PUBLIC BILLS AMENDED BY SENATE.

Public Bills returned to the House from the Senate with amendments shall be placed on the order paper for the consideration of such amendments on Monday immediately after private Bills.

Sir WILFRID LAURIER.

10. Present rule 25 to be amended by adding after the words: 'Private Bills' the words 'Senate amendments to private Bills.'

Mr. LANCASTER. Which part of 25? The words 'private Bills' appear in several places in 25.

Sir WILFRID LAURIER. This is simply to provide that on Monday after private Bills, there should be on the order paper another item for Bills coming from the Senate.

Mr. LANCASTER. But the words 'private Bills' appear in several places, one part relating to Mondays, another to Tuesdays, and a part to Fridays.

Mr. DEPUTY SPEAKER. It is moved that after the words 'private Bills' there be inserted the words 'on Monday'.

Resolutions reported, read the second time and agreed to.

Sir WILFRID LAURIER. I now move that these rules come into force at the beginning of next session.

Motion agreed to.

PRIVATE BILLS.

Sir WILFRID LAURIER. A moment ago I moved to have the item private Bills called for the purpose of giving second reading to several private Bills, and advancing them a stage. Objection was taken by my hon. friend from Grenville (Mr. Reid). But I have a note from him informing me that he agrees to withdraw his objection, and therefore I renew my motion.

Motion agreed to.

GUELPH JUNCTION RAILWAY COMPANY.

Mr. A. H. CLARKE moved the second reading of Bill (No. 218) respecting the Guelph Junction Railway Company.

Mr. SPROULE. This Bill is very objectionable and it was doubtful whether it is likely to pass this session. I know there are several members who strongly object to it. Whether it would make any difference objecting to it at this stage I do not know.

Sir WILFRID LAURIER. If there is any objection to the Bill there will be plenty of opportunities in the committee, and there will be the third reading, so that nobody's interest can be prejudiced.

Mr. SPROULE. We have this disadvantage that when a Bill comes from a committee it has the stamp of the committee upon it and it is urged as a reason in this House why the Bill should go through as a matter of form. Now to my mind the principle of this Bill is a very dangerous one. It is absolute confiscation, there is

no doubt about it. We have never so far as I remember in my acquaintance with parliament adopted the principle that is embodied in this Bill of compelling a man to sell or hand over to another his property without fair and reasonable compensation, or by arbitration. We do give people the right to expropriate property, but this is under the rule of arbitration, and for the public good. But we have never adopted, so far as I know, the principle of compelling any man to give up his property to another without the individual who is sacrificing the property having some reasonable say in what he should receive by way of compensation. So we are adopting in this parliament a principle that has never been adopted in the history of the Canadian parliament to my knowledge, and I think it is a very bad one, and one which will undoubtedly be quoted in the future as a precedent. I think we should go slowly before adopting any such principle.

Motion agreed to, and Bill read the second time.

SECOND READINGS.

Bill (No. 219) to incorporate the Alberta, Peace River and Eastern Railway Company.—Mr. Martin (Regina).

Bill (No. 220) to incorporate the Federation of Chambers of Commerce of the province of Quebec.—Mr. Rivet.

Bill (No. 221) for the relief of James Alexander Hurst Forster.—Mr. Martin (Regina).

Bill (No. 222) for the relief of Emily Maud Nicoll.—Mr. Osler.

Bill (No. 223) for the relief of Edna Shibley De Mar.—Mr. Barker.

Bill (No. 224) for the relief of Clifford Buell Lillie.—Mr. Clarke (Essex).

Bill (No. 225) for the relief of Rowland James Botterill.—Mr. German.

CANADA TEMPERANCE ACT AMENDMENT.

Bill (No. 209) to amend the Canada Temperance Act.—Mr. Murphy, was read the second time, and House went into committee thereon.

On section 1,

1. Paragraph (g) of section 2 of The Canada Temperance Act, chapter 152 of the revised statutes, 1906, is repealed and the following is substituted therefor:—

(g) As respects the province of British Columbia, 'county' means every county into which the province of British Columbia is divided by the 'Counties Definition Act,' chapter 51 of the revised statutes of British Columbia, and amending Acts, or other Act of the legislature of British Columbia dividing the province into counties, and includes every town, township, village and other division or municipality except a city municipality with the territorial limits of such county; and 'city municipality' means any city municipality or city as defined by the 'Municipal Clauses Act,' chapter 32 of the statutes of British Columbia of 1906 or any amendment thereof, or by any Act substituted therefor.

Mr. MURPHY. The word 'municipality,' where it occurs in line 15 should be struck out. The definition in the British Columbia Act which it is proposed to insert in this Act is a definition of 'city,' not 'city municipality.'

Mr. DEPUTY SPEAKER. Shall the word 'municipality,' be struck out as proposed? Carried.

On section 2,

2. Subsection 2 of section 7 of the said Act is repealed and the following is substituted therefor:—

'2. In the province of British Columbia, in any land registry office or in any sheriff's office in the county or in the city to which it relates.'

Mr. MURPHY. This amendment is inserted in order to make the Act conform to the additional electoral divisions in the province of British Columbia, over and above those that existed when the Act was framed.

Bill reported, read the third time, and passed.

PRISONS AND REFORMATORIES ACT AMENDMENT.

Bill (No. 217) to amend the Prisons and Reformatories Act.—Mr. Aylesworth, was read the second time, and House went into committee thereon.

On section 1,

Mr. R. L. BORDEN. Perhaps there is no great advantage in reading these sections. If we had some explanation as to the amendments effected by the Bill, we might be able to dispense with the formality of reading all the sections.

Mr. AYLESWORTH. The purpose of this legislation, as I very briefly explained in introducing the Bill, is to supplement legislation which has just been passed by the provincial legislature of Manitoba. In the Act of the provincial legislature, which was assented to on 16th March last, provision is made for the establishment of an industrial home within the province to which girls or women may be sentenced. Under the present Dominion statute with reference to prisons and reformatories, no provision is made for sentencing prisoners to such an institution, because none was in existence until the passing of the legislation to which I have just referred. Accordingly, this Bill proposes to repeal the four sections of the Prisons and Reformatories Act here named, which four sections apply to the province of Manitoba, and to substitute for these four sections the sections of the Bill. The only difference made

by these sections is that the Bill introduces the word 'industrial home.' In line 15 of the first section of the Bill, power is conferred upon the court to commit a prisoner to either some reformatory or industrial home for boys or girls in the province of Manitoba. Under the existing law, the power to sentence is simply to the provincial reformatory for boys. The same thing is true of sections 140, 141 and 143 of this Bill. Section 142 is entirely new and has been introduced at the suggestion of the deputy attorney general of the province, who tells me that he has been urged to secure it by Hon. Mr. Daly, police magistrate of Winnipeg, who is also judge of the juvenile court in Winnipeg, and who is of opinion that a short term of imprisonment for girls or women who have gone astray is often of very little use in the way of their reformation. Mr. Daly's experience suggests the advisability of an amendment to the Dominion law, such as this section 142 proposes, by which the court may, in its discretion, sentence such an offender to any term it thinks fit, not exceeding three years. The provisions of section 142 are new; the provisions of the other sections are mere amendments of the existing law in the way I describe.

Mr. R. L. BORDEN. As I understand the Bill, the whole of it has the approval of the Attorney General of the province of Manitoba?

Mr. AYLESWORTH. The Bill is suggested by the Attorney General of Manitoba.

Bill reported, read the third time, and passed.

MANITOBA AND QUEBEC JUDGES.

Bill (No. 207) to amend the Judges Act, read the second time, and House went into committee thereon.

On section 1,

Mr. R. L. BORDEN. Will the minister give a brief explanation of the Bill? It may have been given before, but I cannot recall it.

Mr. AYLESWORTH. This Bill is introduced to carry out the resolution passed by the House just previous to its introduction, whereby it was resolved to be expedient that provision should be made for the salaries of four additional judges to the Superior Court of the province of Quebec, and one additional judge to the King's Bench of Manitoba. The way in which that is carried out as a matter of legislation is simply to repeal the existing clause of the Judges' Act and to substitute the new one contained in this Bill. Under the existing clause there is provision made for the payment of a salary of $7,000 annually to each of 17 puisne judges of the Superior Court of the province of Quebec, whose residences are fixed at Montreal or Quebec. The word 'seventeen', by this Bill is changed to 'twenty-one.' In the same way the present law as to the province of Manitoba is for the payment of a salary of $6,000 per annum to three puisne judges of the Court of King's Bench, and this Bill proposes to substitute the word 'four' for the word 'three.' The other provisions of the Bill are merely repetitions of the existing statute.

Bill reported, read the third time, and passed.

ESCHEATS TO THE CROWN.

Bill (No. 206) respecting escheats, read the second time, and House went into committee thereon.

On section 1,

Mr. AYLESWORTH. I may explain briefly the purpose of this Bill. We have no provision upon our Dominion statute-book for the disposition which is to be made of property which may escheat to the Dominion Crown. The ordinary escheat of property within any of the older provinces of the Dominion goes to the provincial Crown, and with such escheats the Dominion has nothing to do. But in the case of the territories where there is no provincial representative of the Crown, the estate of any person who dies entirely without heirs, escheats to the Dominion. As a matter of fact, there is at the present time in the hands of the Receiver General as part of the consolidated fund of Canada, the proceeds of an estate of this character amounting to nearly $50,000. There is no statutory provision for the disposition which should be made of such estates, and while the bulk of any such estate would of course simply go to add to the resources of the country, it is thought that in many instances it is desirable that there should be power to do something out of the estate for people who have not a legal claim, but a moral and equitable claim, upon the property, or upon the individual who had, during his lifetime, owned the property. The case out of which the money I have spoken of has arisen, presents features of that character. A man owning a considerable amount of property in what, in his day, was the Northwest Territories, died, having made a will, but having no descendant or legal heir. The will does not dispose of the whole of his property, and there is this surplus of nearly $50,000 which falls to the government. Now, there are people who, while not legally related to him, are still of his own blood, kin of the half blood, chidren who I think were of the same mother. At all events, in a relation, naturally speaking, as distinguished from legally speaking, they are half brothers or half sisters This Bill provides that the Governor in Council may

make a grant out of property which becomes the property of His Majesty in circumstances such as I have described to

Any person, who in the opinion of the Governor in Council had a legal or moral claim upon the previous owner, or a just or natural right or claim to succeed to his property or to any part thereof.

The power is also sought by this legislation to the Governor in Council to carry into effect any disposition of the deceased owner's property which it is believed he may have intended. I do not know that that situation arises in the particular case I have been alluding to, but a case might arise in which a man had made a will which, as a matter of law, was defective, which might, for instance have been signed before only one witness or might otherwise be of such a character that the courts would have no power to carry it into effect. It would seem only right that in such circumstances, or if in any way a clear intention was demonstrated on the part of the owner of the property to make some disposition of it, there should be power in the Governor in Council to carry out, to the extent which may seem just, such clear intention. Finally, power is asked to devote some portion of an estate of the character I have mentioned, in the way of reward, to any person who may make discovery of such property to the Crown. These are, in outline, the provisions of the present Bill.

Mr. SPROULE. I take it that 'the Governor in Council' means the federal authority. It would not apply to the provincial authority?

Mr. MURPHY. No.

Mr. SPROULE. Would this not bring on a conflict between the rights of the provinces and of the federal authority? The provinces believe and have acted upon the belief that it is their right to claim escheated property. For instance in the old Mercer escheats case, the estate was taken possession of by Sir Oliver Mowat, on behalf of the province, and both real and personal property disposed of by the provincial government. Would this not be assuming to the federal government the same authority which is believed to be vested in the provincial government? If it becomes law would it apply to personal property in the shape of money held by the banks and for which there was no owner? We find many of these unclaimed balances in the reports made every five years. Suppose some person gave notice of an unclaimed balance in the bank to the credit of some one who had died intestate, and to which there were no heirs, would that individual be entitled to the remuneration which this Bill provides might be given to him and in both cases would the property go to the provincial or federal government?

Mr. AYLESWORTH. The Bill is drawn with the effort to make it impossible that there should be any conflict with the well-established provincial authority. It can have no application to a case of an escheat in any of the older provinces of the Dominion. In the province of Ontario and also in the province of Quebec it has been authoritatively established by decisions of the courts that in case of escheats the property escheated goes to the province. The same law must, upon a like reasoning, apply to Nova Scotia, New Brunswick, Prince Edward Island and I suppose to British Columbia. I do not know that any case has ever arisen in these latter provinces in which the question has been discussed, but so far as I am aware there is no ground for supposing that escheated property in those provinces of the Dominion does not go to the province. I am not so clear as to the position of property which might escheat in the provinces of Manitoba, Saskatchewan and Alberta, because in those provinces the ungranted land of the Crown is the property of the Dominion, and the whole origin of the legal doctrine of escheat for want of heirs, is a remnant of the feudal law of the land reverting to the hand which gave it. In those circumstances it may be that the courts would hold an escheat of property in the three provinces I have mentioned should fall to the Dominion and not to the province. That question, however, has not practically arisen. In the case to which I have alluded and which has produced this considerable sum of money in the hands of the Dominion government, the estate fell into the Crown before the provinces were created, while the property was still within the Northwest Territories of Canada, and to-day, if a man died without legal heirs, owner of property in the Yukon or in the Northwest Territories, Keewatin, Mackenzie or Ungava, such property would necessarily fall to the Dominion government, because there would be no provincial government to which it could go. So this Bill, as hon. gentlemen will see, opens with the statement:

Where His Majesty the King, in his right of Canada, is entitled to land or other property, &c.

And the whole Bill is posited upon the case wherein right of the Dominion government, the Crown becomes entitled to a windfall such as this. In all other cases, of course, this Bill has no application; wherever it is His Majesty in right of a province or of any other jurisdiction than that of the Dominion, this Bill does not touch the matter.

With reference to the other point, the unclaimed balances which may remain in

banks, if there was any such unclaimed balance the property of a man who died without legal heirs, it would, like any other portion of his property, fall into the hands of the Crown but not otherwise. If the man who owned the unclaimed balance left legal personal representatives, children or other heirs, that unclaimed balance would go, like any other property which the deceased had owned, to such legal, personal representatives and the Crown would have nothing whatever to do with it, so that this Bill does not profess to deal with unclaimed balances in banks except to the possible extent I have indicated where such unclaimed balance or any part of it was the property of a man who died without heirs.

Mr. SPROULE. With regard to money, and there was such a case, an unclaimed balance of a considerable amount remained in the hands of a bank in Ontario, and an effort was being made to escheat that, would it go to the province the same as real estate or to the federal authority under this Bill?

Mr. AYLESWORTH. In a case such as my hon. friend describes, if the unclaimed balance escheated at all in Ontario it would escheat to the province and not to the Dominion.

Mr. PORTER. I notice in the wording of the Bill that the Governor in Council may grant 'out of the moneys or out of the escheat'. Are the words broad enough to enable the Governor in Council to grant the whole escheat or should the words 'the whole or any part' be inserted there?

Mr. AYLESWORTH. I think the words in the third section are quite wide enough to authorize the disposition of the whole property—may grant 'any land or other real or personal property or any part thereof'.

Mr. DOHERTY. I quite understand this legislation is intended to apply and would apply only to cases where property was escheated to the Crown in the right of Canada, but I would like to ask whether this legislation does not affect the provinces to this extent that a question might arise as to whether a particular estate should escheat to the Dominion or the province as in the case of Manitoba, Saskatchewan and Alberta, with regard to which provinces the minister said there might be some question as to which Crown the right would be vested in. Would not this legislation affect these provinces to this extent that it would confer upon the Exchequer Court the exclusive jurisdiction of determining the question of right as between the Crown in the right of Canada and the Crown in the right of the province?

Mr. AYLESWORTH. I think the only answer it would be possible to make to the question which my hon. friend has propounded would be to say that if the property escheated to the Dominion government then certainly jurisdiction would be conferred on the Exchequer Court only, but, on the contrary, if the property did not, as a matter of law, fall to the Dominion government, this Bill would not touch it at all.

Mr. DOHERTY. I quite understand that if it were once decided, but I am asuming a case where the escheat takes place in a province, where, as the minister says the question is not absolutely decided whether the escheated property would fall to the Dominion of Canada or fall to the province. I am assuming the case that Canada claims that the escheat is to her. Then, under this Act, would not she be entitled, as against the province that might be claiming the right, to proceed before the Exchequer Court as this Act provides and to that extent are you not affecting the position of the provinces to the extent that you are compelling them or putting them in a position where they can be compelled, to submit the question of their right to the escheat to the determination of a Dominion court? You are putting them in a different position from an individual having a right to enforce or defend in regard to a property within the province when you are compelling them to meet the claim of the Dominion of Canada before the Exchequer Court. I am not prepared to say that perhaps it is not proper to do it, but I only want to make it clear. It seems to me that you are, in this instance, affecting the position of the provinces.

Bill reported, read the third time, and passed.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

OCEAN CABLE COMPANIES.

Mr. LEMIEUX moved concurrence in amendment made by the Senate to Bill (No. 104) to control the rates and facilities of Ocean Cable Companies, and to amend the Railway Act with respect to Telegraphs and Telephones and the jurisdiction of the Board of Railway Commissioners. He said: It was enacted in the Bill as presented to the House that it should come into force upon a proclamation of the Governor General in Council. As it will not come into force unless there is concurrent legislation in the imperial parliament or provision of a similar nature made by the British government, the Senate has amended the Bill to insert on page 2, line 5, after the word 'force,' the words 'upon similar provision being made by the proper authority in the United Kingdom.'

Motion agreed to, and amendment read the first and the second time, and concurred in.

TELEGRAPHS ACT AMENDMENT.

Mr. LEMIEUX moved concurrence in amendments made by the Senate to Bill (No. 105) to amend the Telegraphs Act. He said: This Bill should be read with Bill (No. 105). The amendments are the following: On page 1, line 8, after 'direct' add 'and at such rates as may be determined from time to time by the said board for the different classes of messages, or hours of the day or night during which such messages are transmitted, without discrimination within each class.'

The explanation of this amendment is that it will give a better understanding of the section. When I introduced this Bill to the House I explained that the object was to give the three classes of messages, urgent messages, deferred messages and press messages. Now there is a section in the Telegraph Act which forces under a penalty the companies to transmit messages as they receive them. If there is a differentiation between the classes of messages the companies according to this amendment and according to the Act which was introduced, the amendment making it clearer, will be under the same penalty obliged to transmit them as received. That is the first amendment. Then, another amendment leaves out section 4 of the Bill in order not to confiscate any rights which have been acquired by the cable companies. The next amendment is in the last section, line 19:

After 'Council' insert 'and simultaneously with the coming into force of the Act of the present session, intituled: 'An Act to control the rates and facilities of Ocean Cable Companies, and to amend the Railway Act with respect to Telegraph and Telephones and the jurisdiction of the Board of Railway Commissioners.'

That is to say if we do not obtain from Great Britain the necessary provision to put into operation this legislation, then that amendment in the Telegraphs Act shall not come into force. The one is dependent on the other.

Motion agreed to, and amendments read the first and second time, and concurred in.

VOLUNTEER BOUNTY ACT AMENDMENT.

Mr. OLIVER moved that the House go into committee to further consider Bill (No. 163) to amend the Volunteer Bounty Act, 1908.

Mr. GEORGE TAYLOR. The hon. minister received a lot of suggestions the other night. Perhaps he might just explain which, if any of them, he has accepted.

Mr. OLIVER. The other night the Bill stood over in order that I might have an opportunity to consider a number of suggestions that were made. I have them before me, and will refer to them in detail. Before doing so, however, I may say that after giving them the most careful consideration I have not been able to agree that it would be well to add them to the Bill or to adopt them in the Bill. Taking them in the order in which they came up in the debate, there was the amendment suggested by my hon. friend from Assiniboia (Mr. Turiff). He suggested as an amendment to section 4:

That section 4 of the Volunteer Act, 1908, chapter 66, be amended by adding to it the following words: 'Every such grantee or his substitute may within six months after the date of entry, abandon the land so entered and may thereafter, within the time limited for selection and entry by subsection 1 of this section, or within six months after such date, make a second entry; provided that nothing in this subsection shall authorize or entitle any grantee or his substitute to make any further entry in place of the land abandoned as aforesaid.'

My view with regard to that is that volunteer scrip cannot in fairness to the administration be treated differently from other scrip, that is half-breed scrip, and everybody agrees that it would be entirely improper to allow a location of scrip to-day and to allow it to be exchanged to-morrow. Besides that, the amendment would practically give an additional six months, that is to say that instead of the time limit terminating at the time set by the statute it would be extended by the operation of this provision for six months longer in the cases of those who desired to speculate in this scrip. To put the matter shortly, it would be an undesirable addition to the speculative element which necessarily enters into the dealing with this scrip. Moreover, I do not think it would be fair to the ordinary settlers that these scrip holders should be allowed to take part in a rush for entry, thereby tending to displace the ordinary homesteader, and afterwards to have the right to exchange their location. Another suggestion was made by the hon. member for St. Anne (Mr. Doherty) in the following words :

That section 4 be amended by inserting in the second line, after the word 'Act,' the following words:

Or any bounty certificate that has been, prior to the passage of this Act, sold or transferred to any person acquiring the same for purposes of speculation or resale.

That amendment is intended to meet the view that has been expressed by a number of members that it would be desirable while giving an extension of time to the present holders of their own scrip

not to give it to the men who had bought scrip. In regard to that I would observe that the fundamental principle of the Act as it was first passed was to put the substitute or buyer on an equal footing with the original holder, the view being that by doing so the original holder who did not wish to locate would get a higher value. The purchasers bought in the belief that this principle having been affirmed by parliament would be adhered to. Volunteers who have sold have had the benefit of this belief on the part of the purchaser. This belief was further warranted by the action of parliament in dealing with the scrip of 1885 in regard to which extensions were given. On that point I might mention that there have been a number of previous issues of scrip. There were issues to the veterans of the first Red river expeditions between 1870 and 1873, of 1,559 military bounty warrants for 160 acres of land without settlement duty. There was no limitation of time as to the location of those warrants, and to-day we are advertising in the newspapers hundreds of those warrants, giving notice to the public that there are such and such warrants that have not been located which are just as good to-day as they were when they were issued nearly 40 years ago.

Mr. LANCASTER. Because there was no limit, I suppose?

Mr. OLIVER. No limit in that case. Then in the case of the Northwest rebellion of 1885, scrip was issued and the volunteer had the choice of taking what is called $80 money scrip or 320 acres land scrip with settlement duty. There were issued in that connection 1,025 land warrants and 5,296 scrip notes. Now, the time for location of the land warrants was first fixed at August 1, 1886. That was a year after the rebellion. But this time limit was extended from time to time by Act of parliament: first, for six months from July 1, 1892; then for one year from January 1, 1893; for two years from January 1, 1894; for two years from January 1, 1898; from June 14, to December 31, 1900, and from June 26, 1906, to December 31, 1908. There was in the minds of both seller and buyer the precedent set by the treatment given in the case of the scrip issued in 1885, the terms of settlement and the conditions generally being approximately the same in that case as in the case of the South African scrip. I, therefore, think that my position is maintained that both seller and buyer had reason to expect some moderate extension of time for location, and that they did both sell and buy with that idea in mind. Now, as to administration in accordance with my hon. friend's proposal, my conclusion is that it would be impracticable in administration to protect buyers if two classes of scrip were created, whose differences in value could only be found out through some means of registration of original sales not now provided for. The result would be to create confusion and uncertainty that would be reflected in lessening value of all scrip and cause a serious loss to many innocent parties. To deal with the actual terms of my hon. friend's suggestion: scrip now in the hands of the volunteers and sold after the Act comes into force would have the benefit of the extension. The scrip sold before the passage of the Act is entitled to the benefit of the extension if located by the first purchaser. The proposal is not confined to the volunteers, but the first purchaser is to be allowed the benefit. Now, for the information of the House, I may say that the papers coming before the department in all cases must show on their face that the proposed locater is the first purchaser. It is not the fact, it is true, but the papers show that, and that is all the knowledge we have of the matter in the department. If the provision suggested by my hon. friend were adopted, proof as to speculation or resale would have to be brought forward from time to time on each separate occasion, and I need not enlarge on the subject to show that there would be the widest opening for perjury on the one hand—that is, the man who had not bought from the original locater, but who wished to locate—and for the work of the informer, who, knowing there had been a sale, would try to injure the man who had final possession of the scrip. I am bound to say that, in my judgment, it would be a very unfortunate provision to make, both for the volunteer, who holds the scrip, and for the public who might possibly be interested in the scrip. I am sure my hon. friend is not familiar with the operation of dealing with the scrip or he would soon see the matter exactly as I have placed it before the House.

Then, my hon. friend from Hamilton (Mr. Barker) suggested that:

> The grantee may personally or by his agent appointed by him in that behalf in writing and acting for him, or by his substitute duly qualified in that behalf, as already provided in the Act, perform settlement duties.

That is, the owner of the scrip may hire his duties done. I will not dwell on that point more than to say that hiring the residence duties done is contrary to the foundation principle of the Homestead Act, and is objectionable from every point of view having regard to western settlement, and I think that every man who comes from the west will agree with that statement of the case. The hon. member for Victoria and Haliburton (Mr. Hughes) suggested an amendment as follows:

> The provision of this Act, and of the Volunteer Bounty Act of 1908, shall apply to any volunteer whose domicile was in Canada at

the time of the opening of the war, and who produces indubitable evidence of his service in the field in South Africa, although he may not have been duly sworn in and enlisted.

In regard to that, I would say that either that amendment would have no practical effect—that is, if it were strictly interpreted, it would practically add none to the number of those who are entitled to share in the scrip grant—or, if it were not strictly interpreted, it would open the door to such a class of applications as would, in my estimation, constitute a very grave abuse, and would be entirely contrary to the intention of parliament. As a matter of fact, a loose interpretation of the words 'service in the field' would include camp-followers as well as combatants, and, of course, nobody has any desire to widen the scope to that extent. Then, my hon. friend from North Ontario (Mr. S. Sharpe) suggested that subsection 2 should be amended by adding the words:

Canadian civil surgeons who served in South Africa during the war, and persons enrolled with any Canadian corps proceeding to South Africa on active service, and who died before such corps reached its destination.

The Act draws, and was intended to draw, a sharp distinction between the enlisted and the non-enlisted man. The non-enlisted man may do as good service as the enlisted man, but he has not entered upon the same obligations, and, therefore, is not entitled to the same consideration. The heirs of the enlisted man who died on the way to South Africa are in an entirely different class, but they were excluded by the specific terms of the Act. If it is decided to revise the views held at the time the Act was passed, that none should share except those who landed in South Africa, it would be better, in my opinion, to meet the case by a money rather than by a land grant.

My hon. friend from Macleod (Mr. Herron) suggested an amendment which would include those who after having enlisted, suffered injury or illness, and because of this injury or illness did not proceed to South Africa. In regard to that proposition, I would say that this shows the difficulty that must arise if any attempt is made to widen the scope of the Bill, even to the extent of recognizing the case of those who died on the way. If the man who died is recognized, why not the man who fell ill or was injured, and, therefore, did not go? And if he is recognized, why not the man who was ready and willing to go, as in the case of the Halifax garrison, in accordance with a suggestion made by the hon. member for Halifax (Mr. Crosby), that they should also share in this bounty?

These, I think, are all the suggestions that were made; I have given them the best consideration I was able, and I have presented the conclusions which I have reached. I would ask the House to agree to the Bill as it has been brought forward, with one exception. There is a schedule to the Bill regarding scrip which has been lost; we have allowed all people who lost the scrip to locate land in the place of it. But in order that the country may not suffer any loss if this scrip turns up, we have required them to put up bonds to the amount of $3,000 in each case as a guarantee. If the time for locating this lost scrip is extended for a year, these people will have to carry that heavy load for an additional year. I think that is in accord with the views of the House and with the general administration, that having taken that security, we should not add to the burden by extending the time in this case. Since the Bill was printed, three other cases have come to hand, and I would like the privilege of adding them to the Bill. That is the only amendment I would ask the House to agree to.

Mr. LAKE. I am very sorry that this Act has been introduced at all by the Minister of the Interior. Even now there are still some eight months within which persons who have received this bounty will have time to locate their land. It is very much against the wishes of the farming community throughout the Northwest that there should be any extension of time. However, the minister seems determined to force this Bill through the House. That being the case, I think it would have been wise on his part to accept some of the suggestions which have been made on this side of the House, and especially that suggestion which was made by the hon. member for St. Anne, Montreal, namely, that the extension of time should be made applicable only to the veterans themselves, those who intend personally to locate their scrip. I regret that that suggestion has not been accepted by the minister. I would urge him especially to accept one other suggestion which has been made by the hon. member for Macleod. I hope the minister will think that over again, and that he will change his mind. The principle is generally recognized everywhere, I think, in regard to giving war medals, that the man who gets as far as the seat of war becomes entitled to a war medal, even though he never saw a single shot fired in anger. That principle is certainly recognized in the mother country, and it should be equally applicable to those men who volunteered from Canada to serve the empire in South Africa. They started in on their duty, but either through illness or through accident, they were not able to reach the seat of war in South Africa, and they or their legal representatives, in cases where they have died, are now going

to be deprived of the benefits which I think they are rightly entitled to. I am sorry the minister has not come to the conclusion to accept the principle that those men who enlisted and started on their way, but through illness contracted owing to their service, or through accidents which have happened to them during that service, were unable to reach South Africa, should receive the benefits of the Act.

Mr. OLIVER. The question as to who should receive the benefit of this bounty was discussed very fully at the time the Bill was passed. For good or bad reasons, parliament came to a certain conclusion. It was not my wish, in introducing this Bill, to raise any question of that character whatever. It seemed to me that if you raised the question, you opened a door that it would be difficult to close. There was a request made to us by certain representative volunteers for an extension of time, and they seemed to give good reasons for that. We agreed to give them only a part of what they wanted, thinking it would not be unreasonable, and would not do any great harm to any one, and might do good. But I did not wish, in bringing that position before the House, to raise any other question, nor do I desire to do so at the present time. There is no doubt that a good case can be made out for certain men whose circumstances have been brought before the House by different members. But I ask the House to consider the position. You have to put a limit somewhere, you have to put a limit some time, and wherever you fix that limit, there is somebody going to be just outside of it, and somebody else going to be just inside of it. It is as if you drew a circle: somebody is going to be just inside that circle, and somebody is going to be just outside it; and the man who is just outside of it feels that he has a grievance, and his friends feel that way also. You proceed to enlarge the circle and take in a few more. Do you reach a conclusion by that means? No; the more you enlarge the circle, the more you increase its circumference, the more people you find are beyond, on the outside of that circle. You have satisfied those who are included in this enlarged circle, but you have created dissatisfaction in the minds of the larger number of people who are still outside the larger circle. I quite appreciate the feelings of my hon. friends, and I quite appreciate their arguments. But I want to assure them, and I ask them to realize the fact, that there is no way a line can be drawn that won't leave people just outside of it who have nearly as good a right to be inside as the people who are inside. Now, in order not to raise the question at all. I would think it advisable in everybody's interest not to open the Bill. There is one particular class that appeals to me very strongly, and that is those who died on the way to South Africa; but even in that case, if the House should see fit at a later date to do something for them, it would be better to do it by way of a money grant than to open the question of an increased grant of land scrip. There is no doubt that the sentiment of the country is against any further grant of land scrip for any reason whatever. That being the case, I think it would be well for us not to put ourselves in the way of increasing the number who would become liable for land grants under this.

Mr. LAKE. Would the minister be personally in favour of such a measure as he suggests might be introduced in the future, if such a measure were introduced next year, that is to make a money grant for those who died from injuries received on the way to South Africa?

Mr. OLIVER. If I could dissociate my personality from my responsibility I would say yes, the case appears to me so strong; but I do not think it would be wise in the interests of these people, to change the present limitations of this Bill.

Mr. J. A. CURRIE. I know that in my district the rule was absolute that no young man who was married or had parents or others dependent on him was permitted to go to South Africa. In my own corps there were two or three hundred volunteers for South Africa, but they were weeded out if they were married or had any one depending on them. It seems hardly in keeping that after such care in the selection of men claims should be put forward on behalf of their heirs.

Mr. LAKE. There are one or two cases in which scrip for the 1885 volunteers has not yet been located. Could not the minister under this Act provide for an extension of this scrip in cases where the volunteers are still anxious to locate?

Mr. OLIVER. I do not think it would be wise to bring that under this Act. I read a list of the extensions given to the 1885 scrip. It was extended up to 1908, and it was supposed that would bring everything in. If there are any outstanding scrips of 1885, I would prefer to propose a special Act to cover them. It is not our wish to cut out any man from the reward to which he was considered to be entitled.

Mr. T. CHISHOLM. I know of one of these 1885 scrips that has not been located. The party was not aware that these extensions had been made, and he is entitled to every consideration. I shall draw his attention to this matter. In listening to the debate so far I think the minister is not

very far wrong. I know the west fairly well, and I think he has the interest of the west pretty well at heart in the way he is trying to administer this scrip. My sympathies are considerably with the minister in the way he is handling this subject.

On section 3, extension of time.

Mr. HENDERSON. The minister referred to the case presented by the hon. member for Hamilton the other night, although he does not appear willing to accede to the request of the hon. member (Mr. Barker). I thought that was a case of extreme hardship, and that the minister would do something in that particular case. Is there no way, say by order in council, in which a special case of that kind could be dealt with? The government seems to do a great many things by order in council, and to my mind a case of that kind, which appeared to be one of extreme hardship, might well be treated in that manner.

Mr. OLIVER. There is no provision whereby the privilege asked for could be granted even by order in council, and if my hon. friend will remember when the Bill was up for consideration in the session of 1908 that question was raised, and it was decided by the House at that time that the privilege which we gave in the case of the man who sold his scrip would have to be the consideration that he would get, that is to say, we gave liberal consideration in regard to the sale of scrip so that the man who could not himself, in his own bodily person, go into residence on the land, would be able to realize as much as his scrip was worth from the man who would actually go on the land. That was the position at that time, and I do not think it would be well to revise it. The principle of the homesteader being on his own land is the very foundation of our whole system in the settlement of the west, and I do not think it would be well to deviate from it.

Mr. HENDERSON. I am sorry the minister could not meet that case. Of all the cases cited I thought that was the one where the greatest hardship came to the volunteer. What settlement duties has a man holding South African scrip to perform in order to get his land?

Mr. OLIVER. He has to live on it personally for six months in each of three years, and has to get under cultivation in that three years a total of thirty acres. He has to have upon the land, at the end of three years, a house of the value of $300.

Mr. HENDERSON. Does that apply to the substitute as well as to the original scrip holder?

Mr. OLIVER. Yes.

Mr. HENDERSON. The same terms apply to them both?

Mr. OLIVER. Yes; the foundation principle of the Bill, in dealing with it in the House, was that we should put the substitute in exactly the same position as the grantee.

Mr. W. H. SHARPE. In the case of the '85 scrip, was it possible to speculate in it the same as you can in the South Africa scrip?

Mr. OLIVER. Yes.

Mr. W. H. SHARPE. Was it transferrable?

Mr. OLIVER. It was transferred at any rate. It was dealt in just the same as this scrip is dealt in. In our Act we have made provision that the scrip shall not be trafficked in but our Act—

Mr. W. H. SHARPE. You left it wide open.

Mr. OLIVER. —is not effective in that. We did our best, but we were not able to prevent it. The same attempt may have been made in regard to the '85 scrip, but it has not prevented trafficking in it just the same as in this.

Mr. HENDERSON. How much land would it take to satisfy all the scrip of all kinds that is now outstanding—half-breed scrip, '85 scrip, South African scrip and scrip of all other kinds?

Mr. OLIVER. I could not, off-hand, give my hon. friend any idea on that subject.

Mr. HENDERSON. Can the minister give any opinion or some idea? I think it is—

Mr. GRAHAM. Highly desirable.

Mr. HENDERSON. Yes, highly desirable. My impression is that the time has come when we must stop this scrip business. In the interest of the west it should have been stopped sooner. Information of that kind would be a guide to the House as to what action should be taken in dealing with the matters. I am afraid that it would absorb an enormous amount of the Northwest, probably half of one of these new provinces, or even more.

Mr. OLIVER. I think the amount outstanding is hardly as much as that, but I quite appreciate that it is a very interesting matter. It is too late to do anything this session, but I think that possibly I may be able to give my hon. friend the information at another session if we are both here.

On section 4, time for location under certificates in schedule.

Mr. R. L. BORDEN. Will the minister state why no extension is given in respect to these cases?

Mr. OLIVER. Some of the scrip that has been issued has been lost. It is reported to us that the scrip has been lost and a claim is made for the land that the scrip would have called for. On satisfactory evidence to us that the scrip was lost we allow entry for the land that the scrip would call for, but we take from the person who was entitled to the scrip a guarantee bond to the amount of $3,000, which bond is forfeit if the scrip turns up. The carrying of this bond is a somewhat expensive affair, and under the terms of the Act as it stood when the bond was issued it would expire at the end of 1910 and the liability would expire. We have thought that when we propose to extend the life of the valid scrip for another year it is not fair that we should require these people to carry that guarantee for an additional year. Therefore we provide that that specific scrip under the Act shall not be extended beyond 1910

Mr. R. L. BORDEN. As a matter of fact the bond would probably become void if you did not except this.

Mr. OLIVER. Possibly.

Mr. DOHERTY. This is the section to which I had suggested an amendment to be dealt with by the minister. I am not prepared to say that I find that the reasons which he has given for refusing to accept it are quite conclusive, nor would I consider that they are satisfactory reasons for abandoning the amendment. There is perhaps a better reason why I should not press it and that is that reason of the stronger is always the better reason inasmuch as if I moved the amendment the minister, being stronger than I am, would defeat it. Therefore, I do not think that any good purpose would be served by moving it now.

On the schedule:

Mr. OLIVER. I would like to move an amendment to the schedule in accordance with what I have already said. I therefore beg to move:

That there be added to the schedule the following names and numbers: William Patrick Bagley, 3057; George Henry Wise, 2200; Ernest Mostyn Hoops, 6417.

Schedule as amended agreed to.

Mr. BLAIN. May I take the opportunity to ask the minister if the government has reached any conclusion in respect to the proposed land grant to those who took part in the Fenian Raid of '66, and is it the intention to do anything this session.

Mr. OLIVER. It certainly is not the intention to do anything this session. I am not able to answer farther than that.

Mr. BLAIN. Under consideration yet, I suppose?

Mr. OLIVER. I could not answer that. Several deputations waited upon the premier. I was not present at these meetings, and I could not say what conclusion has been reached.

Mr. HENDERSON. I was just on the point of rising to ask the same question which has been asked by my hon. friend from Peel (Mr. Blain) because I have myself sent in petitions on behalf of the volunteers of '66 and '70. I desire to say that in my remarks in reference to the issuing of any further scrip, I would not like to exclude the application of the volunteers of '66 and '70 which has been before the government for several years. I would be perfectly willing that scrip should be issued to those on whose behalf requisitions have been made, but otherwise I think the government should take a firm stand.

Mr. HERRON. I should like to ask the minister if representations have been made regarding the early settlers of Manitoba —those who settled before 1870, and if so has any action been taken on that request this session? May we expect that that will be taken into consideration?

Mr. OLIVER. Requests have been received from the people mentioned by my hon. friend, but there is no intention of any action in regard to that matter this session any more than in regard to the Fenian Raid veterans. I am not authorized to make any further statement in regard to either of these cases.

Bill reported, read the third time, and passed.

IMMIGRATION ACT AMENDMENT.

Mr. OLIVER moved concurrence in amendments made by the Senate to Bill (No. 102), respecting Immigration. He said: There are two amendments of some importance. One is in subsection 7 of section 33, which relates to exclusion at ports of entry, and to the arrest of those whom it is desired to exclude. The Senate amendment was made at the suggestion of the department, as we believed the provision should be strengthened by the insertion after the word 'entry', of the following:

Or who at a port of entry eludes examination by an officer of the Board of Inquiry, or who enters Canada by force or misrepresentation or stealth or otherwise contrary to any provisions of this Act, or who escapes from custody of an officer or from an immigrant station when detained for any cause under this Act, shall be guilty of an offence

under this Act, and liable on conviction to a fine of not more than one hundred dollars.

The Senate have also inserted in the second line of the same section, after the word 'detained' the words 'without a warrant'. That is to say, if there is to be detention, it should be at the moment, as the officer has not time to go and get a warrant. Then, it is proposed to amend section 45 as follows:

Part 17, line 31.—Leave out from 'the' to 'and' in line 34 and insert the following:—'railway company or companies which brought him to the place in Canada where he is being detained for deportation to the ocean port where he was landed, or the nearest available winter ocean port, as may be directed by the Board of Inquiry, and thence he shall be conveyed free of charge by the transportation **company which brought** him to Canada to the place in the country whence he was brought or to the country of his birth or citizenship.'

This is an amendment dealing with deportation from interior points. As the Bill passed the House the provision was that the total expense of deportation from an interior point to the port of landing as well as to the original port of embarkation should be borne by the steamship company. They object very strongly to this. They say that as the railway company gets the income from the fares from the port of landing to the interior point, they should pay the cost of transportation from the interior point to the port of landing. These representations made on behalf of the steamship companies were acceded to by the department, and the Senate has amended the Bill accordingly. I may say that the railway companies have not objected to the amendment. These are all the amendments.

Mr. U. WILSON. Can the minister tell us about how much money he spent in deporting immigrants last year?

Mr. OLIVER. I cannot tell at the moment. I may be able to do so during the discussion of the estimates, when I have the advantage of the presence of an officer.

Motion agreed to, and amendments read the first and second time, and concurred in.

LAND TITLES ACT AMENDMENT.

Mr. OLIVER moved concurrence in Senate amendments to Bill (No. 125) amending the Land Titles Act. He said: In this case the Senate has disagreed with our wording of the Bill, and they have substituted a wording of their own to convey the same idea.

Mr. LANCASTER. What is the difference between it and our Bill?

Mr. OLIVER. Our Bill is an addition to the last section and says 'provided that such place may be the city of Ottawa in the province of Ontario until a more convenient and suitable place in the district can be selected. The Bill is to provide that in the Northwest Territories where there is not sufficient business to warrant an establishment of local registration of property, registration may be made in Ottawa until the district becomes of sufficient importance to warrant the establishment of registration.

Mr. LANCASTER. Was that not clearly expressed?

Mr. OLIVER. The Senate disagreed with the wording which I think expressed the same idea.

Mr. LANCASTER. They wanted to do something, I suppose.

Motion agreed to, and amendment read the first and second time, and concurred in.

INTERCOLONIAL RAILWAY BRANCH LINES.

Mr. GRAHAM moved concurrence in Senate amendment to Bill (No. 17) authorizing the government of Canada to acquire by lease the lines of railway connecting with the government railway.

Mr. R. L. BORDEN. I would like to know what the amendments are.

Mr. GRAHAM. The proposed amendments of the Senate attach additional conditions before any road can be taken over by the government. I am not sure that they impose any conditions that we would not comply within any case, but I will read them to the House:

4. No such lease shall be ratified by parliament, unless a return has been laid before both Houses for at least one month showing:

(a) The cost of the road proposed to be leased, together with the amount of stock subscribed and all moneys received from sale of bonds or by way of bonuses or otherwise;

(b) Present equipment of road together with the average rate of freight and charges for passengers on the same and a statement showing approximately how above rates compare with those charged on the Intercolonial railway;

(c) Present condition of the road and the estimate of outlay required to put it in good running order;

(d) Total receipts and expenditures for three years last past;

(e) List of shareholders and bondholders;

(f) Other creditors of the road;

(g) Estimate of future receipts and expenditures in the event of the road being leased by the Intercolonial railway;

Such return to be signed and certified to by the chief engineer and traffic manager of the

Intercolonial railway and the deputy minister.

I am not sure as to the effect of these. Most of this information will be given to both Houses in some way. Whether it could be carried out in detail as this amendment asks I am at a loss to know.

Mr. EMMERSON. This proposition was brought to the notice of this House originally as a business proposition, not only in the interests of the Intercolonial railway, but also in the interests of the lines of railway which were constructed under the authority of this parliament as feeders of the Intercolonial railway, and constructed I assume, because of the assistance given to them by this parliament, to afford adequate railway facilities to sections remote from the trunk line of railway. Now when this Bill was first under consideration in this House I took some exception to it. I thought it was too restrictive, that it was not dealt with as a business proposition in the way it should be. Apparently we did not go far enough in this House to limit, and restrict, and retard the movement towards the acquisition of branch lines, at least in the judgment of the hon. members of the Senate, because they propose by this amendment apparently to hamper in every possible way, and obstruct this proposition. In the first place I lay it down that necessarily this information would be procured not only by the managing board, but also by the government through its officials, and that the Minister of Railways in seeking the ratification of a lease would unquestionably, in so far as he could, lay before this House all the information available, inclusive of the information specially referred to in the amendment. It does not even mention a time limit, but says 'all future receipts.'

Mr. GRAHAM. Would it be possible for them to sign that information accurately?

Mr. EMMERSON. I say it would be absolutely impossible. In many instances there is certain information that could not be secured. I know one particular instance in the province of New Brunswick, where a certain railway was foreclosed; it was known as the Alberta railway, running from the town of Salisbury in Westmoreland county to Hopewell Corner in the county of Albert. That was away back in the 80's, and in the foreclosure proceedings, and just previously, there was a movement on the part of the government of the day to gethold of the bonds which were held against that railway in order that the government might take some action in the way of securing that railway; and it was obsolutely impossible for the government of that day to find the bond-holders in Great Britain, and in the foreclosure suit and the proceedings for winding up the matter, these bonds were still outstanding, the holders not being known. Now it would be in many instances impossible to get this information. You can assume a case; there has been a proposed lease and agreement entered into for a lease on the part of the government, and that lease could not be made effective under the provisions of section 3 until parliament had ratified that lease; and although it might be represented to parliament to be a business proposition in the interest of the Intercolonial, and of the country, important in every respect, yet parliament would be powerless to ratify such a lease until such time as the information which is set forth in this amendment was laid before parliament.

Mr. LANCASTER. Has the hon. gentleman considered that possibly the Senate will be asleep when we are ratifying this?

Mr. EMMERSON. I do not know what was in the minds of the hon. gentlemen who moved in this matter. I would assume that it was discussed from a business standpoint, and not from any party standpoint. I want to make no reflections upon them. But it does seem to me to be an absurd amendment, and one which I think no self-respecting—pardon the word—Minister of Railways would accept. It seems to me it is tantamount to saying to the government and to the Minister of Railways that he would blindly go into a matter of this kind without having all possible information to place before parliament. Further than that it assumes that the parliament of Canada, when such a matter was up, would not demand and secure this information if it were found to be desirable, or if there were reasons apparent why the lease should not be ratified. I certainly object to this amendment, as I think it only obstructs this movement. And, Mr. Speaker, it does seem to me that there is a supersensitiveness on the part of many members of parliament, whether in this House or in the Senate, with respect to any proposition that is made in regard to the Intercolonial. I do not propose to advance any arguments now in favour of the acquisition of branch lines. Parliament has approved of the idea, the principle has been adopted by the government, and the question now is: Shall we give effect to it, or shall we put every obstacle in the way? Every one will admit that if the Intercolonial were under the control of any of the great railway corporations of Canada every branch line would be acquired and absorbed. Every one will admit that that has been the history of railway corporations in Canada, in the United States, and in Great Britain.

Mr. R. L. BORDEN. With a view of saving discussion, might I be permitted to

point out to my hon. friend that the provision inserted by the Senate is practically inoperative? It cannot bind the action of parliament as set forth in this schedule, it cannot bind the future action of parliament, and if at another session such a thing should be ratified by parliament this would simply be repealed. It does not amount to very much.

Mr. GRAHAM. It says that parliament cannot do certain things.

Mr. EMMERSON. It certainly is not proper legislation. It seems to me that parliament should determine when such a matter is before it what it will do, the responsibility is upon parliament.

Mr. LANCASTER. The Senate passed this resolution, thinking that the House of Commons will be abolished at that time.

Mr. EMMERSON. It seems to me an insult to the House of Commons:

No such lease shall be ratified by parliament unless a return has been made before both Houses for at least one month.

If there is any business in that proposition, I would like to know it. It certainly is not in good form as legislation, and in my judgment it should not receive the concurrence of this House. It will always be within the right of parliament to determine what road shall be taken, if any. But I object that we shall be hedged about now, or that there should be any legislation, however inoperative, as it must necessarily be, with respect to the future action of parliament. There should not be any such legislation placed upon the statute-book. I shall oppose concurrence in this amendment.

Mr. GRAHAM. I think after the discussion, and after the particular point raised by the leader of the opposition, in addition to the fact that I think it is not in conformity with the Bill as we passed it ourselves, I move that we disagree with the amendment of the Senate.

Mr. SPEAKER. Has the hon. gentleman leave to withdraw his motion for the second reading? Carried.

Mr. GRAHAM moved that the House disagree with the amendment made by the Senate to Bill (No. 17), and that a message be sent to their honours informing them of that fact.

Motion agreed to.

RAILWAY ACT AMENDMENT.

Mr. GRAHAM moved the second reading of Bill (No. 145) to amend the Railway Act. He said: This Bill covers several amendments which I explained on the introduction of the measure. In addition, some Bills proposed by other hon. members, having been referred to the railway committee, were approved by that committee, and these I have embodied in the Bill as well as one or two other amendments of my own. These are now all in reprinted form in the hands of members of the House.

Motion agreed to, and Bill read the second time, and House went into committee thereon.

Mr. GRAHAM. You will notice, Mr. Chairman, that many of these sections have been renumbered. This is owing to the fact that section 1 in the reprint is a new section, taken from a Bill introduced by my hon. friend from Lincoln (Mr. Lancaster). I would prefer that that hon. gentleman should explain this provision.

Mr. LANCASTER. At the beginning of the session I introduced a Bill to somewhat limit the appeals from the Board of Railway Commissioners to the Supreme Court. After a great deal of attention given to the subject by the subcommittee to which the Railway Committee referred the Bill, and after consultation between the subcommittee and the Board of Railway Commissioners—because the object was to make a piece of legislation that the board, as administering the law, could work out—the matter was sent back to the Railway Committee and reported unanimously to the House. The effect of the section as here proposed is to eliminate subsection 3 of section 56 of the Railway Act and enact the following:

3. An appeal shall also lie from the board to such court upon any question which in the opinion of the board is a question of law, upon leave therefor having been first obtained from the board within one month after the making of the order or decision sought to be appealed from, or within such further time as the board under special circumstances shall allow, and after notice to the opposite party stating the grounds of appeal; and the granting of such leave shall be in the discretion of the board.

3a. No appeal, after leave therefor has been obtained under subsection 2 or 3 of this section, shall lie unless it is entered in the said court within thirty days from the making of the order granting leave to appeal.

Until this session there was no time limit for the making of application for leave to appeal. The board passed rules from time to time which, however, they found they could not enforce very well. The latest rule made a limitation of 14 days, but they found that they could not always hold people to that. Besides, we all agreed that it was necessary to have a statute fixing the time. So, it was made as here proposed that application shall be made within one month and the appeal must be prosecuted within thirty days

after leave to appeal is granted. These limitations were thought reasonable so that an appeal cannot be kept for ever hanging over either the railway company or any other party to a case before the board.

Mr. J. HAGGART. Is that the whole effect of this section?

Mr. LANCASTER. Yes, except that we make it clear—which was in doubt before that the board shall have discretion to allow an extension of time under special circumstances. The head of the Railway Commission, ex-Judge Mabee pointed out that cases might arise of delay through persons not knowing the actual result of the decisions given, or there might be other special circumstances in which they would desire to extend the time.

Mr. DEPUTY SPEAKER. The proposal is that section 1 of the Bill as reprinted shall be section 1 of the Bill before the committee.

Amendment agreed to.

Mr. GRAHAM. Section 1 of the Bill as before the committee now becomes section 2 as shown in the reprint. The section is as follows:

The said Act is amended by inserting the following section immediately after section 59:—

59a. Whenever this Act requires or directs that before the doing of any work by the company the approval of the board must be first obtained, and whenever any such work has been done before the.....day of....., one thousand nine hundred and nine, without such approval, the board shall nevertheless have power to approve of the same and to impose any terms and conditions upon such company that may be thought proper in the premises.

It will be observed that there are two blanks in this section. The object of the section is to provide for cases of this kind. It has been found that some railway companies have proceeded to locate their lines and do things which they should not have done without the consent of the Board of Railway Commissioners. And, when the board has been appealed to, the chairman has held that the board has not power to deal with the road unless it begins at the beginning and practically starts with the rails torn up. All that this section is intended to do is to give the Board of Railway Commissioners power to deal with a situation of that kind. If they see fit to make the company put the road somewhere else, they can do it, or if they like, they can approve of what has been done. I propose that the blanks should be filled in so as to make it read 'before the 31st day of December, one thousand nine hundred and nine.'

Mr. J. HAGGART. The section will not have any post facto effect beyond that date?

Mr. LANCASTER. That is all. The chairman states that he has come across several cases of that kind and he really thinks he has not power to deal with them unless we give him that power.

On section 3, vice-presidents who are not directors.

Mr. GRAHAM. This is introduced in response to a request from the railway companies that they be allowed to appoint officers who may not be members of their boards of directors. They want to have vice-presidents who are not on the board of directors. I think the Canadian Pacific railway has a special Act permitting this, and one of the other companies asked for a similar Act, but I said I would introduce a general Act and permit them all to do it. They argue that there are cases in which they wish to appoint an officer to give him a title and engage him, although he is not to be a member of the board of directors. It means nothing except to the board itself.

Mr. J. A. CURRIE. The idea apparently is to follow the American practice of making the working officials directors, not to have figureheads on the board of directors. That is a good practice. The English practice, of course, is the reverse, and all the directors are outside of the company, who know nothing about the affairs of the company, the officials being simply servants.

Mr. GRAHAM. One thing I had in mind was, for instance, the case of a company with the majority of its directors living in the old country, so that it would be impossible to make a selection from these gentlemen to do some particular work requiring the man doing it to have some standing.

On section 4, orders of the board relating to crossings with telegraph and telephone companies, &c.

Mr. GRAHAM. This clause is merely to expedite the crossing of electric or telegraph wires over a railway line where the two companies can agree and the work is done under a regulation of the board. Heretofore, they have had to get an order from the board in each case, and some small crossings have occupied a good deal of time and caused a good deal of trouble. The commissioners and the companies agree that where there is no dispute, these crossings can be made under regulations framed by the board, and both parties may agree.

Mr. J. A. CURRIE. The hon. member for North Essex (Mr. Wilcox) is interested in this clause. The idea prevailing was that the Railway Commission were to establish two or three standard forms of crossings and that blue prints would be supplied to parties who wished to make crossings, and if any one applied and put

in that standard form of crossing, underground or overhead, following the specifications laid down by the board, there could be no question about the right to cross by either company. As it is now, the application must be made. The board has not made a standard form of specification.

Mr. GRAHAM. Not yet.

Mr. J. A. CURRIE. Is it the intention of the board to make it? As it is now, every time a crossing is to be made, costing perhaps $5, there are expenses of $35 or $40 in connection with the application.

Mr. GRAHAM. This section really provides for the adoption of such a standard. In 90 cases out of 100 the companies will agree, and if they should not agree, it will be going too far to say that one company shall cross the line of the other without the board saying how it shall be done.

Mr. LANCASTER. On general principles, if they do not agree, the board will decide.

Mr. J. A. CURRIE. I am informed that if they do not agree, that the railway company will send the telephone company to the board every time. I would strike out the words 'with the consent of the company.' Let the board establish a standard crossing, and if the people will follow that exactly, I do not think the railway company should have any kick at all.

Mr. LANCASTER. Suppose the railway company insisted that a certain point was not a proper place for a standard form of crossing, or take the case where they persist that the usual form ordered by the board was the one to use and the municipality thought it was not, and would not agree. Would my hon. friend say that it was right that the railway company should be allowed to force the use of the standard arrangement? Should they not be allowed to do, as I advised a municipality to do in such case, go to the board and secure an order to have the work done under a special regulation? It works two ways.

Mr. J. A. CURRIE. The hon. member's argument would be all right if there was a standard form, but the minister has said there is not one.

Mr. LANCASTER. The very legislation we are dealing with presupposes that there is one, and I was referring to the customary form.

Mr. J. A. CURRIE. I think these clauses should be carefully guarded, that these telephone companies have certain rights, and I do not think they should have to spend $30 or $40 coming to the Railway Commission every time a railway manager says: You cannot cross that railway. In western Ontario, where there are many farmers' telephones, they have to cross the railway at almost every concession, and a standard form of specification should be adopted. I do not think that these small companies should be put to the expense of securing an order if they want to make a crossing at a country road. The proper way would be to strike out the words 'with the consent of the company.' As it is, the whole matter is still left in the hands of the company.

Mr. LANCASTER. No.

Mr. J. A. CURRIE. The section reads:

An order of the board shall not be required in the case in which telephone, telegraph or electric light wires are erected across the railway with the consent of the company——

Mr. LANCASTER. That is the railway company.

Mr. J. A. CURRIE (reading):

—in accordance with any general regulations, plans or specifications adopted or approved by the board for such purposes.

It does not say which company it is; it may mean the telephone company.

Mr. LANCASTER. No, it means the railway company by the interpretation clause.

Mr. J. A. CURRIE. There are lots of railway companies that are not half as big as the Bell Telephone company.

Mr. GRAHAM. The interpretation clause of the Railway Act would cover that.

Mr. J. A. CURRIE. The clause would read just as well if that were struck out. Then it would mean that the standard specification of the board would govern unless they appealed to the board against it. If there were an appeal the railway company would have to appeal to the board. The grievance which exists is not righted by this Act. This clause is put in here to give a little soothing syrup to the country, but it is no good.

On section 6, section 254 amended by adding at the end of subsection 3 the word 'lands.'

Mr. GRAHAM. This is a portion of the Bill of the hon. member for Portage la Prairie (Mr. Meighen), and I think if he would just explain his Bill it would apply to the different clauses as they come up.

Mr. MEIGHEN. Section 5 of the reprinted Bill is a portion of the original Bill that I introduced. However, this amendment has really nothing to do with the main portion of the amendment that I introduced. Consequently I can simply refer to this now, and when we come to section 8 I shall take that up. Section 5 simply adds the word 'lands,' to section 254 of the Railway Act. Section 254 com-

pels railway companies to fence their railways. The courts have held that it simply compels them to fence their railways. The courts have held that it simply compels them to fence their rails. A very serious miscarriage of justice has occurred by reason of that interpretation. Adding the word 'lands' does nothing more than carry out what was originally intended that they should fence their own property.

On section 6, leave to carry traffic.

Mr. GRAHAM. At the present time the Act reads that the Board of Railway Commissioners, to accommodate the public, may, on a road which is not completed, allow them to carry freight traffic. I am proposing to amend that by striking out the word 'freight,' so that, if the board see fit, they can ask the construction company to carry passengers as well as freight over a part of the line even if the whole line is not completed.

On section 7, warning of moving trains.

Mr. GRAHAM. Brakesmen have been, and are compelled to stand on the rear of an engine that is running backwards. Cases do occur where light engines are sent twenty or thirty miles backwards.

Mr. LANCASTER. Why does the engine have to go backwards?

Mr. GRAHAM. It may be that there is no place to turn, or the engine may be ordered to go back to assist a freight or to render assistance at a wreck, and she is sent back twenty or thirty miles. Cases have been brought to my attention where men have almost frozen to death while standing on the rear of the tender. The idea of a man riding on the back of a tender is to protect the public at crossings where they are shunting. This clause protects all that because, it requires the railway men to remain on the back of the tender when they are shunting, but it does relieve them from remaining on the back of the tender when they are on these long runs.

Mr. LANCASTER. The object of the Act has always been that people will naturally suppose that an engine is going the way it is headed, and, therefore, when they see an engine facing east, they will go west to get behind it. I do not want to oppose it if the minister thinks it is absolutely necessary to trust the board in this regard, but when an engine is headed west people will naturally suppose that it is going west when it may be going east. It is natural for a man to assume that an engine is heading in the direction in which it is pointing, but when he drives up he may find that it is going the other way. I can understand that there may be exceptional cases, as where there is a wreck, and it is impossible to turn the engine around, and it must be run down the line twenty or thirty miles. If this provision is necessary, I will consent to it only with the understanding that the board see that the privilege is not extended or abused.

On section 8, damages caused to or by cattle on railway.

Mr. GRAHAM. This is a portion of the amendment of my hon. friend from Portage la Prairie.

Mr. MEIGHEN. This section embodies the principal part of the amendment which was contained in my original Bill. Its purpose is to extend the liabilities of railway companies in the event of their own default. At the present time railway companies may default under any section of the Act. Section 427, in addition to imposing other liabilities, renders a railway company liable for any damage that may result by reason of its default under any section of the Railway Act, that is to say, if a company violates any section of the Act, and damage is caused thereby, under section 427 the railway company is ostensibly liable for that damage; but unfortunately it has been held, and held repeatedly, that notwithstanding the provisions of section 427, there are certain sections of the Act which the railway company may violate without being under the necessity of paying the damage apparently provided for by the wording of that section. The sections I refer to are 254 and 294, more particularly section 254. Reasoning back from these sections through their history in the older Acts, the courts have come to the conclusion that notwithstanding that a railway company may be in default under section 254, and may thus be liable for damage under section 294, the class of damage to which it is liable is not as general as that to which it is liable, for violating any other section. Section 254 provides that the railway company shall fence its railway, and maintain gates and cattle guards. The limitation to which I call attention has the effect of restricting them in the event of their violation of these provisions to such damages as result in the killing or injury of cattle by the company's negligence or wilful act or omission. Under the old law that was the only liability, and the courts have held, notwithstanding the provisions of section 427, that the company is still limited, in the case of a violation of section 254, to the same liability as it was formerly under; that is to say, it is only liable if by reason of its default animals are killed or injured through its negligence or wilful act or omission. A large class of damages may result and have resulted which do not come within that old

limitation—damages occasioned by animals which have got on the track through the default of the company in failing to maintain fences, gates or cattle guards—escapes and does damage to neighbours' crops or other damage which the company escapes. In a case with which I was connected animals got on the railway track through the absence of a fence, ran down the track and were injured so as to be useless by having their legs broken on a bridge, and the railway company was not liable because the damage was not caused by their trains or engines. Many other cases occur. For instance a company is bound to fence its right of way so as to keep all cattle out, and the term 'cattle,' includes sheep. This the companies have refused to do in certain cases, and as a consequence the farmer who owns sheep has either to go out of the sheep business or run grave risk of damage, because his sheep can get through the railway fences, and do injury to his neighbours' crops. Under the present amendment the railway company would be liable for all damage done by their default in these respects, the same as under any other provision of the Act. There is a provision added at the end of section 8 in the following words:

Provided, however, that nothing herein contained shall be taken or construed as overriding the provisions of section 407 of this Act.

Section 407 of the Act has the following language:

Every person who—
except as authorized by this Act, without the consent of the companies, rides, leads or drives any horse, or other animal, or suffers any such horse or animal to enter upon the railway, and within the fences and guards thereof;
shall, on summary conviction, be liable to a penalty of $20 for each offence, etc.

He is also liable for various other offences, such as leaving gates open, taking down part of a fence, or turning animals loose. When my original Bill was before the Railway Committee, just at the moment when it was accepted, this provision was placed before me for my approval:

'Provided however that nothing herein shall be taken or construed as overiding the provisions of section 407 of this Act.' At the time, I read it as carefully as I could, and I could see no objection to it. However, later on my hon. friend from Lincoln (Mr. Lancaster), who has had more to do with this class of legislation than I have, and doubtless knows better the difficulties that have arisen under that class of legislation, drew my attention to a dangerous feature of the amendment. It would be quite possible under the proviso at the end of the section, in fact it would certainly be held that section 407 was the dominant section prevailing over subsection 8 of the reprinted Bill, and that wherever they were in conflict section 407 would prevail with the possible result that the whole benefit of the amendment would be obviated, because if a man unconsciously allowed his animals to be on the track and, if the company then escapes liability for injuring then the real benefit of subsection 4 of section 294 would be lost. The subsection renders the company liable even if a man has suffered his animals to be on the track so long as that suffering is not due to any wilful act or neglect of his own. Consequently to the wording of the proviso of section 8 of the reprinted Bill, I cannot consent. I think, however, it could be amended so as to obviate the danger to which I have alluded. So, long as it is restricted to preserving the penalty I have no objection, but to the word 'override,' I cannot agree, because its effect would be too far reaching.

Mr. LANCASTER. I agree in the main with what has been said by the hon. member for Portage la Prairie (Mr. Meighen). This matter was referred to a special committee, and I think it was the law clerk of the Railways and Canals Committee that suggested to the minister that those words should be added. They were not really considered by the committee, but the hon. member for Portage la Prairie at the time did not think they would do any harm, and the Bill was reported. The position is this, that previous to 1901, just because of the language of the section now replaced by 407 there was no liability for animals killed. It was because of the language of what is now section 407 that we had all the trouble for three years. We finally got section 294 as it is to-day. The object of that section was to protect the owners of animals, who without any default of their own allowed their animals to escape and get on the railway track. My hon. friend (Mr. Meighen) rightly enough in my opinion thinks that if the railway company is in default and the animals are not injured, but cause other damage, the railway company should be responsible. While he is attaining that, I think it is proper that we do not unconsciously deprive the owner of the animals of his right to recover, as we declared after all the contest which went on for three years, and which ended in 1903, that the railway company may be liable for the animals themselves. I suggest that instead of saying 'provided, however, that nothing herein shall be taken or construed as overriding the provisions of section 407 of this Act' that we say 'provided, however, that nothing herein shall be taken or construed as relieving any person from the penalties imposed by section 407.' Section 407 is two-fold. It prevented civil liability which we determined after a great deal of trouble should exist, and it also im-

poses penalties. I think the penalties should stand. I think if one is within the penalty clause of section 407, he should be liable. If he is not within the penalties of the section, we should not attempt to bring section 407 in here.

Mr. GRAHAM. That would be acceptable, and I move that amendment.

Mr. DEPUTY SPEAKER. It is moved that the words 'over-riding the provisions of section' in the last line of section 8 be struck out and in lieu thereof the following added: 'relieving any person from the penalties as imposed by section.'

Motion agreed to.

On section 9.

Mr. MEIGHEN. This is rendered necessary by section 8 of the reprinted Bill in order to work out the same effect. Section 295 is the excepting section, consequently it must be made to read in compliance with the new reading of section 294, which is the section imposing liability.

On section 10.

Mr. GRAHAM. This was part of a private Bill which I am putting in here as a government Bill. Hon. members will remember that this is a Bill which was introduced by the hon. member for Beauharnois (Mr. Papineau). It means this: Last year we passed an Act providing that, where damage is done to property by a railway company up to their limit of liability, that is, $5,000, and that the party injured received insurance, the railway was practically relieved from paying damages to the amount of that insurance. Damages often exceed the amount of the insurance. Consequently, this section is to provide that the railway company, even though no negligence is shown, and though the injured party has received $5,000 insurance, is liable for the damage done by the railway up to the limit of $5,000. A section designed to provide for this case was passed by the Railway Committee; but, as I said before, I am merely adopting these and have the right to amend them. I submitted the matter to the Minister of Justice, who made a little alteration in the draft which I submitted also to the chairman of the Railway Committee. It seems to accomplish the object and reads a little more smoothly. I propose the words approved by the Minister of Justice instead of the words included in the Bill. The words of the Bill on this point, as will be seen, are as follows:

Provided further that where there is any insurance existing on the property damaged the company shall only be liable under this subsection for the amount of such damage over and above the amount accepted or recovered by the assured by way of insurance upon the property, but where the company has used modern and efficient appliances and has not otherwise been guilty of any negligence such liability shall not exceed the said sum of five thousand dollars.

Instead of these, I propose that the section shall read in this respect as follows:

Provided also that if there is any insurance existing on the property destroyed or damaged, the total amount of damages sustained by any claimant in respect of the destruction or damage of such property shall, for the purposes of this subsection, be reduced by the amount accepted or recovered for the benefit of such claimant in respect of such insurance——

Mr. LANCASTER. But will not this leave unprovided for the proviso of the section:

—but where the company has used modern and efficient appliances and has not otherwise been guilty of any negligence such liability shall not exceed the sum of five thousand dollars.

Unless we make it clear that $5,000 is to be over and above the insurance, I think the inference might be that the total amount must always be not more than $5,000, and that you deduct from the total amount the amount of insurance a man carries, so that his insurance is for the benefit of the railway company and not for himself.

Mr. AYLESWORTH. I think that this language, if examined, will be found to cover the case that has been put in illustration. Take the case of a man whose loss is $10,000 and who has $5,000 of insurance, and consider whether or not it is covered by this language. It provides that where insurance exists on the property destroyed or damaged, the damage sustained by the claimant shall, for the purposes of this subsection, be reduced by the amount recovered in respect of such insurance. That is to say, in the case that we have been putting 'the total amount of damages sustained' is $10,000, and this amount 'shall for the purposes of this subsection be reduced' by what? 'By the amount accepted or recovered' in regard to the insurance. That is, the insurance recovered is $5,000, the total damage is $10,000, and the claim for the purposes of this subsection will stand as to the remainder.

Mr. GRAHAM. This is a point of legal construction. The Minister of Justice (Mr. Aylesworth) is clear in his opinion that the amount of the loss makes no difference as the clause has been drafted by him.

Mr. LANCASTER. What we did in the Railway Committee was to make it clear, and I cannot understand why our clear statement should be struck out and that of the Minister of Justice substituted. We say in the Railway Committee that this man insures for his own benefit. Now, if

he is going to be limited to $5,000 when he is damaged $20,000, the company should pay that $5,000. If he is insured for $5,000 he should get $10,000 in all. That is what we say in the printed Bill, but the Minister of Justice strikes out that and says that the liability should be limited to $5,000. We have two liabilities in the previous part of the section. If there was no liability but the one stated in the previous part of the section, I would agree with the Minister of Justice. But there are two liabilities: the one is the absolute liability if they do not use proper appliances; the other is that if they do use proper appliances, they are only liable to $5,000. So there are two liabilities that we are dealing with in this reprinted Bill. The Minister of Justice speaks of liability. Which liability? Judges would undoubtedly differ in the interpretation of the term. I think the positive statement put in by the Railway Committee is clear and distinct and had better remain.

Mr. GUTHRIE. The clause gave us considerable difficulty in the Railway Committee, and I think that the clause suggested by the minister is much more clear than the one the Railway Committee put in. If I understand the amendment now proposed, it is that the amount of insurance shall be deducted from the total damage suffered; then, that the balance recoverable against the railway company shall be limited to $5,000, where the railway company have used proper appliances and have been guilty of no negligence, but unlimited where they have been negligent.

Mr. LANCASTER. I think it says that the total damage is recoverable.

Mr. GUTHRIE. The total damage sustained; the insurance shall be deducted from that. If the company then has been guilty of no negligence, its loss is limited to $5,000; if it has been guilty of negligence or has not used proper appliances, there is no limit. I must say that the clause gave me some trouble, and when the amendment was first suggested, I did not agree with it; but after examining it I think it expresses our intention better than the clause drawn in the Railway Committee.

Amendment agreed to.

Mr. GRAHAM. I may tell the committee now so as to save discussion later on, that the Government Railways Act as amended practically puts the government railways in the same position as other railways in regard to fires. I am giving notice of an amendment to be added in the Government Railways Act; so, while we are accepting the disabilities, we are also having advantages of the General Railway Act.

Mr. J. HAGGART. What good will it be if you do not give them the right to sue without a fiat?

Mr. GRAHAM. We have passed an Act giving them the right to sue up to a certain amount in their own local court.

Mr. J. HAGGART. It will be limited to that small amount, $200.

On section 11—free carriage and reduced rates may be given in certain cases.

Mr. GRAHAM. This is another amendment, a portion of which is asked for by the railway employees. In brief this is to allow to former railway employees transportation if they wish; and also to allow Canadian companies to give the Interstate Commerce Commission reduced rates or free transportation if they desire.

On section 13—working agreements to be approved by board.

Mr. GRAHAM. The real meaning of this is to include telegraphs in section 13. The original Act has only telephones, and I am putting telegraph companies in the same position.

Mr. J. A. CURRIE. Does this clause allow the government telegraph company to make an exclusive agreement with another telegraph company?

Mr. GRAHAM. This is to provide that all these agreements, agreements of telegraph companies as well as telephone companies, must be subject to the approval of the board. Heretofore, telegraph companies were not included in that section.

Mr. J. HAGGART. Does it apply to government telegraph companies?

Mr. GRAHAM. I imagine not.

On section 14—safety at highway crossings.

Mr. GRAHAM. In passing the Act of 1909 we had a provision making it incumbent on railways to make protection to level crossings, constructed hereafter, at their own expense. In framing that Act, we used the words 'at the passing of this Act.' That means the passing of the original Act, as I am informed; and to make it clear that that clause was to be operative from the passing of the Act of last session, I am asking the committee to change the words to read '19th day of May, 1909.'

On section 15, rate of speed at certain crossings.

Mr. GRAHAM. This is a section which I wish to submit to the House with an explanation. My hon. friend (Mr. J. A. Currie) introduced an amendment really to place the control of level crossings, as it was before, in the hands of the Board of Railway Commissioners.

Mr. J. A. CURRIE. Yes.

Mr. GRAHAM. I have had representations from men in charge of fast trains, engineers, conductors and firemen, concerning the clause which we placed in the Act last year saying that no train could run over a level crossing where an accident had occurred during the preceding ten years, at a speed exceeding 10 miles an hour. That was considered very drastic. The object as I explained to the House was that there would be no difficulty in finding where the work of reducing level crossings should begin because where an accident had occurred there was a prima facie case that it was a dangerous crossing. In its operation that is found to be very drastic. The railway companies have instructed their employees to comply with this provision of the Act. That means that the fast trains cannot begin to make their time. I have had some experience of the fast trains on the Grand Trunk railway, and I have found that the Act works out as contended by these men. Then I took the position with the railways: Hurry up and fix your crossings. They pointed out that it was impossible to do that with sufficient rapidity to comply with the law.

Mr. LANCASTER. They have had five years under the Act.

Mr. GRAHAM. The Act passed last year was very drastic and it was impossible to live up to it. The railway companies said: Suppose you reduce that from 10 years to 5 years, then we will proceed with all rapidity to protect the crossings where accidents have occurred in the past 5 years, and then we will have to continue until all dangerous crossings are protected; in the meantime it will not work a hardship on us and will allow us to keep within the spirit as well as of the letter of the Act, and at the same time not disarrange all the traffic in relation to making time. The clause I submit to the committee reduces the time to five years so that trains can pass these crossings at a greater speed than 10 miles an hour if protected, leaving the other 5 years to be dealt with later. The proposition did not seem to me to be unreasonable, and I submit it to the House for consideration.

Mr. RUSSELL. How much difference would it make in the running time of a train from Montreal to Toronto?

Mr. GRAHAM. I would have to have a list of crossings. Take the International Limited, it would have to slow down to 10 miles, at every crossing where an accident had occurred within ten years. Slowing down scuh a train and getting up the momentum perhaps two or three times within 10 or 15 miles, consumes a good deal of time, and yet perhaps only one accident has ever occurred at a particular crossing. Yet they have to stop or be criminally liable if anything should occur. It places the employees in a very awkward position. They are expected to make time, and if they disobey orders and an accident occurs they will be criminally liable because the company has given them orders to comply with the Act. There is a difficulty both with the employees and with the company, and it struck me that it would be reasonable to reduce that period to 5 years, the company to pay attention immediately to as large a number of crossings as require attention.

Mr. J. A. CURRIE. There is another aspect of this case. Consideration, of course, has been extended to the foot passenger and the driver, and the man who wants to travel on a fast train, but no consideration seems to be given to the shipper. I have no hesitation in saying as a shipper that the operation of that clause has cost the shippers of this country $1,000,000 in added interest on goods delayed in transit. Take goods shipped from Sydney to western Ontario, they had been delayed nearly two weeks longer than they would have been under ordinary circumstances and when you ask the railway companies for an explanation they say that a freight train has to come to an absolute stop at each of these crossings, not to slow up to 10 miles as a fast passenger train does. When I came to analyse the question I found that 25 per cent of the accidents that have occurred at these crossings have occurred on crossings that would not be called dangerous crossings, most of the accidents have occurred through carelessness of the people themselves driving on the track where they could see the train openly for miles. There are carried on the railways of Canada each year 67,000,000 tons of freight, and when you stop the carriage of these goods for two or three weeks in a year the mere banking charge for carrying these goods for that time means a lot of money. In shipping there is the haulage by the railway, there is the traffic charge, but there is a larger and more deadly charge because it goes on day and night, that is the interest that the banks or some one must be paying on the money value of these goods, and whilst this Bill may have benefited a few careless people, and perhaps have saved the lives of one or two innocent people I do not see why the business interests of the country should be held up on account of a section of this kind. If the section is amended so that the Railway Commission may order the train to stop at any crossing which they consider dangerous—and they have examined them all by this time I understand —and shall order that the train shall slow down to ten miles an hour until the

crossing is made right, we would have a more satisfactory condition and there would not be so much difficulty. The Railway Commission are really violating their oath of office every day. It is well known that in some cases they have given the railways permission to cross where there has been no protection put up, a few trees may have been cut out and the trains go on at the same speed. Some amendment is necessary. The present legislation involves a danger to the railway companies and to the men—because the man on a locomotive is as much afraid of an accident as the man driving a team on the road, because his life is in danger—a man might drive a team of horses on a crossing, ditch the locomotive and kill the fireman and engineer just as easily as the locomotive might run down the team.

Mr. LANCASTER. They never do it.

Mr. J. A. CURRIE. I remember a case fifteen years ago in which a horse got on the track, and upon a bridge and was struck by a locomotive, the result being that the engineer and fireman were killed. In delaying 65,000,000 tons of freight for three or four weeks in the year by this legislation it seems to me that you are taking a pretty bold, drastic stand. I am quite in sympathy with any legislation to protect what are considered dangerous crossings and to compel the railways to make the necessary arrangements to protect those crossings as quickly as possible. But why treat the subject in a blanket clause like that? There are crossings where men have been killed accidentally but where under ordinary circumstances, there can be no chance in the world of people being killed. They can see the train two miles away, but in some cases people try to beat the train. It is a very grave thing to stop all the traffic on these railways the way it is done now. A freight train has to come to a stop. It cannot slow down to ten miles an hour because the air will not apply on one of those long trains, and the train will break in two. If you have a train of fifty cars and apply the air you can stop the train, but you cannot slow it down, because if you try to, the train will part. I think the government should consider this matter, and I believe that they would meet the case by inserting the words: 'if so ordered by the board'.

Mr. LANCASTER. The effect is practically the same to-day as that contended for by my hon. friend from North Simcoe. These trains cannot pass over any highway crossing at rail level at a greater speed than ten miles an hour if at such crossing an accident has happened, unless the crossing is protected to the satisfaction of the board. The board can order any protection and in doing so it may say to the company: You do not need to do anything but clear away this embankment with which you are obstructing the view, or widening your track. We have had cases of that kind in the Niagara district. It does not cost the company more than a mere bagatelle. By putting in their plans and showing their elevations the company may be permitted to run without any special protection. The board have full power under this section to absolve them from any responsibility of this section under such circumstances as they see fit.

Mr. J. A. CURRIE. Where?

Mr. LANCASTER. By the very language of this section which I have just read. Trains are run as fast as they were ever run over crossings protected to the satisfaction of the board. The power of the board is nothing more nor less than the power to say what is absolutely necessary in order to protect the interests of the country.

Bill reported, read the third time and passed.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

RETAIL MERCHANTS' ASSOCIATION.

House in committee on Bill (No. 210) to incorporate the Retail Merchants' Association of Canada.—Mr. Gervais.

On section 1,

Mr. W. H. SHARPE. The parties who are asking for this incorporation are a very important class of people; I think they represent the largest amount of capital of any class in Canada. I understand that they do not intend to go into business as an association; but if we allow this Bill to go through and give them incorporation, it will combine all the retail merchants throughout this country, and they will be able to control prices, the number of stores, and everything of that kind in every town in Canada. They will be able also to control the wholesale people. Suppose there are five or six stores in a town, and a man wants to start another store. These people will have such power that they will be able to go to the wholesale men and say: We do not want you to sell goods to this store; if you do, the retail dealers throughout the country will not buy goods from you. In that way they will be able to control the retail business from one end of this country to the other. The great excuse they are giving for wishing to have this Bill passed at the present time is that the retail merchants will be able to compete with the great departmental stores of the coun-

try. It is true, the great departmental stores, such as Eaton's and Simpson's, are doing a great injury to the retail trade; but I maintain that this is not the proper way to deal with them. The retail dealers should go to the various provincial legislatures and get them to pass laws whereby each municipality could put a tax on all goods coming into the municipality from these departmental stores. I wish to protest against this Bill going through.

Mr. BICKERDIKE. I fail to see the point our good friend is trying to make. Why should not the Retail Grocers' Association be entitled to the same rights and privileges as the Wholesale Grocers' Association or the Manufacturers' Association or the Shipping Federation, for which I had the honour of putting a Bill through this House, and it went through unanimously? If any of these associations could be said to represent a monopoly, as my hon. friend suggests, surely it would be the Manufacturers' Association. I hope this Bill will go through, and with the unanimous assent of this House; there is no reason why it should not. Do not let us do injustice to the Retailers' Association, because there may be some little feeling against them. I do not think this House will stoop to that.

Mr. W. H. SHARPE. I wish to say, in reply to the hon. gentleman, that the people in western Canada know how much the Manufacturers' Association has hurt them. That association is taking undue toll from the people there to-day. Because we have put through other Bills, and allowed other combinations to work hardships on the producers of this country, is no reason why we should continue to do the same in this case.

Mr. RALPH SMITH. When this Bill was before the House two or three days ago, I put myself on record as being opposed to it, and I want to do the same now. My hon. friend wants to know how it would be unreasonable to pass legislation in this House in favour of the Retail Grocers' Association when the Wholesale Grocers' Association has had Dominion legislation. Well, it seems to me that there is a good deal more necessity for wholesale business to receive Dominion legislation than retail business. Retail business is local, distributed all over this country; but wholesale business has necessarily to have its interprovincial connections in order to operate and to provide and distribute its supplies all over this country. It does seem to me that this is purely provincial local legislation. I would like to call the attention of the committee to this institution which is asking for incorporation. In the last few days, a convention has been held in the city of Toronto by the manufacturers of food products in this country, combined with the Wholesale Grocers' Exchange, at which representatives from the Retail Grocers' Association were present and discussed the food-supplying trade of this country; and what happened at that convention? This very association, which to-day is asking for powers from this parliament, entered into discussion and came to conclusions with the other parties represented, to arrange and maintain prices of food products in this country, and went further than that—intimidated the manufacturers who refused to enter into what they called the contract-selling system. All this happened in the last few days, and has been reported in the daily press. Now, my opinion is that what this institution wants is power from this parliament to combine with these other Dominion bodies for the purpose of fixing and maintaining high prices at the cost of the consumers of this country. I think the evidence of the convention which has just been held, if the members of the committee have read the correspondence, will convince them that this is a very dangerous power to place in the hands of an association which, after all, is simply a local institution doing business all over this country under local conditions. There is not expressed on the face of the Bill any necessity for Dominion legislation for the purpose of carrying on that business. Therefore, so far as I am concerned, I want to put myself on record, for those reasons, as being entirely opposed to the Bill.

Mr. ROCHE. I desire to reiterate my objections to the Bill. I took exception to it the other evening, and I have seen no reason to change my opinion. It is true that the promoter of the legislation claimed the other night that this was a purely benevolent institution which did not mean to go into any trade or business whatever. If that is the case I think they are coming to the wrong shop. I do not see why they should not secure their legislation from the provincial legislatures and the suspicion in my mind is that these gentlemen under the guise of this Bill are seeking powers that they feel confident they could not secure from the provincial legislatures. That is the reason they are coming to the Dominion parliament. It was pointed out by a former provincial secretary the other evening, one who ought to be conversant with the legislation of the province of Ontario, that all the powers necessary for this company could be secured under the Ontario Company Act. The only objection offered to that is that they wish to spread their business beyond the confines of the province of Ontario. What is there to prevent them doing exactly what the insurance companies or other companies do, and

registering, taking out a license in the other provinces. There is no reason whatever why they should not do that, and we may view with suspicion an association coming to the Dominion House to seek such wide powers as we find in the various clauses of this Bill, when the proper sphere to secure that legislation from, is the provincial legislature. Now the hon. member who has just sat down (Mr. Ralph Smith) has referred to the danger there is of those gentlemen associating together for the purpose of combining and raising prices. We are pointed to the fact that there is a combines Bill which has been amended and passed through this House. But, I think that Bill will not be of very much service to those who may invoke its aid, and I do not think it is at all necessary to impose upon the people of this country the burden of calling into requisition a combines Bill in order to strike at a possible combination of retailers. The hon. member from the St. Lawrence division of Montreal (Mr. Bickerdike) said why should we object to incorporating the retail groceries association any more than the wholesale grocers. Yes, and why should we object to incorporating the consumers of this country, such as members of this House did the other day. The very association which is now seeking incorporation were the principal objectors. They might not have been the cause of the defeat of the Bill, but they were represented there by their counsel to oppose it and they would have opposed it if that counsel had been heard. If they had shown a less selfish spirit and allowed the consumers to be incorporated to do business with their neighbours, their case might have been treated a little more leniently at the hands of the members of this House to-night. I think the retailers have no more reason for seeking incorporation here than the consumers, who were simply asking for power to do business among themselves. That was denied because the promoter of this Bill says it was detrimental to the public interest. Fancy the consuming population of this country, the masses, enacting legislation on their own behalf that would be injurious to themselves. It is a preposterous proposition and I take the position taken by some hon. gentlemen who have spoken on this subject that the legislation necessary should be sought at the hands of the provincial legislature and not here.

Mr. BICKERDIKE. May I point out that this is a Dominion association and that it is a Dominion Act, an Act to incorporate the Retail Merchants' Association of Canada. Now, I ask, can such an association go to the province? It is said that because the promoter of this Bill, or some other gentleman appeared before this committee and asked that the Co-operation Bill be thrown out, that this Bill should be thrown out. Surely we are not going to prosecute the retail grocers of Canada simply to have revenge on the member for St. James division (Mr. Gervais). Surely that is not the intention of this House.

Mr. ROCHE. That is not the idea.

Mr. M. CLARK. I find myself on this subject in hearty agreement with my hon. friend from Montreal (Mr. Bickerdike). I can see no harm whatsoever in the principle of this measure. I greatly enjoyed the other day the banter which my hon. friend from Nanaimo (Mr. Smith) addressed to the promoter of this Bill on his inconsistency, but I fail to see that because the promoter of this Bill was inconsistent, my hon. friend (Mr. Smith) does not suffer a little the same way. Because, if he says that a member is inconsistent who opposed co-operation a little while ago and supports a similar principle now, I think inconsistency can be traced equally to him who supported co-operation a little while ago and opposes it now. I think there is a fallacy lying at the root of all that has been said by those who are opposing this measure. It is assumed that the retailers are asking for powers which they intend to exercise against the consumer. Now, that is not at all a safe conclusion. The wholesalers are now organized. May it not be that the retailers are seeking the powers in order to arm themselves against the wholesalers and in the interests of the consumers. But the elementary proposition is the one which was pointed out by my hon. friend from Montreal (Mr. Bickerdike) that every class of the community in the British empire has the right of combination. My hon. friend who has just resumed his seat (Mr. Roche) is a member of the medical profession, a profession to which I have the honour to belong, myself, and we have both in this country and the old country our medical associations, whereby medical men combine for the protection of their legitimate interests. In my few remarks on the Combines Bill the other day, I pointed out that one of the struggles of the Liberal party in the last century in Britain, was for the right of workmen, and my hon. friend from Nanaimo (Mr. Smith) knows it well, to combine in their trades unions. Legal gentleman have their combinations, employers have their combinations, in fact all men are to have their combinations except these retail grocers. I do not think that is a position which will be seriously taken up and maintained by any one in this House. I think it the more easy to support this measure because of the Act that was passed by parliament the other day. I pointed out at that time that there was no harm in combination, that combination was only harmful when it

acted in restraint of trade and in the raising of prices. But, all that is now perfectly safe in the hands of my hon. friend the Minister of Labour, and if this retail association shows that it is endangering for one moment the rights and interests of the consumers, we can safely leave it to be dealt with by the piece of legislation which went on the statute-books a few days ago.

Mr. BOYCE. Can my hon. friend point out to the committee any benefit that would accrue to the community by this Bill being passed?

Mr. M. CLARK. Suppose the wholesalers are charging the retailers too much, will the retailers not have a better chance of buying well from the wholesalers if they are combined in a union. We all know that union is strength. I should think my hon. friend (Mr. Boyce) sees that that is a perfect answer to his question. And if they buy better, they will sell cheaper to the consumers.

Mr. NEELY. It is somewhat of a surprise to me to see that this Bill, which was considered some days ago, and the first section of which was defeated by the committee, is before the committee once again. When the promoter of the Bill asked that the vote on clause 1 be reconsidered, I understood that he wished merely an opportunity to withdraw gracefully when he found that the committee was not in a mood to sanction the passing of the Bill. Otherwise, as one who voted against clause 1 of the Bill, I certainly would not have given my consent—and I think others who voted as I did would not have given their consent—to the reconsideration of that vote. I thought the promoter of the Bill understood the action of the committee according to its true intent.

My hon. friend from Red Deer (Mr. Clark) thinks that those who are opposing this Bill are arguing from false premises. I do not agree with him on that point. In the first place, he draws a parallel between the trades unions of this country and the Retail Merchants' Association, and argues that because combination does good in one case it will do good in the other. There is no objection on my part, nor, I think, on the part of the committee, to the retail merchants of Canada having a voluntary association such as they have at the present time for the advancement of any interest that they may think it their duty to advance. But I would call the attention of my hon. friend from Red Deer to the fact that, as far as I know, not a labour or trades union in Canada is incorporated by an Act of this parliament or any other.

Mr. GERVAIS. They are all incorporated by the general law.

Mr. NEELY. My hon. friend (Mr. Gervais) says they are all incorporated——

Mr. M. CLARK.

Mr. BICKERDIKE. I think my hon. friend (Mr. Neely) was in the House when I introduced the Bill incorporating the Shipping Federation. If he was not, he should have been here.

Mr. NEELY. I think not. But I still fail to see why this committee ought to assent to the incorporation by Act of this parliament of an association of the retail merchants of Canada. They have their association to-day, and they have the privilege of going to the various provinces and being incorporated under the Joint Stock Companies Acts of the provinces. I should think that they could secure all the powers they require in that manner. So far as I can see, all the names given in this clause 1 are names of people from the provinces of Ontario and Quebec.

Mr. BICKERDIKE. What objection is there to that.

Mr. NEELY. I do not find the names of any from any other provinces of the Dominion. Yet these gentlemen must be incorporated by Act of the parliament of Canada. Now, it is true that the medical men of the various provinces of Canada have their associations, but not under Dominion Act, their powers are obtained from the provincial legislatures. And I want to say to my hon. friend from Red Deer that, so far as the medical profession at least is concerned, there is no parallel between that case and the case of the retail grocers of Canada in this respect.

Mr. PUGSLEY. Will the hon. member (Mr. Neely) allow a question for information? With regard to the medical men, is it not true that a large number of them have been anxious to get Dominion incorporation, but cannot agree among themselves as to the terms?

Mr. RALPH SMITH. This House has refused it.

Mr. PUGSLEY. I thought they were unable to agree.

Mr. NEELY. I have always understood that they have never been able to secure such incorporation. But, in any case, there is this difference between the case of the medical profession and that of the retail grocers, that, whatever protection is furnished by law of the provinces to the medical profession is furnished with the primary object of protecting the public from quacks and quackism, and not for the protection of the profession.

Mr. BICKERDIKE. That is the object of our Bill exactly.

Mr. NEELY. So far as the consumers, the public, are concerned, the incorporation by Act of this parliament of this association is certainly not intended primar-

ily for their benefit. That is the great and essential difference between this and the case of the medical profession—in one case, the statute is for the protection of the public, while in this case, if there is any benefit, it is purely and solely for those who are interested in having this incorporation brought about. I say, as I said when this Bill was before the committee on a former occasion, that very many possible evils lurk in this legislation should it come into effect. We should be giving to these gentlemen the prestige of an association incorporated by Act of the parliament of Canada. That would enable them in many ways to bring about a certain measure of coercion in so far as securing membership is concerned. They would be able to bring pressure to bear on the men engaged in the retail trade who are opposed——

Mr. GERVAIS. Will the hon. gentleman allow me to ask him a question?

Mr. NEELY. One moment—who are opposed to the——

Mr. GERVAIS. Will the hon. gentleman allow me to ask him a question?

Mr. NEELY. If the hon. gentleman (Mr. Gervais) will not let me finish the sentence, I will give him the opportunity to ask the question.

Mr. GERVAIS. I would ask the hon. gentleman (Mr. Neely) to point out to the committee any word in the Bill to support his contention that the Retail Merchants' Association is seeking for power to establish a combine which will produce any of the many evils of which he speaks, but which he has not stated definitely. Let him mention one word in the Bill in support of his contention.

Mr. NEELY. No matter what the ulterior object of the promoters of this Bill might be, we certainly do not expect them to state on the face of the Bill any such object. Most assuredly the Bill is drafted so as to appear on the face of it as innocent as possible. But I am simply stating the fact, that we are placing in the hands of these gentlemen, if we incorporate them by Act of this parliament, certain powers which they might very easily use to the disadvantage of the consumer, and the public. I have said that we give them the prestige of incorporation by Act of this parliament. By the aid of this prestige they would have great influence in coercing into their membership many of those in the retail trade who might not be willing to enter. Here is one way in which that might be accomplished. This association, let us say, is incorporated; it has its president, its executive and its secretary. Its representatives the towns and cities of this country, and we will suppose that they secure a large proportion of the retail tradesmen as members of the association. But there were some independent tradesmen who did not see it to their advantage to join this association. They see no need of it, they are getting along very well as it is without paying tribute to this association. Sir, this association in a very short time will be strong enough to go to the wholesalers of this country in a certain city or a certain town, and say to them: There are certain tradesmen who will not join our union, who will not come in as members of the Retail Grocers' Association. Now we say to you that you must not do business with these men. We have a right to protection the same as other trades unions, we have a right to have our association recognized by men who are occupied in that particular trade, and we say to you wholesale men that you must not sell those tradesmen unless they consent to become members of the Retail Grocers' Association. I am not saying that that appears in the Bill, of course it does not, but that is a power we will be putting into the hands of this association if we incorporate them by this Bill. There are other ways by which men might be coerced to become members of the association. It is a very simple matter, when a man is in business difficulties and finds himself hard pressed, for rumours to be circulated that he is getting into deep water, that he is not in the best financial circumstances, and it is an easy matter to undermine his credit. If a man is obstinate and refuses to join this association, I say there is another method by which his financial standing and his credit with the wholesalers, and with the public might be undermined.

Now, there is another consideration. I cannot for the life of me see why these retail grocers cannot have their local associations if they require them for the discussion of the betterment of trade conditions, and their own individual affairs, without incorporation by Act of parliament. When my hon. friend was introducing this Bill the other night he told us of many things that had already been done by the voluntary Retail Grocers' Association. Well, so far as the cities and towns of this country are concerned, I think they can very well look after their own interests by their organizations. For instance, there is hardly a little town in western Canada, and I understand it is so in the east, but has its board of trade, and I think the boards of trade in the cities and towns are quite capable of looking after the local commercial affairs of their respective centres. In the Bill that sets forth the objects of this association, nor in the remarks of the promoter of the Bill, have I found one single substantial reason given why this Bill should be put through, why these

retail grocers associations should be incorporated. Let me call attention to another way in which the public of this country might be injured by this incorporation. Here is an association of a Dominion character having a membership in every town and city in the Dominion of Canada. A certain individual in a certain town is unfortunate, he is in poor financial circumstances, he cannot pay his grocer's bill. What happens? That grocer refuses to give him credit. Is that all? I conceive the possibility that a man in straitened circumstances might seek to benefit himself by moving to another part of Canada, and by reason of this Dominion-wide association that man might be black-listed by every retail grocer from the Atlantic to the Pacific. I say that is a possibility. Does my hon. friend deny that that is one of the objects? Of course it is not so stated in the Bill, but does he deny that that is one of the objects? Of course he will deny it, he will say that the object is to secure protection from poor creditors. But it may be protection in the way of a black-list against men who are unfortunate, and who cannot pay their grocer's Bill. I conceive that that will be one of the primary features in the incorporation of this association. Of course my hon. friend will say that that is not in the Bill, and I am willing to agree with him.

Mr. DANIEL. But it is, in subsection 2, clause 2.

Mr. NEELY. Whether it is or not, to my mind there is not a doubt but what the association would benefit its members in the way I have indicated. I hope I need not say anything more. I do not think that the sentiment of this committee has changed much from the last time the Bill was before us, when the first section was defeated. I do not want to block the Bill in any way, I am perfectly willing it should go to a vote.

Mr. BLAIN. Did my hon. friend say that the Medical Association of Canada was not incorporated?

Mr. NEELY. No, I said that the medical profession had provincial protection. There is no Dominion law dealing with the medical profession.

Mr. BLAIN. I only wanted to direct my hon. friend to a slight inconsistency in his position. Let me remind him that he sat in the House last session and assisted in the incorporation of the Medical Association of Canada.

Mr. NEELY. That was purely pro forma.

Mr. BLAIN. I have under my hand the clause of that Act which empowers the Medical Association to hold exactly the same value of property, $50,000, that is to be found in the Act under discussion.

Mr. DANIEL. The intention of the medical profession in applying to this parliament for incorporation, as alluded to by the Minister of Public Works, was to allow a professional man who had passed his examination to practise in any province in Canada. It was not to create an association for any purpose other than that.

Mr. BLAIN. That is not the Bill to which the Minister of Public Works referred.

Mr. DANIEL. The minister spoke of the application which it was the intention to make to this parliament this session, but which was not made. I was here the other night when the Bill now before the House was under discussion, it was put to a vote and voted down almost unanimously.

Mr. PUGSLEY. Then it was reconsidered.

Mr. DANIEL. I do not know how, in the face of the vote of the other night, there can be a sufficient number of members present to-night to make a majority in favour of this Bill without any reason being advanced in the meantime to induce them to change their minds. If any one reads over the objects of this association he cannot but come to the conclusion that it is a combination for purely commercial reasons, in so far as the retail merchants themselves are concerned, and must result in a combination to raise prices in Canada. We as a parliament have hitherto been rather favouring the interests of the corporations as opposed to the general public, and it is now time that the general public had some little show in the legislation passed by this House. It is time that the ordinary consumer comprising the great mass of the people, had some one to stand up for their interests as opposed to the corporations. I have seen no reason, I have heard no argument offered, to induce me to change my mind from what appeared to be the general opinion of this committee when this Bill was up before.

Mr. W. M. MARTIN. I have listened to the discussion on this Bill, and have come to the conclusion that the only reason the Bill is being opposed is that the retail merchants came down here in a large body and opposed the principle of co-operation.

Mr. RALPH SMITH. Oh, no.

Mr. W. M. MARTIN. My hon friend says no, but I heard my hon friend from Humboldt (Mr. Neely) the other night use that as his main argument, and I heard the hon. member for Marquette (Mr. Roche) to-night, use practically the same argument.

Mr. ROCHE. No, you did not.

Mr. W. M. MARTIN. I was present in the Committee on Banking and Commerce when the question of co-operation was discussed. There were no retail merchants there. A vote was taken and I voted for the principle of co-operation myself, because I am not opposed to it; if it will assist the people to buy more cheaply, I am in favour of it. The Bill was defeated on a vote of 10 to 8. I supported the measure, because I wanted to hear it discussed in the House of Commons, as I am not unfavourable to that principle. The objects of the proposed Bill seemed to me to be very harmless. It has been argued by various members that the association should ask incorporation from the various provinces. If I understand the principle of granting incorporation to various organizations, prima facie, where a body of men are carrying on business in various provinces, this is the proper place for them to come, and it is only a question for us to consider what rights we shall give. I fail to see anything very harmful in the objects of this Bill. It has been argued that they will create a combine. If that is the case, they can be prosecuted under the Criminal Code. The great majority of the arguments against the proposed measure seem to me to be very hazy, and to depend on something that may occur in the future, so that they do not constitute any objection to the Bill at all. Clause 2 of the Bill says:

> The objects of the association shall be the promotion of the industrial and commercial interests of the retail merchants of Canada, the collection and publication of information and statistics, &c.

So with the rest of the section, there is nothing with respect to the carrying on of business. This association is being formed for the purpose of obtaining information which will be beneficial to its members, and if I understand the proposition, it is similar to a Bill which we passed the other day respecting the Dominion Millers' Association.

Mr. W. H. SHARPE. If the object of this Bill is not to form a combination and to affect prices, what object would a merchant in the province of Quebec have in common with a retail merchant in Saskatchewan in joining the association?

Mr. W. M. MARTIN. I can only refer to clause 2 of the Bill and say that the object in joining the association would be to get information. I cannot see any argument in stating that this association is going to increase prices. No information has been placed before the House as to that. It does not say so in reciting the objects of the association. My hon. friend from Humboldt (Mr. Neely) says it would not say so in any case. But we must find within the four corners of the Act the object for which an association is incorporated, and I fail to see anything that would lead me to oppose the Bill. I have heard clause 8 discussed, which says they may accept, endorse and become parties to promissory notes and bills of exchange. That might lead us to think they intended to carry on commercial operations, but I find that this is to be for the purposes of the association, and in clause 2 I fail to see anything which will lead me to believe that they are going to carry on a large retail business or attempt to enhance prices.

Mr. HENDERSON. After an experience of 25 years in the retail business, I am satisfied that you cannot get that harmony and unanimity amongst retail men that will bring about an enhancement of prices. I do not fear at all that any such combination can be brought about amongst retail men even if this Bill is adopted. I would support this Bill if it were nothing more than one clause—clause (d), section 2. I think it is a good clause:

> The procuring and furnishing to its members information as to the solvency of persons who deal with any of its members.

To my mind that clause is worth all that is in it.

Mr. TURRIFF. The hon. member who has just taken his seat (Mr. Henderson) thinks that there would not be unanimity enough to enable them to accomplish any of the objects of a combination, but if my hon. friend had read the proceedings of the meeting of the Wholesale and Retail Grocers' Association in Toronto during this week he would have found that they have a great deal of power to do that very thing. They are proposing now that the manufacturers should make a price at which any particular article should be sold to the consumer, that neither wholesaler nor retailer shall be able to compete one with another. That is what they are trying to bring about. I am opposed to this legislation for the reason that we have had a little taste of just such legislation, or just such efforts in the west. A few years ago we had the Retail Lumbermen's Association, and it can be said about the Retail Lumbermen's Association just what has been said here to-night, that they did not propose to do any large business themselves. The Retail Lumbermen's Association as an association did not go into the handling of lumber. They did not open lumber yards or sell lumber to the farmer or the builder. They had a far deeper object in view and they accomplished that object. What they did was this: They stifled competition from one end of the west to the other. For years and years there was no competition in the lumber business, and the retailers were making

anywhere from $6 to $11 a thousand feet B.M. That association accomplished that in this way: They went to the mills cutting lumber for the market and said: There is our list of retail merchants in the different towns. We propose that there shall be only one lumber merchant in a certain town, that there shall be only two lumber merchants in a certain other town, and if you sell to anybody outside of this one merchant or outside of these two merchants, as the case may be, not one single member of the Retail Lumbermen's Association will buy a carload of lumber from you. That went on year after year, and if this legislation were passed what is there to prevent the retail merchants from doing the same thing? You give them the opportunity. Why should we in this Dominion parliament usurp the powers of the provincial legislatures and pass legislation of this kind that would be a benefit to the retail and wholesale merchants, but which would certainly not be in the interest of the consumer? We might as well stand by the consumer instead of standing by the merchant. We had a very unfortunate experience in the west in connection with lumber, and it became so bad that we were forced—

An hon. MEMBER. Time is up.

Mr. TURRIFF. No, time is not up yet for a minute.

Mr. GERVAIS. I will answer the hon. gentleman later on.

Some hon. MEMBERS. Question, question.

Mr. TURRIFF. I do not understand the question of the hon. gentleman; therefore I am unable to answer it. I hope the House will take warning by the experience we had in the west and not think of passing legislation of this kind. This is the wrong kind of legislation and even if it is—

Mr. DEPUTY SPEAKER. Nine o'clock.

WATER AND WATER-POWER IN RAILWAY BELT, B.C.

The hour for private Bills having expired, House again went into committee on Bill (No. 187) to confirm and declare the rights of the Crown with respect to water and water-power, and relating to the diversion, acquisition and use of water in the railway belt in British Columbia.—Mr. Oliver.

On section 2—interpretation.

Mr. BRADBURY. I would like to have some explanation of what that means.

Mr. OLIVER. There was an explanation given before the Bill was read the second time; however, I will give another explanation if it is considered desirable.

Mr. BRADBURY. I would like to know if this Bill takes the control of these water-powers from the local government and transfers it to the Dominion government.

Mr. OLIVER. What is called the railway belt of British Columbia is a strip 20 miles wide on each side of the Canadian Pacific railway from the eastern boundary of the province to nearly its western boundary. This is land that became the property of the Dominion by reason of the agreement made with the province of British Columbia in regard to the construction of a Pacific railway. The ownership of the land is vested in the Dominion. Until comparatively recently the administration of water rights within the railway belt was carried on by the provincial government. The provincial government administered the water rights in the railway belt as well as in the other parts of the province. There was always some question as to whether the right of administration of water in the railway belt properly rested in the province or in the Dominion. However, the province was exercising the right and the Dominion was not contesting it, but it was so uncertain that the right was in the province that on several occasions, where large works were being carried forward, the parties who were interested in the water rights in connection with these works, having received authorization from the provincial government, came to the Dominion government for a confirmation of their rights. In certain cases where large amounts of money were involved, the parties who secured the water-rights from the British Columbia government, in order to make themselves secure in their title, came to the Dominion and got a quit claim from the Dominion. I point this out to show that the question of title was always in doubt. At last, the issue was raised. A case was entered in the Exchequer Court, and that court gave a decision to the effect that the right to water in the railway belt was vested in the Dominion and not in the province. The case was then appealed to the Supreme Court, and the Supreme Court has given a decision confirming that of the Exchequer Court. The case is again being appealed to the Privy Council, and until the Privy Council has decided, the question is not settled.

Mr. LANCASTER. Did that decision go to the length of holding that after the land was alienated, the Crown by virtue of the Dominion would still control?

Mr. OLIVER. I cannot answer that question. I am merely stating the facts as I understand them. As soon as the decision of the Exchequer Court was given the province ceased granting water rights within the railway belt. They took for granted, whether wisely or unwisely, that that decision set aside their jurisdiction

for the time being. The result of that decision is that the water rights which were granted by the province within the railway belt have no standing in law.

Mr. DOHERTY. Do I understand the minister to say that the judgment is now in appeal before the Privy Council?

Mr. OLIVER. Yes.

Mr. DOHERTY. Then the question is still open?

Mr. OLIVER. Yes.

Mr. DOHERTY. I understand the minister to say that the judgment of the Exchequer Court had the effect of settling it?

Mr. OLIVER. For the moment.

Mr. DOHERTY. If the case is still pending, I cannot see how anything is settled. Who appealed it?

Mr. OLIVER. The province. The judgment of the Exchequer Court is the law until it is reversed on appeal, and under that condition of facts, the water rights granted by the province in the railway belt have no legal status.

Mr. LANCASTER. But does not the hon. gentleman see that if we interfere now by legislation we shall be rendering the judgment of the further court nugatory, even if on the merits it reverses the decision which we act upon. We would be interfering with the ultimate decision of the courts, and we certainly should not do that until we get the decision. Our legislation might be used to prejudice the decision.

Mr. OLIVER. Our legislation cannot affect the decision of the Privy Council.

Mr. DOHERTY. If the Privy Council reverses the judgment, our legislation will be nugatory.

Mr. OLIVER. Certainly.

Mr. DOHERTY. Does it strike the minister to be a wise thing to legislate in that state of affairs, with the question of our authority being liable to disappear as a possible effect of the judgment of the Privy Council?

Mr. OLIVER. That is what I am trying to convince the House of. Let me repeat that, as I am advised, from the decision of the Exchequer Court the rights granted by the province within the railway belt have no legal status, and will not have any unless and until that decision is reversed by the decision of the Privy Council. That means that rights of serious importance within the railway belt, which should be maintained in legal status, have not that legal status. There is a chaotic condition, then, in regard to water rights within the water belt. That is a very undesirable condition, and what we want to do by means of this Bill is to say that these rights, which have been invalidated by the decision of the Exchequer Court, shall be, under the conditions set out in the Bill, re-established by the authority of this parliament, so far as this parliament has authority to do that.

Mr. BURRELL. I am informed that there is a possibility of the Privy Council taking up this case next fall. Has the minister any information as to that?

Mr. OLIVER. I understand that leave has just been granted for the hearing of the case by the Privy Council. I cannot say how soon a decision will be reached; no person can say that. There is good hope that it will not be interminably delayed. But it makes no difference whether it is one month or six months or six years, during the interval these important rights have not that legal status to which they are properly entitled, and I conceive it to be the duty of this parliament not to allow that condition of affairs to continue. So long as this parliament has jurisdiction, it is its business to re-establish those rights. That is one proposal of the Bill. The other proposal is this: There are large investments of capital at present and in prospect. There is the work of irrigation, which is necessary throughout a large part of the railway belt, and neither the investments of capital nor the work of irrigation should be hampered if it can be avoided. The Bill, then, in another part assumes that the decision of the Exchequer Court will be upheld, and authorizes the Governor in Council to grant licenses for water rights within the railway belt.

It may be said that it is not wise for parliament to take or give that power when the power may shortly be taken away by a reversal of the decision of the Exchequer Court. But on the other hand it does not seem to me to be wise that the development of power or the work of irrigation in the railway belt should for any reason be delayed, certainly not because of any lack of legal right in the matter. Now, so long as the legal right was assumed to rest with the provincial government, the provincial government granted all rights that were required, and when the parties got those rights they came to this government and got a quitclaim. The British Columbia government not now being in a position as I am advised to grant rights, this parliament may assume to itself the power to grant rights. And persons coming to this government under the proposed legislation and getting rights may go to the province of British Columbia or to the provincial government of British Columbia and get a quitclaim

of the provincial rights, just as under the former conditions an applicant went to the provincial government and came to us and got a quitclaim. The object of this Bill is to validate existing rights, and to provide for continuous development of the water privileges in the railway belt. Notwithstanding the litigation that is now in progress, that is the whole purpose of the Bill. That is all we have in view. We consider it absolutely necessary in the line of good government and for the safety of capital, and for the continuous development of the railway belt. For that reason we ask the House to agree to it.

Mr. GUTHRIE. If what has just been described by the minister in his last few sentences were the scope of the Bill I do not think it would be open to very much objection. But unfortunately the Bill goes very much further than that. I have had occasion to look into it with more care than I would usually bestow upon a matter affecting rights in British Columbia, by reason of the fact that I happen to be acting as solicitor and counsel in a rather heavy case, now pending before the Exchequer Court of Canada in regard to certain water rights in British Columbia. On account of the case no doubt my attention has been drawn particularly to the various clauses of this Bill. I think the object of the minister is a most laudable and proper one in seeking to give definite confirmation to rights which may be more or less in jeopardy owing to the uncertainty of the matter as it now stands, as between the jurisdiction of the province of British Columbia and of the Dominion of Canada. But I would point out to my hon. friend the minister that the decision of the Exchequer Court was given in the month of May, 1909, just a year ago. The case went to the Supreme Court, was decided in the Supreme Court last December, the judgment of the Exchequer Court being upheld, and it has now gone to the Privy Council. Leave to appeal was granted the day before yesterday, and in all probability the matter will be argued and probably decided by the Privy Council at its sittings in mid-summer, probably in one or two or, at most, three months. I should think under the circumstances it would be reasonable for the minister to allow this measure to stand over until the next session of this House, some time next fall. By that time I have no doubt we will have the decision of the Judicial Committee of the Privy Council and we will know just what the rights of the respective governments are in regard to the waters in the railway belt of British Columbia. I think if the only object of the minister is to confirm existing rights that can be done in a single clause and capital will not be left in uncertainty or jeopardy. A single clause will be all that is necessary by way of confirmation of rights granted by British Columbia or of rights granted by the Dominion of Canada. But my hon. friend the minister has gone much further than that in his Bill. He has sought to wipe out common law rights, the rights of riparian owners in British Columbia, a matter which I should say this parliament has nothing to do with. He has sought also to introduce a licensing system to be carried on under regulations which are not laid down in the Act, and which are to be hereafter prescribed by orders in council. He has given other rights in regard to expropriation which particularly affect the case in which I am interested in the Exchequer Court.

Now, if these matters are to be legislated on in this Bill, I can only say to my hon. friend the minister that at this late hour of the session, he has stirred up about as contentious a measure as we have had before us this parliament, and certainly one of the most intricate measures. The interests involved are almost innumerable. In the first place there are those people who own land in the railway belt, who acquired their land before confederation. I know of the case of one man who is now a suppliant in the Exchequer Court, and who got his land from the old Crown colony before British Columbia entered confederation. He claims common law rights as a riparian proprietor which this Bill seeks to take away from him. There is another class of persons who obtained their land from British Columbia after confederation, but before the conveyance in 1880 from British Columbia to the Dominion of Canada. They have rights to be protected. There is a third class who obtained their land after the transfer from British Columbia to the Dominion of Canada, by patent from the Dominion government. That land has been alienated by the Dominion government. And then there is a balance of land remaining now, so far as proprietary ownership goes, in the Dominion of Canada. These various rights have to be safe-guarded in this Bill. Then there are other interests to be looked after. There are persons who have obtained water rights in the province of British Columbia and unconfirmed by the Dominion government. There are others who have obtained water rights which have been confirmed by the Dominion government by way of a quitclaim deed as my hon. friend the minister has announced. And there are others such as my clients, the city of New Westminster, who have both land and water rights in the railway belt granted to them by order in council, not by a quitclaim deed, but by an order in council.

Mr. LANCASTER. By which government?

Mr. GUTHRIE. This government, and it is now the subject of litigation in the Exchequer Court. I understand from a conversation with my hon. friend the minister that he is quite willing to put a clause in this Bill protecting the rights of litigating parties. That is usually done and I am content with that. But, there is another clause in the Bill which might wipe out the effect of any judgment which the Exchequer Court might give. I mention this case because it is a case of a good deal of prominence, and of a great deal of consequence in the province of British Columbia. It is a case in which the city of New Westminster acquired by an order in council, a grant of 18,000 acres of land and the water on the land, as we maintain, in the railway belt. The water was procured for a special purpose and the land was granted for the protection of the lake where the water came from. That was done by an order in council by this government in 1902. After the decision had been given by the Exchequer Court last summer, the Vancouver Power Company came to Ottawa and made application for rights in that same water and upon that same land. The order in council of seven years ago was cancelled and a new order in council issued granting the rights that formerly belonged, as the city contends, to the city of New Westminster to the Vancouver Power Company. It is upon that question that the city have on a fiat obtained from the government entered a petition in the Exchequer Court. But the point is this. If the action succeeds, if it be declared that the city of New Westminster is entitled to hold its land and is entitled to the waters which it obtained, any power company having a license from this government under the present legislation can immediately expropriate New Westminster of all its lands and all its water.

That is my own particular interest in regard to this pending legislation. But I also look to the broader question, and I submit that the broader question is one of too great intricacy to be dealt with in the closing hours of the session; there are too many interests to be looked into, too many interests to be safeguarded and very large interests too. I am told that some of the power companies of that province have investments of $20,000,000 and others have large though not so large, amounts. It may be that the title of all these companies is more or less uncertain under the decision of the Exchequer Court. I agree that some confirmation might well be given, but let it be by some simple enactment without attaching a licensing qualification which this Bill seeks to attach, without interfering with riparian and private rights, as this seeks to do, and without prescribing regulations by order in council, which no one knows anything about as is proposed under this Bill. These are all proper matters for legislation, I admit, but I do not think that this is the time for that legislation. If the excuse is to confirm doubtful or uncertain rights, I say, by all means confirm them, but do not go further pending a decision of the Judicial Committee of the Privy Council. If that decision upholds that of the Supreme Court and I am bound to say that I believe it will—there is no doubt that this government has power to regulate the waters in the railway belt of British Columbia. I think a comprehensive measure should then be brought forward and passed, proper regulations framed, licenses issued, and the government should take control of rates and tolls; but to do all that for the purpose of holding it for three or four months until a decision can be reached is, I think, absurd. I would urge the minister to pass, in one clause, the confirmation he speaks of, and allow the matter of his Bill to rest until the Judicial Committee has decided this question. Next session we shall have the decision one way or the other, and when that decision is reached, we can legislate with some intelligence on the subject. For, I am free to say, that I do not know when a more difficult question has come before this House. Far greater lawyers than I am, or can ever hope to be are very much puzzled as to the respective rights in these matters. The province of British Columbia conveyed a large block of land to the Dominion of Canada, there is no doubt. The Dominion of Canada obtained proprietary rights in that land. Did it obtain legislative rights? I doubt it very much. Could the Dominion, for instance, establish a municipal institution there? I say they could not; such matters are within the exclusive jurisdiction of the province.

Mr. LANCASTER. You say the Dominion became land-owners?

Mr. GUTHRIE. Yes, they have proprietory as distinct from legislative rights. But the decision of the Exchequer Court is that, on the Dominion's own land, at all events, they have the right to regulate the waters flowing therein. I know a case where a stream rises outside the railway belt, flows through a portion of it and then on into private property. Can it be said that the government has the right to pass legislation affecting the flow of that water, and the use of it though only a small portion of its flow is within the railway belt? These are some of the questions that come up. I would urge upon the minister, for the sake of peace, and for the sake of this legislation and do justice to

all concerned, that he should, as he proposes by the statement he has made introduce some legislation by way of confirmation, and nothing more. It would be only a provisional Bill in any case. It may be upset in a few months. I understood the confirmation was to last for two years. But I think the minister is on dangerous ground if he goes further, and it is hardly a proper time to bring in legislation so intricate and comprehensive as the present Bill.

Mr. BURRELL. A large portion of this territory is in my own riding, so this Bill is of great interest to me. I have a good deal of sympathy with the view put forward by my hon. friend from South Wellington (Mr. Guthrie), and I think the minister, if he could see his way to it, would do better to put through a Bill with a simple clause validating existing rights and providing a modus vivendi until the matter is settled. In the dry belt of British Columbia, in which this land is largely situated, there would be many complications if this Bill is put through in its present form. Many of these difficulties have been pointed out by the hon. member for South Wellington. If we look forward even to the Privy Council confirming the decision of the Exchequer Court, there are many sections of the Bill which, to my mind, call for serious consideration. For instance, there is the validation of the records since 1880 and up to May, 1910. But, under this clause, they are validated only for two years, and, after that, practically all the provincial records, as I understand the Bill, would be wiped out, and the decision as to private record holders would be left to the Dominion government. From our point of view of the question of jurisdiction, it would be wiser to leave all these things to the province. The question arises: Will they confirm the private records as they passed, or will they confirm them as we are doing now in the province, because we have recently passed a comprehensive Act in which we are going to alter the records and apportion the water in a fairer way, and give the users the benefit of the somewhat limited supply that exists in some districts. So far as irrigation is concerned, as the hon. minister knows, nearly every creek in the dry portion is recorded up to the full, that is as far as low water is concerned. Then, there is the question concerning water arising outside the railway belt, and a lot of similar questions that, it seems to me, would give rise to complications under this Bill. I confess, as I have said, that I think the suggestion of the hon. member for South Wellington, if the minister can see his way to accepting it, would be a happy solution of the difficulty—a simple Bill with a validating clause, and providing a modus vivendi pending the settlement.

Mr. CONGDON. I cannot see the clause which has the effect spoken of by the hon. member for South Wellington of taking away private or riparian rights.

Mr. GUTHRIE. Section 4.

Mr. CONGDON. It certainly preserves them.

Mr. GUTHRIE. Read the last clause.

Mr. CONGDON. I have read it—it certainly preserves them. The last clause relating to riparian rights merely refers to riparian rights in Crown property, not in respect of property already granted by the Crown. And, in any case, the saving clause to which, as my hon. friend intimated, the minister has expressed his assent, that the Bill should not interfere with vested rights or pending litigation will cure any danger of that kind. It seems to me that it is necessary not merely that existing rights should be confirmed, but that there should not be a hold-up of all business in that belt by reason of the want of power in the Governor in Council of Canada to act. We must take it that at the present time, these rights are vested in the Governor in Council. Having considered the matter, I cannot see that, while the case is pending before the Privy Council any one would make a large investment under a grant made under regulations of the Governor in Council. He certainly would make no large investment under such a grant without getting it confirmed by the province of British Columbia. It seems to me also that my hon. friend (Mr. Guthrie) is a little too sanguine when he expects a decision of the Privy Council in a week or two. I have had some experience with the Privy Council, and I know that it is not the custom of that body to give a decision within a month of two after leave to appeal has been given. If a decision comes within a year, it will exhibit the usual activity of the Privy Council in respect of such matters.

Mr. LANCASTER. They hear these cases in July.

Mr. CONGDON. Leave was only granted yesterday, and it would be impossible that that appeal should be brought on in July. With respect to the other question that has been raised as to water outside the belt, this legislation cannot interfere with that. With respect to the rights of the Dominion within the twenty mile belt as to streams passing through it, this Act does not increase in the slightest the rights of the Dominion, or take away from the rights of the province. The Dominion can only exercise those rights with due regard to

the rights outside, as an ordinary proprietor could. They can divert the water, but they must return it to the stream exactly as it was before. It seems to me it is essential that this Bill should apply not merely to the confirmation of existing rights, but to make sure that any one can act who receives something in the nature of a confirmatory grant from the province of British Columbia. There may be some objectionable features in some of the sections of the Bill; I do not know about that, but at all events, they can be dealt with as we reach them.

Mr. GUTHRIE. I think my hon. friend has misapprehended the meaning of clause 4 in regard to riparian rights, which says:

> Also saving the right of every riparian owner in the use of water for domestic purposes as that expression is defined in this Act.

But domestic purposes is not the only right of a riparian owner, that is one of the purposes that is saved to him, that is his common law right, and he can do what he pleases with the water provided he returns it to the stream and does not interfere with the man below him. But the only right preserved to him under this section is to use water for domestic purposes. He may run machinery, he may do what he pleases with it, so long as he returns it, and allows the joint proprietor the natural flow of that water uncontaminated.

Mr. CONGDON. I do not understand that the Act intends to take away from any present riparian owner any of those rights which he now has; it merely provides that in grants of that land there shall be preserved to him in the ordinary manner the riparian rights as defined by this Act. This Act can never be interpreted as taking away any personal right which he has already. It can only be interpreted as limiting the rights which a riparian owner will have under the rights hereafter granted by the Dominion.

Mr. J. D. TAYLOR. I would ask the minister whether, in his view, this Act goes beyond the judgment of the Exchequer Court?

Mr. OLIVER. Our view is that it does not. Our view is that the decision of the Exchequer Court covered not only the proprietary rights, but the legislative authority. I think the British Columbia government has assumed the same thing. So we are merely acting as we understand the matter.

Mr. J. D. TAYLOR. I think the minister informed the committee a short time ago that the British Columbia government had ceased to exercise water rights within the railway belt. I would like to ask him whether he speaks with authority in saying that?

Mr. OLIVER. I have been so informed, I believe it is correct.

Mr. J. D. TAYLOR. That is, that they are issuing no new licenses and collecting no further revenue from the present licensees?

Mr. OLIVER. I could not say about collecting revenue, but I understand they are not issuing new licenses.

Mr. J. D. TAYLOR. I may say for the information of the minister, that reading the daily press of the province, I continue to read notices of application from time to time for water privileges within the railway belt, addressed to the water commissioner of the provincial government.

Mr. PUGSLEY. I can understand that applicants might publish notices of their intention to apply, but it does not follow—

Mr. J. D. TAYLOR. These notices are advertised by the water commissioner himself.

Mr. PUGSLEY. Well, I would be very much surprised to learn that after the Exchequer Court of Canada had decided that the British Columbia government has no property in, or right to deal with, water rights within the railway belt, and after that decision has been confirmed by the Supreme Court, I would be surprised to learn that the British Columbia government was still continuing to act as if it owned the water rights, and as if such judgment had never been given. The law to-day, notwithstanding an appeal to the Judicial Committee, is that these water rights are vested in the Dominion government; that is the law, and until the judgment of the Supreme Court is reversed, all inferior courts are bound to take notice that this is the law. If, on appeal to the Privy Council, of course, then the law would be different from what we must all understand it to be to-day. While upon my feet, I desire to say that I feel that my hon. friend from South Wellington (Mr. Guthrie) who has had occasion to give close attention to the rights of parties who might possibly be affected by this legislation, has approached the discussion of the subject in the fairest possible spirit. I do not think he and the minister are very far apart in their view of what is really the object to be aimed at. I understand that what the minister seeks by this Bill is to preserve the status quo so far as any rights have been granted by the British Columbia government. He recognizes, and my hon. friend from South Wellington recognizes also, that an enormous amount of capital

has been invested, upon the idea that the British Columbia government had power to deal with these water rights. Now, the minister desires, and I am sure my hon. friend from South Wellington, and no doubt every hon. member of this House, would desire that those rights shall be preserved as far as possible, and that the capital which has been invested in these great undertakings should be protected to the fullest possible extent. I think all will agree with the Minister of the Interior upon that point. Now, the minister seeks, by section 6, to safeguard the interests of the capitalists in that particular. The next question is as to whether all existing rights are preserved. It is desired, I think by all, I am sure it is desired by the minister, that no existing rights should be interfered with. As to that, I am bound to say that it is just possible that the new section 4 is not quite as broad as it should be. I am inclined to think myself that it would be only right and proper that the rights of every riparian owner, whatever they may be, not simply to the use of water for domestic purposes, but whatever those rights might be, should be preserved and not interferred with in any way by this Act. Then I understand the only other serious objection which my hon. friend from South Wellington raises is that if the Governor in Council were to issue a license under section 9, the licensee might have power to expropriate land under the provisions of the Railway Act, and so in that way interfere with vested rights. I think myself the suggestion of my hon. friend is well worthy the consideration of the Minister of the Interior. I know he does not desire to have any provision in the statute which would at all imperil or jeopardize the rights which already exist in the city of New Westminster or in any other municipal or other body. It seems to me we might well enter upon the consideration of this Bill, and as we come to different sections suggestions might be made which I have no doubt will be carefully considered by the minister, and it may be that we could get together, knowing that we all have practically the same object in view, to protect the status quo, to protect capital, pending the final decision of the Judicial Committee, and also to safeguard existing rights. Having these objects in view, it should be possible in the different sections to so safeguard the Bill as to carry out the views which we all, I think, entertain.

Mr. LANCASTER. I cannot agree that the matter is as free from doubt as the minister would make it. I see the force of what has been said by the hon. member from South Wellington (Mr. Guthrie) as to the wisdom of waiting until the ultimate Court of appeal gives a decision. I have here the judgment of the Exchequer court. I do not read that judgment as declaring that this parliament has legislative power. That would be like this Dominion declaring that because it owns the Welland canal which runs through the counties of Lincoln and Welland, it would have the right to legislate in those counties.

Mr. PUGSLEY. Does my hon. friend suggest that in respect of Dominion lands, the Dominion government would have to go to a provincial legislature for legislation?

Mr. LANCASTER. I do not want my hon. friend to make a foolish argument and put it in my mouth. He might wait until I advance my argument, and see if it is as foolish as he suggests. It would be a foolish argument——

Mr. PUGSLEY. I am inclined to think it would too.

Mr. LANCASTER. He might pay me the compliment of believing that I would not advance such a foolish argument until I have stated my position. The court has not decided that the Dominion has sole jurisdiction to legislate for these lands. What has happened is that the government as owners of property, just as they own the Welland canal, have a right to object to that property being interfered with or confiscated. The judgment of the Exchequer Court is that a certain grant which the Dominion government was asking them to hold invalid is invalid and conveyed no interest to the defendant company. Why? As being an interference with property subject to the exclusive authority of the Dominion of Canada, that is property over which the Dominion government has a right to exercise rights of ownership. Second, because the diversion of water-power therein will be a serious interference with the navigation of the river and thirdly because it is not in accordance with the Water Concessions Consolidation Act of the province of British Columbia of 1897. This implies that if there was any legislation of British Columbia which had undertaken to properly deal with this matter it would have had some force and effect in the opinion of the judge of the Exchequer Court because he says it is not authorized by a certain statute of British Columbia. The judgment continues:

And this court does therefore order and adjudge that the beforementioned grant of the 7th of April, 1906, be cancelled.

It seems to me we are undertaking to assume that legislative authority has been given to us, but on that judgment that matter has never been decided. The judge merely gives to the Dominion of Canada,

as to any other owner of property, a right to object to interference or trespass or confiscation of that property and says that the province of British Columbia had not legislated to interfere with such ownership. Therefore, the person who claimed those rights had no standing for want of that legal authority from the statute of British Columbia and because the Dominion of Canada was the owner of property affected by it. As the hon. member for South Wellington has said, legislative power to control a title to lands is one thing, but the ownership of land, say the Intercolonial, does not give the Dominion government the right to legislate in New Brunswick in respect to matters not within the jurisdiction of the Dominion. I agree with the hon. member (Mr. Guthrie) that this matter is full of very serious complications, and I do not think it is wise for the government at this stage of the session to press such a controversial matter as this, which will be very far-reaching in its effect from one end of Canada to the other. It will affect every province, and every interest of every province.

Mr. OLIVER. No doubt the question is complicated, but it is the duty of parliament to deal with questions, whether complicated or otherwise, if the public interest requires that they shall be dealt with. Our duty is to bring to bear the best intelligence we have, and the best methods we have of dealing with these difficult, complicated and important questions. As to the legislative authority in regard to this matter, if there is any doubt about that the sooner that doubt is set at rest the better. Every one will agree on that point, and the way to set that question at rest is to exercise legislative authority and then the matter is brought to an issue forthwith. This question of water rights in the railway belt of British Columbia is, we all agree, of such great importance that we cannot afford to leave a particle of doubt in regard to the jurisdiction, either as to property rights or legislative jurisdiction. It is in the interest of every one that the question should be brought to an issue as quickly and plainly as possible. The question of legislative jurisdiction will certainly be raised by the passing of this Bill; I believe that the sooner it is raised the sooner it will be settled, and the sooner it is settled the better for British Columbia, and for everybody else. The Deputy Attorney General of British Columbia was here some time ago in consultation with the Department of Justice in regard to matters affecting the province and this question was under discussion between the Department of Justice and the Deputy Attorney General of British Columbia. The Deputy Attorney General of British Columbia and the Department of Justice at Ottawa agreed that certain amendments would be right and proper. I shall read these amendments; I assume that the Attorney General was satisfied that they safeguarded the interests of the province, and I assume that the Department of Justice was satisfied that the interests of the Dominion were fully represented in them. The first amendment is to strike out section 3 as it stands at the present time and substitute the following:

This Act applies to all lands within the railway belt in the province of British Columbia as herein defined: Provided that nothing in this Act shall be construed to affect any riparian rights or rights to water in or appurtenant to those lands described in section 11 of the terms of union between the Dominion of Canada and British Columbia as held under pre-emption right or by Crown grant, or to affect any riparian rights or rights to water in or appurtenant to lands which having been heretofore granted by the Crown in the right of Canada are not now vested in the said Crown.

I think it will be agreed that this proposed change of section 3 covers a number of the important points raised by the hon. member for South Wellington. When we come to the consideration of the section I will move that this be substituted. It was agreed that section 6 should be amended by striking out the words between the word 'issued' in the fifth line and the word 'two' in the eighth line, and substituting therefor the words 'prior to the passing of this Act'. The effect of this would be that all rights granted up to the passing of the Act would be confirmed, or would be eligible for confirmation, whereas, as the Act stands now, it is only rights granted up to the date of the decision of the Exchequer Court. Then, I would further propose as section 11:

That nothing in this Act contained shall affect any vested right or pending litigation.

With these amendments the Department of Justice of Ottawa and the Deputy Attorney General of British Columbia were both satisfied, and I would ask the committee to accept them when we come to their consideration.

Mr. LANCASTER. Have they both agreed to section 5 as it stands?

Mr. OLIVER. I understand so.

Mr. J. D. TAYLOR. Is it the minister's intention to exercise the right he proposes to take there to confirm the rights heretofore granted?

Mr. OLIVER. Yes, that is the intention. That is the purpose of this provision.

Mr. GUTHRIE. I think that the amendment just proposed by my hon. friend the Minister of the Interior (Mr. Oliver) with

regard to the question of riparian rights probably gets over the difficulty I referred to. I am quite satisfied that the difficulty did exist in that acute form under the Bill as drawn, and I am also quite satisfied that this will protect the rights and property of the riparian proprietors. But the other sections remain, to my mind, just as objectionable. The minister knows much better than I do what the view of the government and the Deputy Attorney General of British Columbia may be, but my information is that so late as the day before yesterday telegrams passed objecting to the Bill—I do not know with what department—but the objection came, as I am informed, from the British Columbia government, accompanied by the request that nothing be done pending the appeal to the Judicial Committee of the Privy Council. However, as to that my information may not be accurate. Clause 4 certainly is one of the most objectionable clauses in the Bill, and they do not seek to alter it. I have not been able very clearly to find out what the latter half of clause 4 really means. If it is intended by that language to establish all rights that have been granted by British Columbia or by the Dominion parliament heretofore, they have gone about it in a very clumsy fashion. The particular language that I refer to is this:

> Unless, and until, and except only so far as some right therein, or to the use thereof, inconsistent with the right of the Crown, and which is not a public right or a right common to the public, is established.

These two last words certainly imply that the owner of a private right has to do something to prove and establish that right either before my hon. friend the Minister of the Interior or before some court. He may have his deed or order in council, but it is of no use to him until he takes some subsequent step to establish that right. I know of instances in British Columbia where parties have both orders in council from this government and from the British Columbia government and quit claim deeds from this government. These rights are not established by that clause, but these parties must come to the Department of the Interior, submit their proofs and establish their rights if they can establish them. As the minister says that it is his intention to confirm rights, I ask for a substantive clause that such rights be and the same are hereby confirmed. Then, if the clause suggested by the minister is placed in the Bill I do not think the Bill can be very much objected to, particularly if the clauses with respect to regulations, licenses and defining the rights as to water be stricken out. That would limit the Bill, merely in the first place, to declaring the rights of the Dominion government, and, secondly to the confirmation of rights heretofore granted, and thus protect the rights of the riparian owners.

Mr. GUTHRIE.

Mr. DOHERTY. I have a good deal of difficulty in seeing what is the purpose of this Bill, by section 4, declaring that these things are vested in the Crown which I understand to be the Crown in the right of Canada. Is not that precisely the question that the Privy Council is going to decide one way or the other? Am I right in that?

Mr. OLIVER. Yes, that is correct.

Mr. DOHERTY. Then, what is the purpose of our declaring that these things are vested in the Crown in the right of Canada while we have a pending suit as to whether they are or are not? Upon this question at the present time we stand in the same position as any other litigant, and we are trying to make a title unto ourselves by declaring that these things are vested in the Dominion of Canada, a declaration which the Privy Council may make in a few months, or which the Privy Council may deny in a few months. I am at a loss to see what we gain by making a declaration of that kind when the question as to whether that declaration is true or not depends upon the interpretation to be put upon the effect of the agreement established by the statute, as I understand it, of British Columbia. This question will have to remain open until the Privy Council decides it. It may be that I do not grasp the effect of this legislation, but perhaps if I do not grasp it that is a reason why it may be inferred that there are other members of this House who do not quite grasp it. If this legislation cannot go over, as this has been our first opportunity of dealing with it, it might be well for the minister to give members of this House an opportunity of looking into it so as to place themselves in a position to deal with it intelligently. If the minister is not prepared to let the legislation absolutely go over, I would suggest that he at least let it stand for the time being until we can have an opportunity to look into it and get an understanding of it. I admit that it is only this evening that my attention has been called to this Bill, and in the examination that I have been able to give to it I have had difficulty to grasp its significance. I am unable to see the wisdom of passing legislation declaring that we have a title when the question whether we have one or not is pending before a court whose decision we can reasonably expect to have in a few months. I think the minister might at least consider the advisability of letting the Bill stand over until to-morrow or the next sitting day so that we can look seriously into it.

Mr. OLIVER. Everybody will concede that there is nothing that comes up for legislation quite so complicated as the question of water rights, and it is no discredit to any man that he fails to grasp the full

import of that question at first view. It is on good authority that in the United States in the irrigation states 90 per cent of the litigation is in regard to water rights. That does not relieve us from the necessity of dealing with the question when it is important.

Mr. DOHERTY. I am not suggesting that we should be relieved from dealing with it; but precisely because it is important, and because the minister admits that at first glance it is difficult to deal with, I suggest that it should stand over for a day. He seems to think that it is difficult to grasp because it is a question of water rights. There are other reasons why it is difficult to grasp. If the minister will afford the members of the House some time to examine the matter with a little more care than it has been possible to do since the Bill has been brought up this evening, we could deal with it more intelligently, and therefore we would perhaps get through with it more promptly than we can when we have difficulty in seizing the purpose and effect of its provisions.

Mr. OLIVER. The question has been raised why a declaration is made. The water rights, as I say, are important, they are of stupendous importance and if nobody owns them, as it may be held that nobody does own them to-day, then anybody may go in and take possession of them.

Mr. LANCASTER. They will not run away.

Mr. OLIVER. No, but possession being established when there is no law against taking possession, there may be some difficulty about dispossession arising afterwards.

Mr. GUTHRIE. Is there any real danger of that?

Mr. OLIVER. Yes, very real. In evidence of that I find that in the Irrigation Act there is a parallel clause, and for exactly that reason; and one reason why we have so little litigation in regard to water rights on our western prairies as compared with the prairie states, is because of this declaration of ownership on the part of the government in these water rights. As I understand the situation, the water rights of the railway belt in British Columbia are not in possession of either government at the present time, and what is wanted is a declaration by this government that so far as it is concerned, it has the right to these waters, and that any right acquired must be acquired from this government. That begins a title, and without such declaration there is a possibility of title being acquired by possession or occupation, or other means, which only tends to litigation and to confusion. That is the reason for this section.

Mr. LANCASTER. Does not the hon. gentleman think that the very litigation which he wants to avoid will be multiplied by our acting now, pending the decision of the Privy Council? We will put the public entirely on their defence, so that they are bound to take some action in regard to every one of these matters. The government of the Dominion butts in and says: We are going to force you to fight for your rights when perhaps after the decision of the Privy Council all cause for litigation will be avoided. It seems to me that you are passing a Bill to promote litigation, and for the benefit of the legal profession of British Columbia.

Mr. OLIVER. No, it is a Bill to avoid litigation. The only question is in regard to the assumption of possession by the Dominion and the granting of rights under that assumption. I maintain that it is just as necessary that the Dominion should make this declaration, and that means should be taken that rights might be acquired under the authority of the Dominion, as that the rights now existing should be affirmed. Unless there is a foundation for the title which this section proposes to establish, a title may be acquired in the present condition of affairs by mere occupation, by possession, by various means, which tend not only to litigation, but to hamper legitimate development.

Mr. LANCASTER. Titles could not be obtained by possession against the Crown.

Mr. OLIVER. But the Crown in the right of the province has been declared by the courts not to have title, and the Crown in the right of the Dominion has not declared itself to be in possession. If in the end the Crown in the right of the province is declared to be in possession, it is true no harm is done; but if in the end it is declared that the Crown in the right of the Dominion is in possession, then the man who has entered into occupation since the decision of the Exchequer Court, and before the Dominion takes the authority that will come to it, if it does come to it, by the decision of the Privy Council, has established a squatter's right to the water, has found an impediment in many cases to proper development, and has laid a foundation for litigation and for trouble that is absolutely desirable from every point of view that we should try to avoid. I speak not from lack of knowledge, but from actual knowledge in regard to the effect of this parallel provision in the irrigation law as it governs in the prairie provinces. What was necessary in that case is just as necessary in this, and what is to the benefit of these provinces in that re-

gard is just as necessary to the benefit of the railway belt of British Columbia in regard to its water rights.

Mr. GUTHRIE. Is it possible to obtain a squatter's right in the railway belt? I understood that that was specially provided against in the Act

Mr. OLIVER. In what Act?

Mr. GUTHRIE. In the Act conveying the land to the Dominion government.

Mr. OLIVER. I probably misused the word 'squatter' when I spoke of occupation of water rights as a squatter's right. Probably a squatter's right is confined to a land right. What I meant to say is that the man who actually acquires the use of water, not contrary to law, who has invested his money in the use of that water, has acquired an equitable right, if not an actual legal right, that it would have to be so regarded and might be an impediment to proper development and a foundation for litigation. I am not speaking without authority. It is that condition of affairs existing in the irrigation states which has been a fruitful source of litigation in those states in regard to water rights, and it is because we have avoided that in the prairie provinces that we have been successful in avoiding litigation in the prairie provinces.

Mr. GUTHRIE. I only wish the minister had shown as much regard for the owners as for those who have an equitable right. If his regard had been as strong when the New Westminster application was before him, I think we would have established a very strong equitable right. However, on the question of declaration, I do not think any harm will come from that. I do not know that any good will come particularly from it either, and I do not think that the minister's fears are justified, if by the decision they obtain rights. If they do obtain rights, all the government will have to do is to remove them by force if necessary. But I think it would be quite reasonable to insert a clause declaring that the government claims to have such a right. It is true that in a few months the courts may say that the declaration is no good. If it does no good, it cannot do much harm. But the minister desires to go further than declaration and further than confirmation. He speaks now of granting future rights, and I do not think that is proper, having regard to the case before the Judicial Committee. I think that if he stopped with the declaration and the confirmation, and if he safeguards, as he proposes, the rights of riparian owners and the rights of litigants, the House would probably agree with the Bill. But the Bill goes much further than that. If the minister is content to reduce it to that, I think no great difficulty would arise. But I think there is a great deal to be said in favour of the suggestion of my hon. friend from Montreal (Mr. Doherty) that it is a pretty intricate question to pass upon such short notice at this hour of the night and before such a slim House. I know that on this side of the House there are some members who are interested in this proposal and who are not present to-night, having had no notice that the Bill was coming up. I think there are some members opposite, particularly from British Columbia, who had intended to take part in this debate if they had known that the Bill was coming up to-night. It cannot prejudice it very much to let it stand over until, say Monday, and see if in the meantime we cannot come to some conclusion or amendment that will perhaps meet the views of all parties. I am satisfied that if it is merely a declaration and confirmation we can, but the Bill goes much further than that in its present form.

Mr. OLIVER. I have no wish in the world to force this Bill on the House, or to have it discussed when members are not fully informed in regard to it. I must clear myself from the imputation that I was undertaking to do so. The Bill passed its second reading some weeks ago, and has since been before the members for committee consideration, and of course it has only been brought up in due course. In fact, it was postponed on one or two occasions at the request, I think, of the hon. member for South Wellington (Mr. Guthrie). So, I must not be blamed for having delayed it until this late stage in the session, and I do not wish it to be thought that I am forcing such an important measure upon the House without the very fullest and most satisfactory consideration. If it is understood that the Bill will come up for consideration not later than Monday, I would move that the committee rise, report progress, and ask leave to sit again.

Mr. J. D. TAYLOR. Before the committee rises, I would like to call the minister's attention to a point which he has not yet discussed. First of all, I come from the railway belt in British Columbia and from New Westminster where they are seriously concerned with this Bill. They have sent me a very urgent protest against the provision in the last clause which I will not discuss just now, as I will have another opportunity. But, I would like to point this out, that so far from there being any confusion in British Columbia because of the existing conditions of the law, I as a resident in the railway belt know that there is no confusion at all. There is nothing to indicate there that the province of British Columbia is not in possession of the water-powers within the railway belt,

and is not exercising it the same as it has exercised it during the 39 years we have been in confederation, exercising it without any question on the part of this government up to this day. The case now on appeal to the Privy Council does not set out in plain terms that the Dominion government does possess the rights which we are asked to declare by section 4 that the Dominion does possess. I would like to point out to the minister that while he proposes to put all the holders of water rights upon their defence at once, to see that they have those rights, his authority in the premises is not nearly so extensive as is set out here, and as I will show by reference to the judgment of the Exchequer Court. That judgment states that whatever right he has disappears, with respect to any portions of the railway belt, so soon as he sells that portion to settlers. Now a large proportion of the railway belt has been alienated already, sections of the railway belt are being disposed of to settlers right along, so that day by day or year by year, whatever right this government has there is vanishing and in the course of a short time the rights of the Dominion will cease altogether. Now, I ask the minister in view of that condition whether it would not be much better to come to an arrangement with the province of British Columbia that that province should continue to exercise the right which for 40 years has been exercised, rather than to make all the confusion that will be created by the passing of this Bill. I have not heard the minister refer at all to the section of the judgment which says that his right disappears with the alienation of the property to settlers. It seems to me that he could not have given attention to that. In view of the vanishing of whatever right he has there, it is all the more necescary that we should not do anything so drastic as pass a Bill, the effect of which will be to put every water owner there on his defence.

Mr. OLIVER. The suggestion of my hon. friend (Mr. Taylor) that we come to some arrangement with the province has in my mind a very great deal of merit, but we cannot come to any arrangement until we know whether we have any standing or not. Of course the case that is now before the Privy Council will decide whether there is anything to arrange or not. We may be entirely out of it after that decision is given, and certainly the province is not going to come to any arrangement until it is satisfied that we have some standing.

Mr. J. D. TAYLOR. Will the case really decide it?

Mr. OLIVER. It may not, but it will be a step towards a decision at any rate. And, as I say, I think the province could scarcely be asked to come to an arrangement with a party that, possibly, has no standing whatever. I think that matter would have to wait until some decision is arrived at.

Mr. LANCASTER. Why not hold the legislation for the same reason?

Mr. OLIVER. For the reasons I have given which, I think, are not affected by what my hon. friend (Mr. Lancaster) has said. However, Mr. Chairman, if the committee will permit, I shall be glad to have sections 1 and 2 passed—that is, the title and the interpretation clause—because I would like to move, so as to get in its proper place in 'Hansard,' the amended clause 3 which, of course, is very different from clause 3 in the Bill. I desire to leave it for the consideration of hon. members in the interval.

Mr. LANCASTER. Without passing it to-night?

Mr. OLIVER. Yes.

Mr. SPROULE. Why could not the government submit a stated case to the Supreme Court, and get a decision on the rights of the federal and provincial powers? To hear and give judgment in such cases that was one of the great reasons for establishing the Supreme Court.

Mr. OLIVER. My hon. friend (Mr. Sproule) was not in when some of the discussion was going on. A certain side of the case has been settled by the Supreme Court and is on its way to the Privy Council.

Mr. J. A. CURRIE. I desire to make a suggestion to the minister (Mr. Oliver), which he can think over. Would it be possible to appoint a joint committee or commission, one member representing this government, one representing British Columbia, and they to appoint a third, this body to administer this matter pending a decision in the litigation now in progress? That would enable business to go on, for the minister is anxious to see water rights granted, and I fancy that the province is granting some too. Everybody would be satisfied with some arrangement for management in the meantime by a commission if a commission could be arranged. As the minister says, there is no body in possession. I merely throw out the suggestion for him to think over. Possibly if the hon. member for Wellington (Mr. Guthrie) and all concerned were to take the matter into consideration, they would work out a plan on that basis.

Mr. OLIVER. I do not think that suggestion would quite answer. It is not a question of administration, but of law that is at issue.

Mr. J. A. CURRIE. The minister has two things under consideration, as it seems to me. One is the question of such pro

perty rights as have been granted by the province, and by the Dominion. But there is another part of this Bill which proposes to give the Dominion government the right to grant rights pending the decision. It is just possible that the Dominion government, whilst in temporary possession, might grant rights which would not be recognized by British Columbia, so that further litigation would ensue. But if rights were granted by such a commission, both governments being interested would immediately confirm them, and there would be no difficulty in the title.

Mr. OLIVER. There is great merit in that suggestion, but we are not able to deal with it at the moment. It is necessary that we should have the position established.

On section 3,

Mr. OLIVER. I move that the following be substituted for section 3·

This Act applies to all lands within the railway belt of the province of British Columbia as herein defined: Provided that nothing in this Act shall be construed to affect any riparian rights or rights to water in or appurtenant to those lands described in section 11 of the terms of union between the Dominion of Canada and British Columbia as held under pre-emption right or by Crown grant, or to affect any riparian rights or rights to water in or appurtenant to lands which having been heretofore granted by the Crown in the right of Canada are now vested in the said Crown.

I move that the committee rise, report progress, and ask leave to sit again.

Progress reported.

THE INSURANCE ACT.

House in committee on Bill (No. 166) an Act respecting insurance.—Mr. Fielding.

Mr. FIELDING. There were several clauses allowed to stand.

Mr. DEPUTY SPEAKER. I think No. 59 was the first of these.

Mr. FIELDING. Under paragraph 3 of subsection (b) of section 59, dealing with the investments of the companies, it is provided that a company may invest in:

The preferred stocks of any company which has paid regular dividends upon such stocks or upon its common stocks for not less than five years preceding the purchase of such preferred stocks, or the stocks of any company which are guaranteed by a company which has paid regular dividends upon its preferred or common stocks for not less than five years preceding the purchase of such guaranteed stocks.

The point was raised, I think by my hon. friend from Argenteuil (Mr. Perley), that a small company might guarantee a large amount of bonds of another company, and that would defeat the intention of the clause. It was suggested that we should put a limit upon the amount to be guaranteed in that way. The point seemed well taken, and I propose to add to this paragraph 3 these words:

Provided that the amount of stocks so guaranteed is not in excess of 50 per cent of the amount of the ordinary or common stocks, as the case may be, of the guaranteeing company.

Amendment agreed to.

Mr. FIELDING. I wish to call up again section 14.

Mr. MILLER. Section 14 provides that Canadian companies should make a deposit with the minister to the amount of $50,000, and that foreign companies should make a deposit of $100,000. There are some Canadian companies doing an insurance business in some states of the American union who say that this provision interferes with their business, they say that the state of California, for instance, is discriminating against them in California because we in Canada discriminate in this way against foreign companies; and they say that within the last few days they have received advices that the state of Kansas also threatens to discriminate against Canadian companies for the same reason. Therefore, these Canadian companies ask that section 14 be amended to the effect that Canadian and foreign companies should be asked to make the same deposit, and they, therefore, ask that the word 'Canadian' in the second line of subsection 1, and the whole of subsection 2, be struck out, which would have that effect.

Mr. FIELDING. How would it do to make them both $100,000 instead of $50,000?

Mr. MILLER. I think that would answer the same purpose; there would be no discrimination.

Mr. FIELDING. It is only fair to say that the Canadian companies would probably complain of that. There is something in the argument that if we do discriminate in this way we provoke retaliation on the part of the United States companies. I think under the circumstances, however, I would prefer to make both $100,000. I do not feel like resisting strongly the view of my hon. friend from Grey (Mr. Miller), but I would ask the sense of the House upon it.

Mr. MILLER. Perhaps the minister might compromise and make it $75,000.

Mr. SPROULE. Should not the deposit have some relation to the amount of business that they do? $50,000 would be a small deposit if they do a large business.

Mr. MILLER. The department will see to it that they have to keep a reserve proportionate to the amount of business that they do.

Mr. BICKERDIKE. I am in favour of the suggestion to make them all $50,000. If you discriminate against foreign companies you provoke retaliation.

Mr. DOHERTY. I think if $50,000 is enough to make a Canadian insurance company safe towards its policy-holders, it ought to make it equally safe for the policy-holders in any company.

Mr. FIELDING. I am disposed to accept the amendment of my hon. friend from Grey.

Further consideration of section 59, subsection 3, other securities authorized by Treasury Board.

Mr. FIELDING. We provided that a company might purchase securities not strictly within the scope of this clause in exchange for other securities which they wished to get rid of it. But it was pointed out that if they should buy these securities or take them in exchange for others, some provision should apply as to disposing of them within a reasonable time. I think that is a fair suggestion, and I propose that the following words be added to subsection 3:

But the bonds, stocks or debentures and other acceptances so authorized shall be absolutely sold or disposed of within five years after the acquisition thereof, or within such further time not exceeding one year as the Governor in Council shall, on report of the minister, fix and determine.

Amendment agreed to.

On section 60, subsection 2, custody of securities abroad.

Mr. FIELDING. There is a provision there that in case it is necessary to exchange securities they may be entrusted to a responsible person residing out of Canada. The point was taken that this ought to be done by a bank or trust company, and while we do not want to discriminate to the extent of indicating the particular kind of companies, we propose to say that instead of being entrusted to a responsible person, they may be entrusted to 'a bank, trust company or other corporation carrying on business outside of Canada'.

Mr. SPROULE. Would it not be possible that they would be entrusted to a corporation carrying on business outside of Canada, say in the United States, to which it would not be desirable to entrust them?

Mr. FIELDING. That might possibly occur, but it is necessary to leave some discretion to the treasury board.

On section 93, quinquenial apportionment of profits.

Mr. FIELDING. It was not thought that any change should be made in this section.

Mr. DOHERTY. Then I am to suppose that the minister has not approved of the suggestion I made that this section is objectionable as being retroactive to this extent that it imposes on companies with regard to policies issued before this legislation was enacted, obligations which do not come from the contracts they entered into in accordance with the law in force at the time the contracts were made and creates a right or protection in favour of the insurer to which he was not entitled. That would be avoided if the section were not made applicable to policies issued before the passing of this legislation. As a general principle retroactive legislation is not looked upon with favour and unless substantial reasons are given, this section seems to me to be open to those objections.

Mr. FIELDING. I understand this point was fully discussed in the Senate Committee and representations made concerning it. After full consideration the conclusion was reached that this was the better way of dealing with it. I understand that the companies generally are quite satisfied with the clause. One outside company objected, but after hearing representations from that company the committee agreed that this was a wise provision. It is sometimes unavoidable in making a law that you have a retroactive clause, but it is necessary in order to carry out the general policy. For instance in this Bill we give the policy-holders the right to vote. Some companies had decided to give that and others had not, but we give them all that right, and in that sense it might be called retroactive legislation.

On section 95, subsection (b) incontestability after two years.

Mr. FIELDING. The point was in regard to military service. I find on inquiry that some companies already specify that the policy-holders may engage in war for the defence of Canada without any extra charge, but if they leave Canada and go abroad to engage in war they have to pay an extra premium which could not be very well fixed by law as various circumstances may change the nature of the risk. I doubt if we could by legislation make any improvement on the provision.

On section 11, assessment life insurance companies.

Mr. FIELDING. I desire to say that all the sections under the head of assessment life insurance companies are repetitions of

the present law. We are not proposing any change in the law respecting these companies.

On section 123, notice of intention to maintain a reserve.

Mr. FIELDING. I desire to make a change in conformity with a change made elsewhere in the Bill. I, therefore, beg to move that in line 3 of the section the words 'office of the superintendent' be struck out and the word 'department' be inserted in lieu thereof.

Section as amended agreed to.

On section 139, insurance in unlicensed companies.

Mr. BICKERDIKE. I think there is a misprint in this section. There is evidently a contradiction of the previous clause. It was understood that no broker from the United States would come into Canada and do business here. It was provided in the amendment that any man in Canada might insure his own property, but he could not become a broker for that purpose. I suggest that we change that clause so as to provide that a man shall simply insure his own property. I therefore propose that the section be made to read:

Notwithstanding anything in this Act contained any owner of property situated in Canada may insure such property.

Mr. FIELDING. This is the clause as to which there was the most discussion when we had the Bill before us a year ago, and as to which there has been the most contention. I have already explained the change desired there. In substance it was decided by the Senate, which I am willing to accept, that these outside insurance companies might under certain circumstances be permitted to do business when the business was offered to them, but they could not send here to solicit business or employ agents. Roughly, that is the substance of it. I do not know whether the words suggested by my hon. friend will carry out that purpose or not. My hon. friend means to distinguish between the owner and the broker?

Mr. BICKERDIKE. Yes.

Mr. DOHERTY. Would not that, if it were adopted, prevent a man who had an insurable interest, other than a broker, from insuring his property? Any person might as the principal to the contract insure his property, but when a broker insures, he acts only as the agent of the person having the insurable interest. He is not insuring the property, he is procuring insurance for the person who employs him.

Mr. BICKERDIKE. That has been the objection all along, and I do not see how this got into the clause. It is not the intention of the Senate. It was understood that no outsider should be allowed to come into Canada and do the business of insurance.

Mr. DOHERTY. No person can insure a property unless he has an insurable interest in it, and it appears to me that the words 'any person may insure any property' should be followed by the words 'in which he has an insurable interest.' It is not to be supposed that this clause can be interpreted as meaning that a broker may start out and insure property wholesale.

Mr. BICKERDIKE. That is what we want to make clear, that no man can go around and insure other people's property.

Mr. FIELDING. If he made a business of it he would be liable to the penalties of the Act. But suppose my hon. friend wants to take some outside insurance, and he has not time to attend to it, and asks his neighbour to do it for him. The neighbour in that case would be acting as his agent. Would there be any objection to that?

Mr. BICKERDIKE. It would open the door, and I do not think that was the intention.

Mr. SPROULE. How could any one insure except through an agent who would act for the company, and give the company's official receipt?

Mr. FIELDING. Any man who acted as agent for a company would violate the Act, but the case suggested by my hon. friend was the case of an agent acting, not for the company, but for the owner.

Mr. BICKERDIKE. As the clause reads, it says: 'Any person may insure any property situated in Canada.' I am afraid that is a contradiction of what was originally intended. I think it might be worded in this way: 'Any owner of property situated in Canada may insure it.'

Mr. DOHERTY. It is necessary to make a distinction between the owner of property and one who has an insurable interest in it. You permit the owner to insure his interest, but the hypothecary creditor has not the same advantage. Why not provide that any person may insure any property in which he has an insurable interest?

Mr. FIELDING. I think the words 'may insure his property or any property in which he has an insurable interest,' would meet my hon. friend's view.

Mr. SPROULE. When a creditor, say a bank, requires a certain amount of insurance as collateral security for an account, and the insurance must be obtained within a limited time, unless there is an agent of the company to give an official receipt that

would be accepted by the bank as evidence of the insurance, the account might be impaired.

Mr. NESBITT. A company does not wait until the last moment to place insurance. If they are insuring outside of Canada, they will have an agent outside of Canada who can provide for any additional insurance at any time by telegraph.

Mr. ROBB. The amendment suggested by the hon. member for St. Lawrence (Mr. Bickerdike) might interfere considerably with the grain business of the west. There is a large amount of insurance carried on the grain in the elevators at Fort William, and it is often carried by the elevator company or by the brokers to whom the farmers consign their grain. The Bill as it is now provides for that, whereas if the amendment of the hon. member for St. Lawrence division is adopted, it will hamper the elevator companies in handling the insurance.

Mr. FIELDING. I think the words suggested to be added 'or any property in which he has an insurable interest' will meet the objection of my hon. friend.

Mr. MEIGHEN. Will the minister kindly explain what effect the Bill has in relation to the canvassing for insurance by foreign or unlicensed companies by means of circulars or other literature?

Mr. FIELDING. My attention was called to that the other night. We in general terms forbid advertising, but the word 'circular,' is not used, and we propose to submit an amendment to include the circular as a form of advertising which should be forbidden.

Mr. SCHAFFNER. This is the clause regarding which I have received a great deal of correspondence from my constituents, and I would like to know what changes have really been made. I understand that outside companies have hitherto been allowed to come to this country, and get business, and that you are now preventing that.

Mr. FIELDING. I think the spirit of the insurance law in the past has been that these outside companies should not do business in Canada, otherwise there would be no excuse for having an insurance law. It would not seem to be reasonable that we should require all our Canadian companies, and all other companies that desire to do regular business, to take out licenses, to make returns, and submit to penalties, if outside companies could come in, and do business without putting up any deposit, without any license or without making any returns. I think the spirit of the law always was that these companies should not do business in Canada. However, the law was found not to be strict enough, and they did business. When the Insurance Act was being revised that question received a great deal of attention. The conclusion we reached before the committee of the House of Commons was that it would not be wise to forbid the business altogether, even although the spirit of the law seemed to contemplate that, because it was held both as respects the volume and the cost of insurance that large owners of property ought to have some liberty beyond that of dealing with licensed companies. Sometimes the licensed companies could not furnish the volume of insurance required at short notice, and sometimes thought they might indicate their ability to furnish the volume of insurance required, they quoted rates so much in excess of the mutual companies rates that the large owners of property felt very much aggrieved. Therefore the conclusion reached by the Banking and Commerce Committee was that we would permit them to do their business, but that we would impose a tax upon them for doing it.

Mr. SCHAFFNER. What was the tax?

Mr. FIELDING. The tax was 15 per cent on the premiums collected, with the qualification that in certain cases it should not exceed a certain limit. We regarded that as a fairly good compromise. However, it was one of those compromises I regret to say which pleased nobody. The insurance companies complained because they said we should not allow those companies to come in at all, and the large property owners complained, because they said we were preventing them from obtaining the insurance they desired. The Senate Committee devoted a great deal of attention to it. They heard gentlemen both for and against it, and I understand the representations made were both full and effective. The end of it was that the gentlemen on the Senate Committee, many of them insurance men, came to the conclusion that it would be fair and reasonable to permit what might be called overflow insurance, that is insurance that cannot be furnished or obtained at home except at excessive rates, that property owners might be allowed to go out and obtain insurance from the foreign companies, but that the foreign companies should not be allowed to come in and seek it. And so the Bill comes to us in that form. As it stands now, an owner of property who is not content with the arrangements at home can get his insurance in these mutual companies, taking his own risk, making his contract in the United States, and bringing his suit, if he has to bring a suit, under American law. But the foreign company cannot come into Canada, and seek the business

or solicit business in any form. They cannot send agents in, they cannot open an office, and they cannot advertise, and we will have it so that they cannot issue circulars. In other words I can go out, and take insurance if I care to take the risk, but the company cannot come to Canada, and solicit business from me.

Mr. SCHAFFNER. Did these unlicensed companies not pay anything before for a license or make a deposit?

Mr. FIELDING. No.

Mr. SCHAFFNER. Did the insurance men who appeared before the committee admit that they were unwilling or unable to take any amount of insurance that might be offered to them?

Mr. FIELDING. I think in some cases they did, though somewhat reluctantly, but there were some cases in which they stated that they were not able to supply the volume of insurance required at short notice.

Mr. SCHAFFNER. They are not admitting it all over the country.

Mr. FIELDING. I think I am safe in saying that they did admit it to the committee.

Mr. SPROULE. They certainly did. One man stated in the presence of the representative of an insurance company that he had admitted that he could not take it. I think $450,000 was the amount. I was going to say with reference to prohibiting the distributing of circulars and advertising, that it might make it very difficult for a great many of those who desire insurance to know how they can get it. Suppose I wanted to insure and I am not in touch with any insurance men, and do not know the name and address of any insurance company, how am I to find out if they are not allowed to advertise.

Mr. FIELDING. Business men who have a large amount of insurance to take out usually inform themselves on these matters. Every manufacturer or merchant, or large owner of property, is well acquainted with the system commonly called the New England Mutual and he knows he can get insurance in that way if he is willing to take the risk involved in it. But I think if we can give our Canadian companies and the foreign companies which come and take our licenses and submit to all the conditions of the law, if we are giving them any measure of protection at all, I do not think we should allow outside companies to come in indiscriminately.

Mr. SPROULE. Not indiscriminately. But suppose the Finance Minister himself wanted to insure, and I asked him which company he was going to insure with, I venture to say that offhand he could not tell me.

Mr. LANCASTER. How will the minister prevent circulars coming in? Suppose I am a manufacturer in St. Catharines and some company sent me a circular soliciting business, how are you going to stop them doing that. Who is going to punish them?

Mr. HARTY. I may be excused from speaking upon this clause of Bill (No. 139), from the fact that the insurances of the corporation with which I am associated are all carried in the unlicensed companies referred to. Now some of these companies are in the habit of sending out monthly statements showing the result of each month's business, and if I understand the construction some of my brother members are endeavouring to place upon this clause I would not be able to receive these statements without incurring the risk of paying a penalty, for they come under the heading of circulars.

Again, suppose I desire to place additional insurance upon our premises tomorrow, I would be obliged to go to Boston or Providence to do this, as I understand I am debarred from allowing any agent of these unlicensed companies to visit our works, inspect the same, and fix the rate at which the insurance can be carried. This appears to me to be both unfair and embarrassing.

Mr. FIELDING. The inspector is allowed to come, that is provided for.

Mr. NESBITT. And the statement also would be allowed.

Mr. HARTY. The monthly statement that I have spoken of comes as a circular.

Mr. FIELDING. It would not be a circular advertising for business; it would be the rendering of an account in a transaction already made. All that we can hope to prevent—and I know that there are difficulties in the way—would be the sending of circulars to solicit business. But the difficulty of carrying this into effect is rendered less by the fact that, as hon. members know, these companies, as a rule, do not come with offers of business; you have to go to them. Knowing that to be the general practice, I do not think we shall have any difficulty in working it out.

Mr. SPROULE. If that is the practice, why do you need the clause at all?

Mr. FIELDING. You have to prohibit all from doing it, otherwise, somebody might do it.

Mr. A. HAGGART. I have followed this clause as it was in the old Bill, and as we have it now from the Senate. It seems to

me that this clause which has been so much debated in the House and the Senate, has nothing in it. It is simply declaratory of what the law was before the Act was introduced. The Bill would be just as effective if the clause were struck out, except for the fact that the insured has to make a return to the department. I do not think the Act would be either better or worse if the clause were struck out. It is a fake, pure and simple.

Mr. FIELDING. In that case, it might just as well be allowed to stand. I am informed that, after very great discussion, the representative manufacturers and merchants who discussed the question on one side and the insurance companies on the other side, though neither party was fully pleased, agreed that this was about as wise a conclusion as could be reached.

Mr. A. HAGGART. It does neither good nor harm.

Mr. FIELDING. If that could be said of all legislation, the world would be much better off than it is.

Mr. MEIGHEN. There can be no question that the main purpose of insurance legislation is sacrificed by the arrangement, whoever may have agreed to it, that is, there is no protection for the public who may insure in these foreign and unlicensed companies. I would like to understand two things: first, do we as a committee proceed upon the assumption that, if the insured goes and seeks the company and is not made the subject of a canvas by agent or circular, he is entitled to no protection against a company that, possibly, is not in a financial position to meet losses? Second, in arriving at the 15 per cent tax that was formerly proposed, was it estimated that this would represent an equally onerous burden on the licensed companies to that which is imposed upon the licensed companies in the way of putting up a deposit and complying with the other obligations imposed upon them by the statute ?

Mr. FIELDING. I would not say it was mathematically adjusted. It was regarded as a certain measure of protection which might fairly be given to the home companies. I suppose that the companies would claim that it was not equal to the burdens imposed upon them. But, as I say, it was not intended to be a mathematical adjustment of burdens.

Mr. SCHAFFNER. Do I understand that the present clause does not contain the provision for a 15 per cent tax?

Mr. FIELDING. That is struck out; there is no tax. That is the material change that was made in the clause by the Senate Committee.

Mr. SCHAFFNER. I am surprised that we should allow that to go through here. I did not know that the Senate had proposed that. I enter my protest on behalf of those I represent here. I think it is exceedingly unfair. The 15 per cent tax was a very slight tax under the circumstances. Our companies have to take out licenses, put up deposits, make reports and comply with all the conditions of the law, while the outside companies can do all the business they like quite free from these conditions. I say it is exceedingly unfair, and I protest against it.

Mr. FOWKE. Is it not clearly in the interest of the insured public of Canada?

Mr. LANCASTER. There are two classes, the insured and the insurers. The insurance agents do not seem to think that it is in the interest of the companies that they represent, or in their own interest, for they protest against it earnestly. I do not know what the hon. member for South Ontario (Mr. Fowke) means by saying that it is in the interest of the insurance companies, when the agents of those companies protest against it. I agree with the hon. member for Souris (Mr. Schaffner), and I think the Senate went a long way when they struck out this clause. I believe they should have left it in.

Mr. BURRELL. My view is the same as that of the hon. member for Souris. I have had many representations on behalf of insurance companies and their agents against this legislation.

Mr. FIELDING. It is the old question whether we shall protect one class or the other.

Mr. SCHAFFNER. The manufacturers want protection in big things and free trade in the little ones.

Mr. FIELDING. I thought there was some force in the argument that this was unfair to the licensed companies. It is, however, a vexed and complicated question. If the parties chiefly concerned—of course, the whole public are concerned—the insurance companies on the one hand, and the representatives, so far as they can be assumed to be such, of the large insuring public, the owners of large manufacturing establishments and the great merchants, have accepted this as, on the whole, a fair compromise, I do not think the House will make a mistake in assenting to it.

Mr. SCHAFFNER. I cannot understand why we should go on in this country continuously giving everything to the manufacturers. That is about what we are coming to as fast as we can. I am exceedingly sorry to think this fifteen per cent tax has been removed and, I say again, I enter my

strong protest against the clause as it stands. The manufacturers are getting nearly everything in this country now, and it is about time that something were done to curtail their privileges.

Mr. TALBOT. Fifteen years ago it was worse.

Mr. SCHAFFNER. I am following the policy of Sir John Macdonald, who held that when these manufacturing industries ceased to be struggling infants we should cease to protect them.

Mr. FIELDING. It is only fair to say that this is not a manufacturers' question. The large merchants were represented also. For instance, Mr. Greenshields, of Montreal, representing one of the largest importing houses in Canada, I am informed, made one of the most effective speeches before the Senate committee in support of the view that they should be allowed to get outside insurance. Every large importer, every large manufacturer, every large merchant, or handler of produce is interested in this. Petitions came in in reams, not only from these people, but also from the agricultural interests, from the cheese and butter factories, complaining that if the fifteen per cent clause remained they would be severely pressed. I am not always supposed to be too favourable to the manufacturers, but it is only fair to say, as I have already said, that this is not a manufacturers' question, nor is it a merchants' question, but it covers practically all classes, including the agricultural.

Mr. LANCASTER. The policy of self-interest will come into play.

Mr. FIELDING. In all these cases self-interest is the moving principle. It is only the few gentlemen who sit in this House that can be impartial.

Mr. MEIGHEN. It seems to me the chief danger is that the public is not protected against companies that may not be warranted by their financial standing. Another thing is that while the House has forbidden companies to solicit insurance by agents, it has so framed the conditions that there will be no need of a foreign company advertising or soliciting business, business will be forced upon it. They will be able to get business, or to offer business, at a so much lower rate that as soon as it is known that Mr. A has insured at such a low rate in a certain company in the states, his neighbour will at once apply to the same company for insurance, and before long the poor local agent will be completely out of business. I do not think this House should too hastily accept the amendment of the Senate. It should be the duty of the House to see that whatever tax may be imposed should be such that the burden will be not less than upon the Canadian company.

Mr. NESBITT. I may say that the insurance companies were not satisfied with the conditions imposed by the Senate, but they made up their minds to accept the conditions imposed by the Senate rather than discuss the Bill any longer, and if it did not work out reasonably satisfactory, they could come back again to the House, and get it amended. That was their idea, I speak frankly, in accepting the conditions imposed by the Senate. There is no doubt that clause 139 is more or less of a farce, as it has been called, because it will be evaded, no matter what you do. I would like to say that it was not the so-called New England mutuals that were being kept out by the insurance companies so much as it was what we call the underground companies, the companies without any standing which are allowed to insure throughout the country, and of course the people that insure with them have to take their own risk. They do here now by this clause. There is a preventive to a certain extent. My own idea about the insurance business in this country is that there should be no exception or excuse, every company should be licensed, what is fair for one is fair for another, and if we are to have licenses at all, every company should be licensed without regard to where they come from. But the licensed companies tried to get that in the Bill for two years, and as I said, made up their minds they would accept the Bill as it is rather than continue the agitation, and see what could be done.

Mr. LANCASTER. I think we should try, and make the legislation in the true interest of the country. The insurance people felt that they were suffering an injustice, and the fact that they gave in, and said they would go without their just rights for a couple of years, does not concern me. What concerns me is whether this legislation is fair to the whole country. I agree with the hon. gentleman that they all ought to be licensed, but we should not say that a company must continue to submit to an injustice, because they are afraid of the powers that be, or afraid of the Senate. If the thing is wrong we should say it is wrong, and if it is right we should put it there. I say again that there should be some license, or some tax imposed upon these companies that come into this country, and interfere with our domestic companies. I believe in the principle of protecting Canadian industry in every way.

Mr. FIELDING. At the end of subsection 1, to meet the criticism about circulars and so forth, I propose to add:

Provided further that no such company, underwriters or persons shall, within Canada, advertise their business in any newspaper or other publication, or by circular made in Canada or elsewhere, or maintain an office or agency therein for the receipt of applications or the transaction of any matter or thing relating in any way to their said business.

I would understand that advertising by circular would not mean a statement of business.

Mr. LANCASTER. What is the use of passing legislation if we cannot enforce it? How can you stop a man from sending me a circular from New York?

Mr. FIELDING. You could not prevent him sending it in, but you could punish the inspector who came here to inspect the risks of the company which violated that condition. By a special clause we allow these companies to send inspectors to examine the risks; but if we found that these companies were violating the intention of this Act then we could have recourse against the inspector.

Mr. LANCASTER. Do you mean to say that you could punish the inspector for some one else doing something in New York, for sending a circular into Canada?

Mr. FIELDING. We would try, but we might fail.

Mr. DOHERTY. You could get after the insured. If the company sends him a circular, he has no right to insure in that company.

Mr. J. A. CURRIE. Why all this sumptuary legislation? I am very much surprised. This House started out to make an insurance Bill for the people, to try and get them some rights which they were not getting from the insurance companies in the first place. We have landed up by giving the bulk of the rights entirely to the company; every particle of it is for the company except these two clauses. I think the least said about this the better. Because a man sends me a circular from New York, and if I get insured in a New York company, why should I be punished? I think that is very drastic legislation. I think people should have a few liberties left to them in business matters in this country. I think that is most absurd legislation. If you look over all the statute-books of every country, even Turkey, you would not find such foolish or sumptuary legislation, and I am surprised to find members asking for more of it.

Mr. HERRON. I have very serious protests against this clause from my portion of the country, and I would be prepared to vote against clause 139 if I had an opportunity of doing so.

Mr. HARTY. It strikes me that you cannot prohibit any one from sending a circular from 'elsewhere'. You cannot prevent a man sending a circular into Canada from any American city. How you are to prohibit that by putting in the words 'from elsewhere' in this clause I am not able to comprehend.

Mr. A. HAGGART. And I do not see how we are going to prevent the hon. member for Kingston (Mr. Harty) from going to Boston or New York, making a contract there and getting all the insurance he wants. The contract is made in that country, and he has to enforce it there. I do not think this parliament has any jurisdiction.

Mr. FIELDING. Sometimes you prohibit the doing of certain things with a fairly good knowledge that somebody will do them, and all you can do is to provide a penalty. I think in this case it is a measure of protection to our own companies. You cannot prevent a man issuing a circular in New York, and sending it through the mails, but if a company is discovered to have done that it violates the provision of this clause and we can go after it by proceeding against the inspector.

Mr. LANCASTER. For what crime?

Mr. FIELDING. We would consider that the company doing the business had violated the law, that his inspection did not come withing the law and therefore he could be proceeded against.

Mr. LANCASTER. What would be his offence, before what court would he be tried, and what would be the penalty? I challenge the Finance Minister to say what is to happen to a man if he does this. Let us have no such nonsensical legislation as this is. I think I see the reason for this legislation. Men who have obtained standing in communities, who have used energy and skill in building up a business as insurance agents, who are thoroughly honourable men, and who know how to carry on their business have had their living interfered with, and this is done as a sop to them, they are led to believe that some one is going to be punished for sending a circular,

Mr. FIELDING. I can only refer my hon. friend to the penalty clause, section 70.

Mr. LANCASTER. How is he going to get the man into Canada who sent the circular and does he believe that when an inspector comes in on another piece of

business entirely he can punish him for what some one else did in New York? The inspector can say he did not know anything about it. Let us not humbug the people.

Mr. SPROULE. We should not lose sight of the important educative work carried on by these companies in instructing individuals how to prepare their risks so as to minimize the danger of fire. That is antecedent to the insurance, and the inspector must come there before the insurance is affected. This educative work was never done to the same extent in Canada before. Why will a Canadian company ask me eight per cent to carry insurance, when this company will carry it for one-quarter of one per cent after they have given instructions how to prepare a building so as to minimize the danger of fire and to reduce the cost of insurance? It is the individual who wants the insurance who should be considered, not the company. They are not coming here soliciting business, the individual, who wants insurance and cannot get it in Canada without paying an exorbitant figure should be allowed to get his insurance where he can get it.

Mr. HARTY. The risk is all his own.

Mr. FIELDING. I do not think we can do better than take the clause as it is.

Mr. J. A. CURRIE. I think the word 'circular' should be left out. They send circulars giving instructions as to what shall be done and a statement of the standing of the insurance from time to time. Perhaps that might be construed as coming within this clause of the Act, and it might be said that they were sending circulars for advertising purposes.

On section 148, by-laws.

Mr. SPROULE. I understood the minister to say that these were all provisions of the old law.

Mr. FIELDING. Where there is any material change I will call attention to it.

On section 150, capital stocks, calls, and increase of capital.

Mr. FIELDING moved:

That the heading before section 150 be changed so as to read 'the capital stock and calls thereon.'

Amendment agreed to.

On section 153, forfeiture of shares for default in paying calls.

Mr. J. A. CURRIE. Where a company is approaching a point at which it is virtually in liquidation the directors might call and cancel the unpaid shares and thus relieve themselves from liability in case of disaster.

Mr. FIELDING. That is the law as it has been for years and I think there has been no trouble about it.

On section 166, arrears prevent voting.

Mr. J. A. CURRIE. I would ask the minister to make provision, the same as that which is in the English company's Act, that where two or more persons are registered for shares as joint trustees, the one whose name is first on the roll shall cast the vote.

Mr. FIELDING. This is the existing law, and I am advised that there has been no difficulty arising under it.

Mr. J. A. CURRIE. I think it is not the law. Where two parties are down for the same stock or where executors are down as holding stock in trust, the one whose name is first upon the register casts the vote That is the English law.

Mr. FIELDING. I believe it is in the English Act, but I hope my hon. friend will not feel it necessary to press it this evening. I am told that no difficulty has arisen under this clause.

Mr. J. A. CURRIE. I do not wish to delay the Bill; if I had noticed it sooner I would have called the minister's attention to it.

On section 179, actions against shareholders.

Mr. J. A. CURRIE. Did the companies make any representations to the government in reference to this question?

Mr. FIELDING. I am advised that the matter was not specially considered. No attention was called to it.

Mr. J. A. CURRIE. It is a very dangerous provision. I do not think you will find it in the Companies Act.

Mr. FIELDING. It is the existing law and it is in the Companies Act.

Mr. J. A. CURRIE. Not in that form.

On section 184, cost of incorporation chargeable to shareholders.

Mr. FIELDING. This section is designed to make the cost of incorporation chargeable to the shareholders and not to the policy-holders.

Bill reported, read the third time and passed.

On motion of Mr. Fielding, House adjourned at 12.10 a.m. Saturday.

HOUSE OF COMMONS.

SATURDAY, April 30, 1910.

The SPEAKER took the Chair at Eleven o'clock.

TREATMENT OF IMMIGRANTS.

Mr. LENNOX. Before the orders of the day are called I would like to ask the Minister of the Interior if he has inquired into the matter I referred to the other day as to the delay at Halifax in connection with a ship that arrived there.

Hon. FRANK OLIVER (Minister of the Interior). I have a memorandum on the subject, but I have not it in my desk at the moment. But I would be glad to hand it to my hon. friend or lay it on the table at any stage.

Mr. LENNOX. Perhaps on Monday you could do it.

Mr. OLIVER. Yes, I will do it on Monday.

SUBSIDIES TO RAILWAYS.

House went into committee to consider certain resolutions respecting the granting of subsidies in aid of the construction of lines of railway therein mentioned.

Mr. GRAHAM. I may say that all the subsidies granted in this respect have been voted before. There are two or three cases where the subsidies apply to different parts of the line, but only in two cases is there any different mileage, and in both cases I think the measurement was found to be incorrect, in one case by three and a half miles, and in the other by one mile. The other subsidies are all taken from the statute and revoted in the same terms for the same distances and to the same amounts.

Mr. R. L. BORDEN. What is the necessity for re-voting these? Was there a time limit in the statute which made provision for these subsidies?

Mr. GRAHAM. The time limit in all these is two years unless construction has begun and four years if construction work has been started. But under the statute they all run out at the end of two years.

Mr. R. L. BORDEN. Unless the work has been commenced.

Mr. GRAHAM. Unless the work has been commenced.

Mr. R. L. BORDEN. Section 4 has that I think. What is the reason that they are put in? Are we voting them for the second time only, or for the third time, or for the fourth or fifth or sixth time?

Mr. GRAHAM. I would not like to say positively, because I have not gone back through the statutes further than 1906. There are two or three which were voted in 1906, but the great majority we revoted in 1908. Possibly some were renewals at that time, I would not like to say. In the statute they do not appear as renewals. I have had representations with reference to all these subsidies, and it is the usual statement I imagine with respect to a great many of them that during the past two years or four years, as the case may be, they have not been able to get into position to proceed with the work, but they think now that if the subsidies are revoted, in fact they assure me that they think they will be able to proceed within the two years extended by this statute. In some cases the work has been started. I have not included any new ones at all.

Mr. ROCHE. The Minister of Railways will remember that a deputation from Manitoba waited on him two or three weeks ago. On that deputation there were representatives from Brandon, Hamiota and Birtle, and probably some other towns, asking for a subsidy for a line between Hamiota and Birtle. The Canadian Pacific railway was considering the question of constructing a branch line there. It is a portion of the country that is badly in need of facilities and the Canadian Pacific railway promised with the usual assistance, to construct this road this summer. I understand the deputation left here very hopeful of receiving this assistance after their interview with the Minister of Railways and his colleagues, but I do not notice any subsidy for this road in the list presented to the House. Does the minister not sympathize with the aspirations of the people in that important portion of the country? What is the reason for refusing it?

Mr. GRAHAM. I have a good deal of sympathy with the proposition that the gentlemen referred to by my hon. friend (Mr. Roche) placed before me. As he says there is considerable need there for railway facilities and for a connection between these two points. The Canadian Pacific railway representatives also discussed the matter with me. As he will understand, however, there are scores and scores of applications for new subsidies, and after investigating them the government thought that for this session at least, they should not recommend the granting of any new subsidies; but in order that no person who was in a position to proceed with the work might suffer, it was decided to renew certain of the old ones that had been already voted. I assure my hon. friend that if any new subsidies had been voted at all, the one to which he refers would have been included, as they put up a pretty strong case.

Mr. RHODES. Are all these renewals made upon representations of the parties interested, or are they renewals as a matter of form, in some instances ?

Mr. GRAHAM. There have been requests made for every one of them, or they would not have been renewed. There are scores that have not been renewed that were on the statutes before.

On resolution 1,

Mr. R. L. BORDEN. As I understand it, every one of these is a renewal of a subsidy granted in 1908.

Mr. GRAHAM. As I said, there are exceptions, three or four of them were granted in 1906-7, but the majority are of 1908.

Mr. R. L. BORDEN. Did those of 1906-7 expire ?

Mr. GRAHAM. Yes.

M. R. L. BORDEN : Could the minister tell us which of them are of the year 1906-7 ?

Mr. GRAHAM. They are named in the resolution as we go along. For instance, No. 5 was granted by chapter 40 of 1907 ; No. 12 was 1907; No. 13 was 1907. The chapter and the year of the statute are indicated.

On resolution 2,

Mr. R. L. BORDEN. Are these and the following paragraphs exactly the same as those which have been enacted by the House in such matters in the past ?

Mr. GRAHAM. Yes, they are an exact copy of the statute.

On resolution 8,

Mr. DANIEL. Is section 8 the same as in all the railway subsidy Acts?

Mr. GRAHAM. An exact copy.

Resolutions reported, read the second time and agreed to.

House went into committee to consider the following additional proposed resolutions for subsidies to railways :

45. For a line of railway from Montreal to a point on the National Transcontinental railway in lieu of subsidy granted by chapter 63 of 1908, section 1, item 48, not exceeding 200 miles.

46. To the Little Nation River Railway Company, for a line of railway from Papineauville on the Canadian Pacific railway towards Lake Nominingue, in lieu of subsidy granted by chapter 63 of 1908, section 1, item 70, not exceeding 30 miles.

Mr. GRAHAM. These were passed in 1908, but after my resolutions were prepared it was called to my notice that I had not included these. I had included them in the Act, but not in the other list of resolutions. They are an exact copy of the statute of 1908.

Mr. RHODES.

Resolutions reported, read the second time and agreed to.

Mr. GRAHAM moved for leave to introduce Bill (No. 226) to authorize the granting of subsidies in aid of the construction of the lines of railway therein mentioned.

Motion agreed to, Bill read the first and second time, and House went into committee thereon.

Mr. GRAHAM. The Bill contains nothing that is not in the resolutions.

On section 5,

Mr. R. L. BORDEN. The section of the resolution is different from that of the Bill. The resolution contains these words :

And the said board shall have absolute control, at all times, over the rates and tolls to be levied and taken by any of the companies, or upon any of the railways and bridges hereby subsidized.

In the Bill the words ' and bridges ' are omitted.

Mr. GRAHAM. The reason is, I think, that there are no bridges subsidized under the Bill.

Mr. R. L. BORDEN. Then, it should not be in the resolution.

Mr. GRAHAM. It is superfluous in the resolution. There are no bridges covered by the Act.

Mr. R. L. BORDEN. Except in so far as these may be part of the railway lines ?

Mr. GRAHAM. But there are no special subsidies to bridges.

Mr. DEPUTY SPEAKER. Shall section 5 stand as part of the Bill? Carried.

Mr. HENDERSON. Could the minister tell us the total amount of the subsidies we are authorizing to-day at the maximum and minimum rate, and the total mileage subsidized?

Mr. GRAHAM. The total mileage is 3,277·4 miles. At a subsidy of $3,200 per mile that will amount to $10,487,680; at a subsidy of $6,400 per mile that will amount to $20,975,360.

On the preamble,

Mr. J. A. CURRIE. Is there any intention on the part of the government to grant the subsidy to the Ontario government railway which has been granted to all the colonization roads? I understand that this railway is to be an important link in the Transcontinental. The next time the minister brings down his subsidies for railways, I suggest that he should propose and pay a subsidy to the Ontario government railway, such as the ordinary railway company have received.

Mr. GRAHAM. The government at present has no intention of granting a subsidy to the Ontario government railway. That road did not get any subsidy when it was inaugurated. It has now been largely constructed by a very rich province, and I think it would hardly be wise for this government to interfere with the government of a province in that way, particularly under all the conditions. Then if we were to grant a subsidy to that line I would be inclined to say that the line should come under Dominion jurisdiction, under the Dominion Board of Railway Commissioners, and the government of Ontairo would not care to permit that.

Mr. J. A. CURRIE. If I were discussing the question of jurisdiction, I should say that the Dominion government railways ought to come under the jurisdiction of the Ontario government, and then they would be able to give a profit.

Mr. GRAHAM. If the hon. gentleman will give me the rate the Ontario road charges I will give a profit of $2,000,000 each year on the Intercolonial railway.

Mr. J. A. CURRIE. Why do you not take it?

Mr. GRAHAM. The people get the benefit.

Mr. R. L. BORDEN. I have heard so much about low rates on the Intercolonial railway as compared with other railways that I really would like to have some information on the subject. I would invite the minister to bring down, before the close of the session or before his supplementary estimates go through, a table comparing the rates on the Intercolonial railway, both through and local, with the standard rates on the other great railways of Canada. I have not understood that the local rates on the Intercolonial railway were so much lower than those on other railways as the minister would have us imagine.

Mr. GRAHAM. It might take some weeks to prepare such a table. The rate sheets, unless in the hands of an expert, do not show the income from freight. The classification of freight has a great deal to do with it. As a matter of fact, the location and the classification of freight of the Ontario government road is such that if its rates on a sheet were exactly the same as on a sheet of the Intercolonial railway its income would be much lower on account of the higher class of freight it has to carry. They are in a much better position per mile.

Mr. R. L. BORDEN. That does not mean that the rates are higher, but that they are favourably situated in respect to the particular description of freight that forms the bulk of their haulage.

Mr. GRAHAM. That is one reason.

Mr. R. L. BORDEN. What is the other?

Mr. GRAHAM. I have made a statement before the House as to passenger traffic. Their passenger rates are higher than the Intercolonial railway.

Mr. R. L. BORDEN. I should not imagine that they are very much higher. I realize that the through passenger rate from Halifax to Truro or Montreal is a very reasonable one, but the local passenger rates on the Intercolonial railway in Nova Scotia are about the same as on any other railway in Canada, so far as I am aware. I am rather tired of hearing about these rates. It is creating an impression throughout the country that the people of New Brunswick, Nova Scotia, and Quebec, are getting a sort of pauper rate on the Intercolonial railway. I do not think that that is the case; I think they are paying the usual rates, in respect of local traffic at least. If I am wrong, I want to be corrected. If the minister cannot give that information before the close of the session, I would like to have it after the session, or at all events at the commencement of the next session.

Mr. GRAHAM. The information my hon. friend has asked for is on 'Hansard' either this year or last. We took the local rates on the Canadian Pacific railway in the maritime provinces and compared them.

Mr. J. A. CURRIE. The question was asked last year if these figures were on a ton mile basis, but the minister said they were never calculated on a ton mile basis on the Intercolonail railway. The only statistics the people will accept in the United States are the statistics published in the manuals and based on a ton mile basis.

Mr. GRAHAM. These returns are placed on the table of the House every year.

Mr. J. A. CURRIE. If we had the information we could tell what the rates are. You can juggle the other figures in any way you like.

Mr. GRAHAM. The information published in reference to the Intercolonial railway is the same as the sworn statements in regard to other railways, and the hon. member has a copy in his desk.

Mr. TURRIFF. I had occasion to look into the freight rates on coal to ascertain whether the rates in the west were higher than in the east. I got the freight rates for coal on the Intercolonial railway and found that whereas in the west we are paying a much higher rate to carry coal 400 miles than the Intercolonial railway was carrying it for 800 or 900 miles. I think it is absolutely unfair that the Intercolonial railway should haul freight for one

half the price charged by the other roads. We in other parts of the country do not get any part of the cheap rates on the Intercolonial railway. We have to pay our own high rates and have also to put our hands in our pockets and pay taxes to get cheap rates for those who happen to have the advantage of living along the Intercolonial railway.

Mr. STANFIELD. In inland towns we pay a good rate. From Stellarton to Truro, a haul of 40 miles, we pay 80 cents a ton, although the through rate to Halifax is the same. So in making up their rates it is hard to strike an average.

Mr. R. L. BORDEN. And there is a low rate, established many years ago, from the coal mining centres to Montreal. This was done advisedly with an idea of assisting in the development of the mining properties of Nova Scotia. I am not prepared to dispute that that is a fairly low rate.

Mr. GRAHAM. Yes, it is.

Mr. R. L. BORDEN. I say that so far as the local rates in Nova Scotia are concerned, they are not materially lower than rates on other railways. Take the case mentioned by the hon. member for Colchester, 80 cents a ton for 40 miles, that seems a fairly substantial rate, and I doubt whether the rates in Ontario are higher than that. My hon. friend (Mr. J. A. Currie) tells me that for such distances in Ontario the rates are lower.

Mr. GRAHAM. On all these things my hon. friend from Simcoe (Mr. J. A. Currie) is not a strict authority. There are special cases. The question of freight and passenger rates is very complicated, and the study of a freight or passenger sheet is a science.

Bill reported.

AID TO CANADIAN NORTHERN ALBERTA RAILWAY COMPANY.

House went into committee to consider the following proposed resolution :

Resolved, That it is expedient to provide:

1. That the Governor in Council may aid and assist the construction of the line of railway of a company to be incorporated under the name of 'Canadian Northern Alberta Railway Company,' from a point at or near Edmonton or Strathcona, in the province of Alberta, thence, in a generally western direction, to the coal areas, situated at or near the Brazeau river and the headwaters of the McLeod river, for a distance not exceeding one hundred and fifty miles, by guaranteeing the principal and interest of the bonds, debentures, debenture stock or other securities, hereinafter called securities, secured as hereinbefore mentioned, of the company, to the extent of thirteen thousand dollars per mile for the first fifty miles of the line so aided, and, for the remainder of the said line, to the amount of twenty-five thousand dollars per mile, not exceeding in all one hundred and fifty miles, the interest upon the said securities to be at the rate of three and one-half per cent per annum, payable half yearly, the principal to be payable in fifty years; and that the aid granted or authorized by chapter 25 of the Statutes of 1908, intituled: 'An Act respecting aid for the extension of the Edmonton, Yukon and Pacific railway,' be cancelled.

2. That the said securities so guaranteed shall be secured by a deed or deeds of trust, by way of mortgage or charge, to a trustee or trustees, approved of by the Governor in Council, and such deed or deeds of trust shall respectively grant a first mortgage or charge upon the said line of railway so aided, and the right of way, station grounds, or other real estate and interest therein, buildings and other structures and improvements, rolling stock and equipment, plant, machinery, tools, supplies, materials and other personal properties, present and future, acquired for the purposes of the said line so aided, and in connection with operating, repairing and maintaining it, and the tolls, incomes and revenues of the company arising and to arise from the said line, and the rights, privileges, franchises and powers of the company now or hereafter held with respect to and in connection with the said line and the operation, maintenance and repair thereof.

3. That the kind of securities to be guaranteed as aforesaid, and the forms thereof, and the form and terms of the deed or deeds of trust securing them, and the times and manner of the issue of securities and the disposition of the moneys to be raised thereon, by sale, pledge, or otherwise, pending the expenditure of such moneys for the purposes of the line of railway so aided, and the form and the manner of guarantee, shall be such as the Governor in Council approves, and such terms, provisions and conditions may be included in such deed or deeds of trust as the Governor in Council deems expedient or necessary.

4. That the said guarantee shall be signed by the Minister of Finance or such officer as is designated by the Governor in Council to sign it; and upon being so signed the Dominion of Canada shall become liable as guarantor for the payment of the principal and interest of the securities so guaranteed according to the tenor thereof, and the said payment shall form a charge upon the Consolidated Revenue Fund.

5. That any moneys paid by the Dominion of Canada under any guarantee herein provided for shall be held to be paid in discharge of the liability of the Dominion and not in discharge of the liability of the company under the securities guaranteed, or under any deed of trust securing them, and the moneys so paid shall be held to be still secured by the said securities and deed of trust, and the Dominion shall be subrogated in and to all the rights of the holders of such securities, the interest upon or the principal of which has been paid by the Dominion, and the Dominion shall, with respect to all moneys so paid, be in all respects

in the position of security-holders with respect to whose securities default has been made in payment to the extent of the moneys paid by the Dominion.

6. That the decision of the Governor in Council as to the length of the mileage of the said line of railway so to be aided shall, for the purposes hereof, be final.

7. That the books of the company shall at all times be open for inspection for and on behalf of the government by any person named in that behalf by the Governor in Council or the Minister of Finance.

8. That the Canadian Northern Railway Company shall, by guarantee included in the said deed or deeds of trust, or in some other instrument agreed to by the Governor in Council or the Minister of Finance and the last named company, in such form as the Governor in Council shall approve, guarantee to his Majesty the due payment by the company of the principal and interest of all securities issued and guaranteed under the provisions hereof, according to the tenor and effect of such securities, respectively, and in accordance with the terms of the said deed or deeds of trust, and shall also guarantee to His Majesty the due payment by the company of all loss or costs which His Majesty may sustain or be put to in enforcing, after default, the provisions of the said deed or deeds of trust against the line of railway and premises thereby mortgaged and charged.

9. That the company may acquire the line of railway constructed or partially constructed or located by the Edmonton, Yukon and Pacific Railway Company, or by the Canadian Northern Railway Company as its successor by amalgamation, between the points set forth in paragraph 1 hereof, and all properties, works, surveys, plans and locations, held, made, approved or established in connection therewith; and the same shall, for the purposes hereof and the guarantee hereby authorized, be taken to form part of the line of railway hereby aided. The deed of transfer or acquirement (which the respective companies interested are hereby authorized to execute) shall be executed and deposited in the office of the Secretary of State of Canada before any securities are issued or guaranteed hereunder in respect of the line of railway and incidental properties so acquired; and the said deed upon being so executed and deposited shall, without further formality, be taken to vest in the company all the properties, works, surveys, plans and locations held, made, approved or established by or for the transferring companies, or either of them, in respect of the line of railway or portions thereof so transferred, with the same rights, privileges and priorities as were at the time of the execution of such deed held by the transferring companies respectively.

Mr. GRAHAM. This resolution is somewhat unusual, but under the conditions that exist the introduction of such legislation seems to be imperative. In 1908 certain lines of railway were guaranteed by the Dominion government. The Edmonton Yukon Pacific was given a guarantee of bonds of $13,000 per mile for fifty miles, and $25,000 per mile for the balance of 100 miles, the length of the road being 150 miles with the proviso that the Edmonton Yukon Pacific should become part of and amalgamate with the Canadian Northern. When the amalgamation came to take place, and the securities were about to be issued a difficulty arose. The Canadian Northern itself has practically two sets of securities, one Dominion guaranteed or provincial guaranteed, as the case may be, for I think it is $15,000 per mile, and these securities become a first lien on the roads to be constructed, and a second or third mortgage on the lines already constructed. But they have another class of security called consolidated debenture stock, extending over their entire system, and in the Act giving them authority to issue these securities it is provided that there shall not be more than $15,000 per mile of an underlying security. That being the case, when the amalgamation took place, the portion of the guarantee by the Dominion for $25,000 on its 100 miles was found to come in conflict with the other Act of the Canadian Northern. It was impossible under existing conditions for the Dominion to get its first mortgage on this 100 miles for more than $15,000 per mile, although the guarantee was for $25,000 per mile. In order to overcome that the solicitor of the company, Mr. Phippin, after consultation with the Justice Department, and the Finance Department decided to introduce a Bill to really incorporate a new company. This new company is to be called the Canadian Northern Alberta Railway Company, and the guarantee is to be given to this company and executed. Then after this is done, and the guarantee provided for, and the road constructed, they are to amalgamate with the Canadian Northern, and the securities would then run for the $25,000 per mile, for the 100 miles, no Act interfering. That is all the Act is intended to cover, and it is what the Justice Department, and Mr. Phippin assure me is provided for by the Act. If asked if the company gave up this guarantee given under the Act of 1908, I say that they do release that absolutely. I have submitted this to the Justice Department, and to the Finance Department. Some little changes were made, and it was approved of by Mr. Phippin.

Mr. HENDERSON Perhaps the minister can tell us what the estimated cost of this road will be, whether the $13,000 and the $25,000 will be sufficient to build the road or whether it will be more than sufficient.

Mr. GRAHAM. Much more than that. The $25,000 per mile is granted on account of representations made that this part of the line would be quite expensive. It was discussed in 1908 when the guarantee was first made. That is the reason an increase over that amount was asked.

Mr. HENDERSON. If it is to be very expensive, my impression is that it would be better to drop it. The Canadian Northern can build cheaper than that.

Mr. GRAHAM. It is not much of a road that can be built for $25,000 per mile.

Mr. J. A. CURRIE. I understand there is likely to be a lot of heavy bridging?

Mr. R. L. BORDEN. Does this resolution or the proposed Bill do away with the guarantee of 1908 alluded to by the minister?

Mr. GRAHAM. Yes.

Mr. MAGRATH. Is this the same guarantee that was passed in 1908, or are there any extensions?

Mr. GRAHAM. Yes, the same guarantee. This is to make practical and work out the guarantee we gave in 1908. There was a desire to add a little to the mileage, but I struck it out.

Mr. R. L. BORDEN. The mileage, I understand, is exactly the same as in 1908.

Mr. GRAHAM. I know it is not any more, and I think it is some less.

Resolution reported, read the second time and agreed to.

Mr. GRAHAM moved for leave to introduce Bill (No. 227) to incorporate the Canadian Northern Alberta Railway Company and to aid in the construction of its railway.

Mr. BLAIN. Has the minister before him any figures showing the total amount of railway subsidies that have been voted by the government of Canada since confederation?

Mr. GRAHAM. I have not the figures before me, but if the hon. member will refer to the last report on railways and canals, he will find them in the schedule that I had prepared by the statistician.

Motion agreed to, and Bill read the first and second time, considered in committee and reported.

SUPPLY.

House again in Committee of Supply.

Government of the Yukon — Salaries and expenses as connected with the administration of the territory, $130,000.

Mr. OLIVER. That item is a decrease of $35,000 since last year by the reduction of the staff.

Mr. BLAIN. What was the revenue of the Yukon last year?

Mr. OLIVER. The revenue from the export tax on gold, which is a special tax on the Yukon, was about $90,000.

Mr. BLAIN. Have you the figures of the total revenue?

Mr. GRAHAM.

Mr. OLIVER. Of course, the Yukon pays its share of customs and other taxes, but we have not the Yukon figures separately. The special tax of which I have spoken is estimated to have yielded, in the fiscal year year just closed, over $90,000.

Mr. BLAIN. Is the cost of governing this territory decreasing?

Mr. OLIVER. There is the decrease of $35,000 which I have just mentioned. The other items remain at the same figures as before.

Mr. BLAIN. And is the revenue higher than two years ago?

Mr. OLIVER. In 1907-8, it was $70,504; in 1908-9, it was $81,000.

Dominion Lands—chargeable to income—Salaries of the outside service, $300,000.

Mr. ROCHE. I take this opportunity to ask the Minister of the Interior (Mr. Oliver) if he has ever had his attention called to the idea of allowing women to homestead. I noticed, some time ago, an article in one of the city papers of Winnipeg commenting upon a letter by a reverend gentleman in Saskatchewan, in which letter this idea was advocated. I have seen also a great deal of comment upon the subject in the press of western Canada. I think the minister might do worse than allow women to take up homesteads. Undoubtedly, there are men who have families of girls who would move to the west if their girls had the privilege of homesteading. And the minister knows also that in the west we have a surplus of bachelors. The change suggested would not only allow our ladies an opportunity to acquire some property, but would afford the male members of the population an opportunity to find helpmeets. As the letter I have referred to puts the case better than I can do, I take the liberty of reading it:

Let Women Homestead.

Editor 'Telegram.'—I wish to call your attention to the remedy for one of the serious problems in our western world.

It is everywhere conceded in the province of Saskatchewan that there is a great dearth of marriageable ladies. In almost any of our new districts you will find ten young men for one young lady.

It seems to me this could be remedied by allowing girls over eighteen to homestead. I have just returned from a trip to Toronto and meeting an old friend down there I said to him, 'Why don't you come west?' He said, 'Oh, if my girls were only boys I would have been west long ago.' I told him we needed him more with his girls than if de had boys. He had four grown-up daughters.

Now, I ask you, why that man had not just as much right to homestead and get a quarter section for each of those girls as the man who happened to have four grown-up boys?

I claim, sir, that the west has more need to-day to allow such a man to come in with his girls and give him every right that a man with boys should get, than we have to encourage the single man. Again, in conversation, on the train, with a Norwegian from North Dakota, I got more information on the subject. He said down in the Dakotas and Minnesota, there are many men with large families of fine, strong, healthy girls, who would come to Canada if their girls could homestead, but because they cannot they are moving on down into the new country in Montana, where they have the privilege. Now, sir, we all know what fine blood we have received from the Norwegian and Swedes; should we not encourage them to come?

We look forward to a big year in the growth of our population in this year 1910. But if it is going to receive the stimulus which will make it a red letter year in the history of the growth of Canada, our government cannot too soon grant the ladies the privilege of homesteading. For it would bring fathers and mothers, sons and daughters, lovers and sweethearts that we could never get in any other way.

REV. R. W. BEVERIDGE.

Watrous, Sask., Jan. 15.

I was unaware before reading that letter that Montana had land laws permitting ladies to enjoy the same privilege as the men, that is, the privilege of homesteading. Apparently, it is quite an attraction in that state, because Norwegians and Swedes go there from Minnesota and the Dakotas on that account. I would like to know if the minister has ever had his attention drawn to that, and if he does not think that it is worthy of serious consideration?

Mr. OLIVER. This matter has been brought to my attention frequently, as it was no doubt brought to the attention of preceding ministers and preceding governments. But it has never appeared to them, and does not appear to me, that it would be in the interest of the settlement of our country. I am aware that that law is the law of the United States, but I am not aware that it is an advantageous law, even there; so far as my judgment goes, I do not think it would be advantageous in our country. The purpose we have in view in our homestead law is not merely that people may acquire land which will mean money to them; the purpose we have in view in giving free land to homesteaders is that the land may be made productive; to secure the productiveness of the land is the reason of our homestead laws. Our experience, and I have had considerable experience, is that in order that a homestead may be made fully productive, there should be, not a single woman upon it, nor even a single man, but there should be both the man and the woman, in order that the homestead may be made fully advantageous to the country. The idea of giving homesteads to single women would tend directly against that idea; the idea of withholding homesteads from single women, as my hon. friend will see, tends strongly in favour of that idea. I do not know that I need emphasize the point that the single man on a homestead is not in a position to bring that homestead up to its full measure of productiveness.

Mr. ROCHE. Because he has not got the woman with him.

Mr. OLIVER. Exactly. Then it is for him to get the woman, and for the woman who wants to settle on land in the Northwest to get the man, rather than that she shall have land of her own, simply to hold it down. The single woman cannot bring the land into productiveness under ordinary circumstances, even as well as the single man. We have provision for granting homesteads to women under certain conditions, and the princple underlying that system is this, that where a widow has children, although not of age to enable them to take homesteads, they are yet of sufficient age to help her satisfactorily to improve a homestead, then under those conditions, the woman is allowed to have a homestead. Having once given the privilege to widows with dependent children to secure homesteads, we find that it is used as a means of acquiring land by women who are not in a position to make improvements, and who were not in the position that was contemplated when the provision was first made. Our experience is entirely against the idea of women homesteading.

Mr. LAKE. One or two questions have been asked across the floor of the House during this session in regard to the duties of Mr. Leach, inspector of homestead agencies, and whose salary I presume, is provided for in this item. I would like the minister to give us some idea of what those duties are, and why it is necessary that Mr. Leach's office should be at Brandon. Looking through the Auditor General's Report for the last two years, I find that Mr. Leach appears to have drawn an extraordinary amount of money for board and lodging, and for travelling. I have calculated that during the two financial years of 1908 and 1909, he drew for board and lodging $2,135.90, or an average of nearly $3 per day for the whole time, or nearly $3.50 per day exclusive of Sundays. His travelling expenses during that time amounted to nearly $3,000, or upwards of $5.50 a day for every travelling day. It does seem to me that that is a very large sum of money, and either that Mr. Leach's office should not be at Brandon, or that he is charging very high amounts for board and lodging and travelling expenses.

Mr. OLIVER. Mr. Leach's business is that of inspector of land agencies at the

present time in the provinces of Saskatchewan and Manitoba. I think until a year ago he was inspector of all the land offices in the four western provinces. He is also employed at times in the adjustment of difficult cases that arise in regard to land, and his duties therefore require a good deal of travelling. It does not matter where the office is, because he is not supposed to be in his office any more than is necessary for the compilation of his reports, and generally to give him an opportunity to look over the field of his inspection. There are in the provinces of Manitoba and Saskatchewan four land agencies and 32 sub-agencies. I need not enlarge on the amount of business that is done or the intricate and complicated nature of the business that is done in these agencies, and the disputes that are continually arising. But I can assure my hon. friend that Mr. Leach's duties should occupy all his time, so that he would have very little time to spend in the office at Brandon. It makes little or no difference whether he is located at Brandon or anywhere else, inasmuch as Brandon is 130 miles west of Winnipeg, and as his duties extend westward to the boundary of Saskatchewan, his travelling expenses are lightened by his residing in Brandon rather than in Winnipeg.

Mr. LAKE. Does not the minister think that an average of $3 a day for board and lodging for every day in the year, for two years, is somewhat high charge when compared with the usual prices for board and lodging in those two western provinces?

Mr. OLIVER. Well, I could not answer. I am sure it cost me more than that for board and lodging when I travel. It would depend upon the number of days that Mr. Leach was absolutely away from his office whether it was a fair charge or not.

Mr. LAKE. Has the department any check on the number of days Mr. Leach was absent. It struck me as a very large charge, indeed, and I think the department should have some means of checking it.

Mr. OLIVER. Mr. Leach puts in a monthly account to the department, and it is checked there. I presume the account is all right, although I agree with my hon. friend that it seems a large amount. However, travelling is not inexpensive in that country, and Mr. Leach is supposed to be travelling pretty nearly all the time.

Protection of timber, forest reserves, &c., $146,250.

Mr. ROCHE. Is it the intention of the minister to take any portion out o the Riding or Duck mountain forest reserves and throw it open to settlement. I have had sent to me a petition largely signed by those living along the Canadian Northern railway, not far from the town of Roblin where it is said there are two townships with very little timber on them and which would make splendid agricultural land. It is stated that there are a number of people waiting to see if the government would throw this open for homesteading. I had a letter from the Department of the Interior stating that the government were thinking of taking out a certain amount along the Canadian Northern railway, but they were not prepared to do it this session. Has the minister any idea as to what particular part of the reserve it is intended to throw open for homesteading?

Mr. OLIVER. There is no intention, so far as I know, of taking any portion out of the reserve, except at its northwest corner where the main line of the Canadian Northern railway cuts a little into the reserve. I was discussing that with the officer in charge with a view of deciding if it would not be well to cut that out of the reserve so as to leave the Canadian Northern railway outside the limits of the reserve entirely. We have had no discussion so far as I know about taking two townships out. I would certainly advise the people who are looking for occupation of these townships not to depend on it, because the matter has not been under my consideration yet. What the hon. gentleman (Mr. Roche) said is the first I have heard of it.

Mr. SCHAFFNER. I think the Minister of the Interior should take into consideration the question of opening to homesteading a portion of the Turtle Mountain reserve south of my town. There is a township, or probably there are two townships there that we will never be able to do anything with as a forest reserve. The government is spending money all the time on it, but the growth of the trees has not been satisfactory, and we will never be able to make it a forest reserve. That fact can easily be ascertained from the officers of the department, and if it cannot be made into a reserve why should we not throw it open to homesteading. I think the minister understands what I mean.

Mr. OLIVER. I quite agree with my hon. friend (Mr. Schaffner). We have no wish to hold land in reserve simply for the purpose of having it under reservation. But, of course these reserves were created on the supposition that it would be possible to improve the source of water supply by securing the growth of timber, and we are trying to do that in that locality. If we fail the reasonable thing will be to abandon the effort, but we cannot abandon it without having made a fair attempt to succeed. I will ask the hon. member to have patience to give us an opportunity

to make good fair test, and if we fail we will no doubt have to take the other course.

Mr. BLAIN. Is the Department of the Interior having any considerable amount of printing done outside of Canada at the present time?

Mr. OLIVER. We have still a very large amount done in the United States, and especially the atlases that we print for circulation for immigration purposes.

Mr. BLAIN. Why should not those be printed in our own counry?

Mr. OLIVER. Since I have been minister, I have made several attempts to get these atlases printed in Canada, but so far without success. I presume the reason is because, in order that such an atlas may be turned out in good quality and style and at the lowest price, it must be done by a well equipped establishment which carries on a very large business in that particular line. There did not seem to be an establishment in Canada which was willing and able to take hold of the work in the same manner as this institution in the United States can do it. The hon. gentleman understands that when we want immigration literature we want it at a certain season of the year, and unless we get it at that season, its value is largely lost. One of these establishments we were dealing with took an order at a certain price, but they did not make delivery within anything like the time stipulated, and while it was not a dead loss, it was not an advantageous commercial transaction.

Mr. BLAIN. Was that a Canadian company?

Mr. OLIVER. Yes, one of the largest in Winnipeg. However, I managed to get some of this work done in Canada, and we have recently given a trial order for some atlas work that will be used for distribution at the Brussels exhibition. We are having that done in Canada as an experiment, and if we get satisfactory results we will be glad to give further orders. In view of the necessity for getting quality, and prompt delivery, at a certain price, the printing of this atlas cannot be handled as in the case of an ordinary printing contract. Now, as to the printing which we require for use in the United States, if we printed it in Canada the United States customs charges would make it an altogether disadvantageous transaction for us. The hon. gentleman may take it for granted that for any printing we want in the United States, we will have to get it done in the United States, because of the customs duties. I am anxious to have any printing we want in England, or Canada, or on the continent of Europe done in Canada.

Mr. BLAIN. That seems to be all right.

Immigration salaries, $125,000.

Mr. LAKE. What is the reason for the large increase in this vote?

Mr. OLIVER. It is rendered necessary by the increased number of arrivals of immigrants and the necessity for increased officers to take charge of them. Our exclusion service has also considerably increased, and that necessitates further expense.

Mr. BLAIN. I want to direct the attention of the Minister of the Interior to the necessity for taking greater care of the immigrants arriving at the Union station at Toronto. The minister himself must be thoroughly conversant with the condition of affairs in that respect. Any person who passes a few hours of any day during the summer months at the Toronto Union station will see congregated there a very large number of immigrants, including some of our own people from other parts of Ontario, who are making ready to go to the west. Among the immigrants are also to be found a considerable number who intend to locate on farms in various parts of Ontario. I heard the minister state the other day that it was not the duty of the government to make provision to detain the immigrants in the cities, but rather to send them out to their destination as soon as possible, and I do not at all criticise that idea. But, I would point out to the minister that money expended on employing one or two extra immigration officers at the Union station at Toronto during the summer months to look after these immigrants, would be money well expended. These officers could direct the immigrants how to get to their destination; they could give them information as to the conditions which they would be likely to meet with, and they could communicate with the farmers who are coming into the city every day looking for these immigrants to engage their services. I believe that the government could wisely expend a sum of money for the employment of one or two capable and intelligent officials who would counsel and advise the immigrants and look after their comfort. If this were done by the government it would be in the interests of the government themselves, in the interests of the farmers of Ontario, and it would be especially in the interest of the new immigrants who are very susceptible to first impressions, and who should receive some special attention from the government when they arrive in great centres of population like the city of Toronto.

Mr. OLIVER. The suggestion of my hon. friend (Mr. Blain) is well worthy of consideration, and I will take it up and discuss what can be done.

To pay expenses connected with water-power investigations and reports in Manitoba, Saskatchewan, Alberta, and the railway belt in British Columbia, $20,000.

Mr. BLAIN. Is this a new vote, and if so, what is its purpose?

Mr. OLIVER. The question of water-powers is attracting more attention than ever before, and it is thought well that the department, in order to administer the water-powers that come under its jurisdiction in the prairie provinces and presumably in the British Columbia railway belt, should have advance information as to the character of all these powers and their possible value for development purposes. If a person comes to the department and makes application to develop any water-power, the department has either to delay the application until it ascertains what the possibilities of that water-power are, or accept the statement made by an interested party. We want to gather information so that when applications are made we will be able to deal with them on their merits. This, of course, will cost some money, and the information may not be turned to account immediately, but I think it is in the interest of the country that the department should have that information.

At one o'clock, Committee took recess.

Committee resumed at three o'clock.

Naval service — including the purchase, construction and maintenance of ships, the maintenance and upkeep of dockyards at Esquimalt and Halifax, and the establishment and maintenance of training schools, $3,000,000.

Sir WILFRID LAURIER. On a previous occasion I stated to the House that it was our intention, as soon as the Navy Bill passed, to ask for tenders for the ten ships with which we propose to commence our navy. It is not probable that any portion of the $3,000,000 for which we now ask will be applied this year to that purpose. Tenders will be called for, and the first thing the successful tenderer will have to do will be to put up a plant, and therefore I do not think we shall be in a position this year to spend a single dollar of this amount. I will explain to the committee how we propose to deal with this appropriation. I stated on a former occasion that we had entered into negotiations with the imperial government for the purchase of the steamship 'Niobe.' Those negotiations are practically completed and are only awaiting the assent of parliament. The amount of the purchase money agreed upon, as I have already stated, is $1,075,000. This will be taken out of this appropriation. The 'Niobe,' it is expected, will reach Canada early in the season and will form the first nucleus of our navy. We propose to appropriate for the maintenance and upkeep of this steamship the following amounts: Pay of nucleus crew and training personnel, $174,000. We estimate that the crew will be composed of 27 officers and 324 men, including sailors, mechanics, etc., a total of 351. For the victualling of the crew, $38,000; this is based upon an estimate of 30 cents per day per man. For medicine, $1,000; this is an estimate based upon the experience of the admiralty. For clothing gratuities, that is, uniforms, $10,000. For the upkeep—hull, machinery, sea stores and fuel—$140,000; this is based upon the calculation of the admiralty. For alterations in fitting the 'Niobe' as a training ship, $50,000. These appropriations total $413,000.

Mr. BLAIN. Have any officers been appointed yet?

Sir WILFRID LAURIER. No.

Mr. BLAIN. A newspaper indicates that a Mr. Macdonald of Victoria or Vancouver has been appointed to take charge of one of these vessels.

Sir WILFRED LAURIER. I may say that Capt. Macdonald, though not yet appointed, has been designated for the command of the 'Niobe.' He is a Canadian, a son of Senator Macdonald of British Columbia, and has had considerable training and experience in England.

Mr. SPROULE. Will the 'Niobe' be stationed in the Atlantic near Halifax?

Sir WILFRID LAURIER. It will be stationed in the gulf and will be used as a training ship. Coming to the 'Rainbow,' I may say that it has already been purchased. The appropriation for this purpose was taken last year, but we now include this ship in our navy. The 'Rainbow' is to be employed in the fisheries protection service along the Pacific coast, chiefly in Hecate straits and the waters adjacent thereto. For the maintenance and upkeep of the 'Rainbow' the appropriations are as follows: Pay of nucleus crew and training personnel, $95,000. We estimate that the crew will be composed of 16 officers and 163 men. For victualling the crew, $20,000. For medicine, $500. For clothing, $5,000. For upkeep—hull, machinery, sea stores and fuel, $110,000. To pay balance of purchase price of $250,000, $35,000. For fitting magazine cooling arrangement to prepare the 'Rainbow' for the work it has to do, $27,600.

Mr. SPROULE. How much will the 'Rainbow' cost when completed?

Sir WILFRID LAURIER. $277,600. Then, we provide at once for 422 recruits, made up of 228 seaman class, 170 engine room ratings and 24 other ratings, such as cooks, armourers and electricians.

Mr. SPROULE. Are these 422 men of the crews for both boats or for only one?

Sir WILFRID LAURIER. Both. The next item of importance is the educational service. This year we cannot expend a very large amount under this heading, and we estimate the expenditure at $35,000. It is our intention at once to prepare plans for the building of a naval college. It has not been finally settled, but it is almost finally settled that the college will be in Halifax, which after consideration seems to be the most appropriate place for the college. In the meantime, the 'Niobe' will be taken advantage of to give the cadets training, and they will receive their education on the 'Niobe.' For the dockyards we have an estimated appropriation of $210,000. I understand that this is based on the calculation of the admiralty. For the purchase of reserve stores for the 'Niobe' and the 'Rainbow' we estimate an expenditure of $50,000, and for the purchase of reserve ordnance for the 'Niobe' and the 'Rainbow' an expenditure of $100,000.

Mr. BLAIN. Where are the 'Niobe' and the 'Rainbow' at the present time?

Sir WILFRID LAURIER. The 'Niobe' is at Portsmouth ready to sail as soon as the proceedings before parliament are received. The 'Rainbow' is also undergoing repairs in England.

Mr. SPROULE. Are these boats to be furnished with the wireless telegraphy?

Sir WILFRID LAURIER. Yes.

Mr. LAKE. Are you borrowing officers and men from the royal navy for training purposes?

Sir WILFRID LAURIER. Yes.

Mr. LAKE. How many will be required and what rates of pay are you going to give them?

Sir WILFRID LAURIER. The estimate for the rates of pay on the 'Niobe' has not finally been determined, but the figures which I will now give are those we have under consideration at the present time:

IMPERIAL RATINGS FOR 'NIOBE.'

M. C. L. Rank or rating.	No.	'Niobe' daily pay.
		$ cts.
Commander	1	8 50
Lieutenant (sen.)	1	5 00
" (regulating)	1	4 50
" (N)	1	5 50
" (G)	1	5 00
" (T)	1	5 00
" other	2	8 00
Gunners	5*a*	15 25
" (T)	1	3 15

IMPERIAL RATINGS FOR 'NIOBE'—*Con.*

M. C. L. Rank or rating.	No.	'Niobe' daily pay.
		$ cts.
Boatswain	1	2 75
Engineer commander	1	9 50
" lieut. (sen.)	.....	.....
" lieut	2	9 00
" lieut. (inst.)	1	4 50
Artificer engineer	3	9 25
Paymaster	1	6 50
Asst. paymaster	2	6 50
Carpenter	1	2 75
Staff surgeon	1	7 50
Surgeon	.....	.....
Chief petty officer	4*b*	6 20
Petty officer	20*c*	22 00
Leading seamen	16	13 60
Able seamen	110	77 00
P.O. telegraphist	1	1 20
Carried forward	178	238 15

(*a.*) 2 for gunnery instruction and 2 for seamanship.
(*b.*) 2 chief gunnery instructors.
(*c.*) 4 gunnery instructors, 1 torpedo, 2 gymnastic, 4 seamanship.

Mr. LAKE. Do these men enter the Canadian service, or do they remain in the royal navy and are merely loaned to this government?

Sir WILFRID LAURIER. The men who are borrowed from the imperial navy to organize the Canadian service will remain in the imperial navy.

Mr. LAKE. Does Captain MacDonald remain in the imperial navy?

Sir WILFRID LAURIER. Yes.

Mr. R. L. BORDEN. The Prime Minister gave an item in connection with the college.

Sir WILFRID LAURIER. Yes, $35,000.

Mr. R. L. BORDEN. That is the educational service?

Sir WILFRID LAURIER. That is the educational service. We do not propose to spend this year anything on the capital account. It is our intention to have plans at once prepared for the building of the college and to ask for tenders. In the meantime, we expect to have 30 cadets who will be trained on the 'Niobe,' and for that we appropriate $35,000.

Mr. R. L. BORDEN. What is the nature of the expenditure upon dockyards?

Sir WILFRID LAURIER. This item is the estimated expenditure of the admiralty, the last year they had the dockyard, 1904-5.

Mr. R. L. BORDEN. That was the expenditure in connection with the dockyards at Halifax and Esquimalt?

Sir WILFRID LAURIER. Yes, both.

Mr. R. L. BORDEN. Has any estimate been made of the expected expenditures at the two places? Could the Prime Minister give a statement of what is to be done, for example, at Halifax? As I understand it, the dockyard at present is simply used for storing certain articles belonging to the Department of Marine and Fisheries. As one of my hon. friends from British Columbia said of the dockyard at Esquimalt, it might be regarded as no more than 'a glorified junk shop.' I understand that it is to be something more than that in the future, and I would like to know just what.

Sir WILFRID LAURIER. I am sorry to say that I am informed that the dockyard is in rather a dilapidated condition. It is proposed to establish there the naval college, with houses for captain and college director, barracks, drill shed and so on, and to spend something on dockyard construction, making a total of about $590,000.

Mr. R. L. BORDEN. This is to put the dockyard in good condition?

Sir WILFRID LAURIER. Yes, the dockyard at Halifax.

Mr. J. A. CURRIE. I understand that the dock at Halifax is owned by a private company?

Sir WILFRID LAURIER. The dock—yes.

Mr. J. A. CURRIE. Is any of this money to be spent to enlarge the dock so that it will take in the ships of the new navy?

Sir WILFRID LAURIER. None of this expenditure is for that purpose; it is for the preparation of the dockyard.

Mr. R. L. BORDEN. It is to be spent, I understand, on what was formerly the imperial dockyard at Halifax. I may explain to my hon. friend from North Simcoe (Mr. Currie) that the Halifax graving dock and the imperial dockyard are entirely distinct things. There is no graving dock in connection with that dockyard. The graving dock is owned by a private company which has had assistance from the imperial government, from this government and from the city of Halifax. I would like to ask the Prime Minister how it is that this very great expenditure is necessary? The imperial government as I understand, handed over that dockyard in perfectly good condition. I do not know to what extent it was dismantled if at all; I never understood that it was dismantled. I brought to the attention of the government in January last the statement of an English gentleman of experience, Sir. Wm. White, who spoke with authority on these matters. He had visited the dockyard at Esquimalt, and he gave an exceedingly bad report of it. In effect he said that it was in very poor and ineffective condition. He stated, further, that he had not visited the dockyard at Halifax, but understood, from information that had been given him, on what he conceived to be reliable authority, that it was about in the same condition. I received from the government a rather reassuring reply. True, like many replies that we get from the government with respect to such matters, it was not very definite, but, so far as it was definite, it was reassuring. I cannot understand how it is possible, if that dockyard has been kept up by a proper system and by reasonable expenditure in the meantime, that it should be in a condition necessitating the expenditure of about $600,000. If the expenditure is necessary, I am not objecting to it; but I think that before the committee votes the amount, we should have a very clear and definite explanation as to why that enormous sum of money is necessary.

Sir WILFRID LAURIER. As to the dockyard at Esquimalt, that has been like Mahomet's coffin, which was suspended between heaven and earth—the dockyard has been in the possession neither of the imperial government nor of this government, and so it has got into a rather dilapidated condition. Of course, I have never seen it. But I have seen the dockyard at Halifax, and I must say that it is not in so bad a condition. There is a splendid property there, as the hon. gentleman (Mr. R. L. Borden) knows better than I do. I do not know that there is much to be done in the way of repairs, except what might be expected in a property of that kind. But the expenditure I have spoken of is made necessary because of the character of the new navy and the works and buildings in connection with it that are to be put there. For instance, in this expenditure is included the naval college. It is impossible to say how much that will cost until we have seen the plans and specification prepared by the architect, but I understand it must be a fairly expensive building.

Mr. R. L. BORDEN. Has this expenditure of $590,000 anything to do with the naval college?

Sir WILFRID LAURIER. It includes the college. Let me give the items covered by this expenditure of $590,000—naval college and furnishing of the same; workshops in connection with the college; houses for captain of college and director

of studies; barracks for men; battery for heavy and light gun drill (this is something new, and I do not know what expense may be involved in it); arming of battery; drill shed; alteration of admiralty house for officers of barracks; dockyard construction.

Mr. R. L. BORDEN. What is that—dockyard construction?

Sir WILFRID LAURIER. That covers the repairs to the building and the wharf. All this expenditure cannot be very definitely estimated until we have the plans and specifications from the architects. But this is the nearest approximate that the officers of the department have been able to give us.

Mr. J. A. CURRIE. I had the pleasure of going through the dockyard at Halifax last year. The epithet applied by Sir William White to the dockyard at Esquimalt applies to some extent to the Halifax dockyard. This plant is there, but it is not modern. Of course, there are some modern tools, but, in order to carry on the work of the navy under modern conditions, fully three-quarters of the appliances and tools might as well be cast into the sea. There are no air tools, the power is not applied by electric motors, and there are none of the economies that ought to appear in a modern dockyard. Everything there is substantial, but old-fashioned, and evidently intended more for the repair of ships built of wood than for the repair of modern steel vessels. The condition of the tools and machinery, I must say, speaks well for the staff, for everything not in use was carefully oiled and in good repair. But I have not the slightest doubt that it would take a couple of hundred thousand dollars to put modern tools and appliances in that dockyard so that ship repairs might be made economically.

As to the admiralty house, that is to say, the quarters and that sort of thing, I think they are very good quarters, some slight repairs might be needed. Another thing in connection with this college, if it is to be in Halifax, is that it should be placed where the cadets of the college can be given practical employment in the yard where these tools are used, and then there would be no necessity of duplicating the tools at the college. I cannot understand why the government does not renew that dock and enlarge it. An expenditure of possibly $200,000 would lengthen that dock, and by means of concrete piers and widening the bottom, it could be made a first-class dock. It will also be necessary to provide the necessary crane equipment to handle the heavy steel and cast iron bars and ordnance, and everything of that kind to be placed on those ships. That is expensive, but if the government is going to do this work, I would strongly urge that they make it up to date, and not do it by piecemeal, and be coming down here every year for additional small items. It is better to go right on and tear out what is old, and put in what is necessary to make it an up to date shipyard. Plant of this description becomes antiquated very quickly. Labour-saving appliances and inventions are brought into use so rapidly now, that of the men who were well acquainted with these things some years ago, you could hardly find one man in a thousand now that knows how to use them. However, I am glad that the dockyard is to be fixed up, because it is a magnificent site. I do not think there is a harbour in America that is equal to the Halifax harbour. There is no situation equal to it in the world for a dockyard such as is proposed. I have also been out to Esquimalt, and I think that the opinion of it given by Mr. White is corrrect.

Mr. R. L. BORDEN. I do not know anything about Mr. White's opinion except that he is supposed to be an eminent authority on these matters. But I think some of my hon. friends from British Columbia who are familiar with the conditions, would be much inclined to agree with him. So far as Halifax is concerned it was a naval base up to about five years ago, when we had a very considerable squadron on that station. About ten years ago one of the largest battleships in the navy was in that squadron. Up to the time that Halifax ceased to be a naval base that dockyard was sufficient for the purpose, and it was handed over to this government, as I understand, in that condition. I still desire to express surprise that it should be necessary, if proper care has been taken, to expend so large an amount for the purpose of making it effective. There may be some conditions I do not understand. Certainly the government were not lacking in one respect, for they have put a considerable number of men at work in the dockyard from time to time, and more especially at the time of general elections, when more than 400 unnecessaray men were put on according to the sworn evidence of persons in Halifax who were interrogated with regard to that by Mr. Justice Cassells, and by the counsel attending that commission. Except when a general election was imminent the ordinary staff seemed to be reasonably adequate for the purpose. We shall have, I suppose, at another session some information as to what has been done with this money, and perhaps some fuller information as to the conditions which make the expenditure necessary. It would have been better if the Prime Minister could have found it convenient to print and distribute among us the memorandum from which he

reads, as it is not easy to get a definite idea of what the expenditure contemplates merely hearing it read.

Sir WILFRID LAURIER. It is typewritten, but I will send it over to my hon. friend. The condition of the Halifax dockyard is very much as it has been described by my hon. friend from Simcoe (Mr. Currie). The building and constructions are all of a very substantial character, every one who has been in the dockyard is impressed by that fact. I think also that it has been kept in very good condition of repair, and perhaps this explains the extraordinary number of men who were employed at election times. It shows that they did not lose their time, they oiled the machinery very well and kept it moving.

Mr. R. L. BORDEN Did they spend much of their time in oiling the election machinery?

Sir WILFRID LAURIER. At Halifax it is probably necessary to do what has been suggested by the hon. member for Simcoe in order to put the works in modern condition. When the dockyard was first established many years ago it was prepared to handle wooden ships, now we have to get in a new plant to meet modern conditions, and the establishment of a navy. That will also necessitate a new building. I think my hon. friend from Simcoe is quite right in saying that we should have the naval college in close proximity to the dockyard. We must also have barracks for the men, and houses for the officers, we must have a battery, and all the conditions implied thereby, also a drill shed. We shall probably need many new constructions, as well as repairing what already exists there. My hon. friend from Simcoe suggests that the dock itself ought to be lengthened, and I understand that the same idea has occurred to several others. But I am informed that the officers of the admiralty, who are expert in matters of that kind, think it cannot be lengthened, they have made an examination, and found it impossible to lengthen the dock.

Mr. RHODES. I understand that the governfent are to borrow officers from the imperial navy. What is the plan proposed to substitute them for those men who have been in the Canadian service, and how is the exchange to be effected, and for what period?

Sir WILFRID LAURIER. The officers would be borrowed for three years, and a skeleton crew will be brought over for five years. This will be the nucleus upon which we propose to build our own navy.

Mr. RHODES. Is it the intention to employ some Canadian sailors at once to work with the nucleus of the British sailors?

Sir WILFRID LAURIER. Yes.

Mr. RHODES. How many?

Sir WILFRID LAURIER. We propose to begin at once to train 400 recruits.

Mr RHODES. How many imperial officers will remain on board, and how many Canadian officers will go on board at once?

Sir WILFRID LAURIER. We have no Canadian officers at the present time. All the officers on this boat must be brought over from England But we propose to train our own men as fast as we can.

Mr. RHODES. The intention is to man the ships with imperial officers until such time as you can educate Canadian officers?

Sir WILFRID LAURIER. Hear, hear; that is it.

Mr. RHODES. Are these to be educated in the Canadian college?

Sir WILFRID LAURIER. That is the intention.

Mr. LAKE. The Prime Minister stated that the intention was to place the Halifax dockyard in a modern condition. Has he an estimate of the whole expenditure required for that, because obviously the appropriation taken this year will not be sufficient for the whole work.

Sir WILFRID LAURIER. It is intended, as I understand it, to rejuvenate the dockyard at Halifax, but, of course, it is not possible to do it in one year, and it must be done gradually.

Mr. J. A. CURRIE. What is the amount for that?

Sir WILFRID LAURIER. The estimated expenditure under all these headings will come to nearly $600,000.

Mr. RHODES. How are the 400 recruits which are to be taken on at once, to be selected?

Sir WILFRID LAURIER. By recruiting officers and advertisement, I presume.

Mr. LAKE. Is it the intention to make Esquimalt the naval base for the Pacific squadron, and if not, where will the Pacific naval base be?

Sir WILFRID LAURIER. Esquimalt is intended to be the naval base. We have not yet had a full transfer of Esquimalt, but as soon as we have, it is proposed to do there exactly what we are doing in Halifax, barring, of course, the naval college. We will not have a naval college on the Pacific, but everything else will be the same as at Halifax.

Mr. DANIEL. This item speaks of the establishment and maintenance of naval schools; what other schools are contemplated besides the naval college?

Sir WILFRID LAURIER. It should be school; there will only be one school.

Mr. RHODES. What is the proposed rate of pay for the men in the Canadian service as compared with the pay of the men in the imperial service?

Sir WILFRID LAURIER. The following table shows the pay in the British and the American services, and the proposed pay in the Canadian service. Of course, it must be understood that those rates are not definitely fixed yet.

OFFICERS.

Comparison of Daily Rates of Pay.

—	Militia (a).	British.	American.*	Proposed Canadian.
	$ cts.	$ cts.	$ cts.	$ cts.
Captain	6 25	5 50 to 12 50	10 95 to 13 70	8 20 to 14 10
Commander		5 30 to 6 10	9 60 to 12 30	6 00 to 9 50
Lieutenant	4 25 to 5 00	2 50 to 5 10	5 48 to 10 95	4 00 to 6 50
Sub-Lieutenant	2 75 to 3 25	1 22	4 66	3 00
Midshipmen		0 42	3 80	2 00
Engineer captain		8 55 to 9 80	10 75 to 13 70	13 50
" commander		5 88 to 9 30	9 60 to 12 30	7 50 to 10 25
" lieutenant		2 50 to 6 00	5 48 to 10 95	4 00 to 7 00
" sub-lieutenant		1 80	4 66	3 00
Fleet paymaster			9 60 to 12 30	7 00 to 9 00
Staff "		3 50 to 8 08	4 66 to 10 95	6 00 to 6 50
Paymaster				5 00 to 5 50
Assistant paymaster		1 20 to 3 50		3 00 to 4 00
Surgeons		3 45 to 4 16	5 48 to 10 95	4 00 to 5 00
Chief warrant officers		2 45 to 3 20	3 10 to 5 48	3 50 to 5 15
Warrant officers		1 32 to 2 40		2 50 to 3 85

* Increased by 10 per cent when serving at sea.

(a) These rates are for substantive pay and corps pay and do not include allowances. Rates of pay for an officer commanding a district or higher command vary from $6 to $10.95 a day.

MEN.

Comparison of Daily Rates of Pay.

—	Militia.	British.	American.	Proposed Canadian.
	$ cts.	$ cts.	$ cts.	$ cts.
Seaman class	0 50 to 2 75	0 30 to 1 30	0 58 to 2 56	0 50 to 2 40
Engine room department		0 40 to 1 82	0 80 to 2 56	0 75 to 2 50
Artisans	0 75 to 2 25	0 56 to 1 82	0 91 to 2 20	0 75 to 2 50
Sick berth staff		0 32 to 1 10	*0 73 to 2 20	0 75 to 2 50
Writers		0 25 to 1 35	*1 10 to 2 20	0 75 to 2 50
Stewards		0 32 to 1 75	2 20 to 2 56	0 50 to 2 60
Cooks		0 40 to 1 10	0 91 to 2 00	0 50 to 2 25
Ship's police		0 56 to 1 50	1 10 to 2 38	1 00 to 2 50
Schoolmasters		1 10 to 1 58		1 50 to 2 50
Officers' cooks and stewards		0 30 to 0 75	0 73 to 2 20	0 75 to 1 50

* Eligible for warrant rank with increased pay up to $6.15 a day.

In additian to above, men in United States navy receive $6.36 a month extra on first re-enlistment, and $4.36 a month extra on each subsequent re-enlistment. It is proposed to grant men in the naval service of Canada an allowance of $1.50 per month for each re-enlistment if the term of service is 5 years, or proportionate rates if enlisted for a longer period.

Mr. RHODES. At what rate is it proposed to pay the officers from the imperial service for the time they serve in the Canadian service?

Sir WILFRID LAURIER. The same as the Canadian, the rate of pay I have just stated.

Mr. DANIEL. Can the minister give us the minimum ages in the British and Canadian services, for the admission of midshipmen?

Sir WILFRID LAURIER. The proposed age in the Canadian service is from 14 to

16 years. I understand that in the imperial service it is from 12½ to 13 years.

Mr. LAKE. Will members of skeleton crews from the imperial service be paid at the Canadian rates?

Sir WILFRID LAURIER. Yes.

Mr. R. L. BORDEN. What expectation has the government with respect to recruiting? The Minister of Militia stated some time ago that in the permanent force not more than 20 per cent are Canadians born. I do not know how the rates of pay compare or what greater attractions the naval force presents, but assuming that they are about the same there might be the same difficulty in securing Canadian recruits.

Sir WILFRID LAURIER. I do not know that we have any expectation upon this. It is a matter which must be governed by experience. We may have some difficulty on account of the smaller field to draw from as compared with Great Britain.

Mr. R. L. BORDEN. One has to take into consideration the fact that there are perhaps greater opportunities in a country in process of development for an active and enterprising man, and therefore men who in Great Britain would enter the navy would here be diverted into some other form of activity and occupation. However, as the minister says, we will have to learn that by experience. Is any, and if so what portion of the $3,000,000 now proposed to be expended in the construction of ships?

Sir WILFRID LAURIER. I stated before my hon. friend came in that we did not expect to be called upon to spend a dollar of this. I stated it was our intention as soon as the Bill received the sanction of His Excellency to ask for tenders. We have no plant at present which is prepared to go into construction of ships. It may be some months before we are in a position to accept a tender, and if a tender is accepted the first thing the tenderer will have to do will be to put up a plant. It is not expected, therefore, that within the present fiscal year we will be called on to pay anything out of this appropriation for construction.

Mr. DANIEL. It appears that at the last conference of representatives of this government and the admiralty, the question of the flag was raised. What flag is this navy to fly?

Sir WILFRID LAURIER. That question has not yet been considered or determined. The suggestion has been made to us, and no opposition has been made to it, that we should fly the white ensign with the Canadian coat of arms on the fly. As to the uniform of the officers, it has been suggested that we should adopt the uniform of the imperial navy, simply substituting the maple leaf for the laurel leaf on the buttons.

Mr. LAKE. When is it expected the 'Niobe' will arrive at Halifax?

Sir WILFRID LAURIER. About the month of July.

Mr. R. L. BORDEN. Do I understand that $50,000 is to be expended on the 'Niobe' and $27,600 on the 'Rainbow.' That of course is speaking approximately. Where are these repairs to be effected?

Sir WILFRID LAURIER. In the admiralty yard in Great Britain.

Mr. R. L. BORDEN. Where are these two ships to be stationed?

Sir WILFRID LAURIER. The 'Niobe' will be stationed in the gulf of St. Lawrence, and the 'Rainbow' in the northern waters of British Columbia.

Mr. R. L. BORDEN. Where will their headquarters be?

Sir WILFRID LAURIER. At Halifax and Esquimalt.

Mr. J. A. CURRIE. On the Great Lakes there are between three and four thousand sailors, seamen, artificers and officers possibly as well disciplined and intelligent a class of sailors as can be found in the whole world. They are well trained, pilots and expert machinists, most of them understanding machinery of all kinds such as they would encounter on a warship with the possible exception of the guns. Will any steps be taken to provide training for these men? Will a naval militia be attached to the navy so that these men may spend their winters at sea so that they can learn the only other accomplishments they require, gunnery and ocean seamanship such as taking astronomical observations? They are all men of fine physique. They are employed under modern mechanical conditions, and among them you could get stokers, engineers, electrical men and all kinds of men who would be required by this government to superintend the navy in time of war. All you would require to do would be to teach them gunnery.

Sir WILFRID LAURIER. It seems to me a very good suggestion. If we could take some of those voters down and put them on the ships, I can see no objection. They are good seamen and I am told a very fine population.

Mr. J. A. CURRIE. I think some arrangement might be made whereby they would get three months' training a year, and arrangements could be made that their expenses to Halifax and back in the spring should be paid.

Sir WILFRID LAURIER. Hear, hear

Mr. J. A. CURRIE. I understand there is such a naval reserve in England and an officer on the lakes, who could pass an examination, should be entitled to fly a special flag, as in the English merchant marine.

Sir WILFRID LAURIER. Hear, hear.

Fisheries protection service, $281,500.

Sir WILFRID LAURIER. There is nothing new in this appropriation; it is the same as we have had year after year; but I would like to amend this item by adding 'including cost of vessels engaged in fisheries inspection for the Department of Marine and Fisheries.' Hereafter the protection service will be under the Naval Department, while the inspection service will remain under the Marine Department.

Mr. SPROULE. How will you apportion the expense between the two departments?

Sir WILFRID LAURIER. At present we have several ships which are doing both inspection and protection service. We have certain vessels policing our waters and preserving them from poachers; these are the protection service. Then we have a certain number of smaller boats, with very small crews, employed for the inspection of the fisheries, distributing provisions, and so on, and reporting to headquarters. These will remain in the Marine Department, while the others will go to the Naval Department. It is intended that in the course of time the vessels engaged in the fisheries protection service shall be replaced by vessels of our navy, which will be of a very much superior character.

Mr. SPROULE. Then I understand that those in the protection service will be charged to the Naval Branch, and those in the inspection service will be charged to the Marine branch?

Sir WILFRID LAURIER. Yes.

Mr. DANIEL. Will the men in the protection service be under the naval discipline and uniformed like the men of the fleet?

Sir WILFRID LAURIER. That is the intention in the course of time, but not at present. I think I can safely say that the intention is to replace all the ships that we have at present in the protection service with ships of the Canadian navy; but so long as our present ships are in service, it is not intended to change them from their present condition.

Mr. J. A. CURRIE. When the navy is in existence, I understand that the protection service at present given by the Marine and Fisheries Department will virtually disappear, and the line of cleavage will be between what may be called the customs revenue or protective service and the naval service. I should think that the local service might be better undertaken by the Customs Department, as is done in the United States with their revenue cutters, so that the other department would be clear and promotions would go direct.

Sir WILFRID LAURIER. Owing to our geographical position, I do not think that our coasts would be sufficiently protected by revenue cutters such as they have in the United States. It has been found that a particular class of men have to be trained for our protection service, and I think it is better managed as it is than it would be in the way suggested by my hon. friend.

Mr. J. A. CURRIE. My idea is that the men who are at present in the service should have a chance to be absorbed into the navy. These ships are doing the same kind of work that naval vessels are doing in Great Britain and other countries, and if you leave them in a separate category, you will give cause for a certain amount of jealousy and disagreement, whereas if you have just the one service, with a chance for the officres to gain naval promotion, I think it would work more smoothly than it will if you have two departments.

Sir WILFRID LAURIER. My hon. friend confounds the protection service with the inspection service. The inspection service is done largely in our inland waters, for which vessels of the protection service would not be suited.

Mr. J. A. CURRIE. No, I mean the protection service. The crews, I understand, will be absorbed into the navy?

Sir WILFRID LAURIER. I should imagine so.

To provide for the construction of a steamer for surveying the Gulf and River St. Lawrence to replace 'La Canadienne,' $75,000.

Sir WILFRID LAURIER. The steamer is under contract, being built in England. It is ready now.

Mr. R. L. BORDEN. What has become of 'La Canadienne'?

Sir WILFRID LAURIER. 'La Canadienne' is rather a veteran, and will have to be placed under another service—not absolutely put out of commission; but she is not suitable for this service.

Mr. SPROULE. What is the new boat going to cost?

Sir WILFRID LAURIER. $175,000.

Mr. R. L. BORDEN. When did the construction begin?

Sir WILFRID LAURIER. About a year ago.

Mr. R. L. BORDEN. Is there any difficulty about having a steamer of that size built in Canada?

Sir WILFRID LAURIER. Well, I do not know. It was built by tender, and the lowest tenderer got the contract.

Mr. J. A. CURRIE. I understand there was very little difference between the tenders.

Sir WILFRID LAURIER. My hon friend is right. There was not much difference. The tender of Swan and Hunter was $177,653 delivered at Sorel, and that of the Collingwood Ship Building Company was $181,462.

Mr. J. A. CURRIE. That is a very small difference, and last year the Finance Minister said that if there was only a difference of 5 per cent or 10 per cent the government would not hesitate to give the preference to a Canadian shipbuilding concern over a British shipbuilding concern. The difference is so very small in this case that I think the government should have hesitated before they gave the contract to the English firm, especially bearing in mind that the customs department would have received considerable benefit from the material that went into the building of the ship and that the railway companies and Canadian workmen would also have received benefit. I do not like to criticise the department in the absence of the regular minister, but I hope that in another case of this kind the Prime Minister will bear in mind what I have said and recall the promise made last year by the Finance Minister that if there was only a difference of 5 or 10 per cent the Canadian firm would have the benefit.

Sir WILFRID LAURIER. I agree altogether with my hon. friend. I am surprised that the Collingwood Company did not get the contract when the difference was so small. But knowing the mind of the minister, there must have been some other reason. Not only he but the cabinet as a whole would have been disposed to give it to the Canadian firm. I am delighted to find that there is such a small discrepancy between Canadian building and British building. It is a hopeful sign and I will be only too glad to remember the suggestion of my hon. friend.

Hydrographic surveys, including survey of Hudson bay, $320,000.

Mr. SPROULE. Have you a vessel now making a hydrographic survey in the Hudson bay?

Sir WILFRID LAURIER. No, we have not. We have a vessel doing hydrographic survey work in the gulf. But we intend to send shore parties to the Hudson bay this year to commence a survey of the bay. We have no vessel there yet.

Mr. R. L. BORDEN. Is that the explanation of the increase?

Sir WILFRID LAURIER. Yes.

Mr. SPROULE. What does the Prime Minister mean by saying he will send two shore parties to the Hudson bay if they have no boat?

Sir WILFRID LAURIER. We will have to charter a vessel to send them up to Hudson bay, to both the Nelson river and the Churchill river. Then in small boats they will carry out the survey of the bay 20 miles from the shore, the object being to ascertain exactly what are the conditions for navigating purposes on both the Nelson and Churchill rivers.

Tidal service, $42,500.

Mr. R. L. BORDEN. What is being done?

Sir WILFRID LAURIER. My hon. friend knows that the study of currents is a work that never ceases. We have at the present time a steamer in the Gulf of St. Lawrence which is stationed there during all the seasons taking surveys at all times of the day. We are doing some similar work on the coast of British Columbia.

Mr. R. L. BORDEN. I suppose these observations are tabulated and published.

Sir WILFRID LAURIER. Yes, published every year.

Mr. J. A. CURRIE. Is any hydrographic survey work being carried on in Hudson bay. They are talking about building railways up there and establishing grain elevators and grain routes.

Sir WILFRID LAURIER. That is the service which we commenced this year. We have taken an appropriation for this purpose. I repeat that we intend to send two shore parties to Hudson bay where, it is proposed, they will apply themselves to surveying 20 miles from the shore, at Nelson and Churchill. The object is to ascertain, in view of the early construction of the railway to Hudson bay which is the better harbour. We have been under the impression that the only good harbour in Hudson bay was Churchill, but an impression has grown up recently that in certain respects Nelson harbour would be the better one. The object in sending the two parties this year is to secure as accurate information as we can collect to enable us to determine that very point. It will only be a preliminary step, for we will have to survey the bay as accurately as the St. Lawrence and the great lakes.

Mr. J. A. CURRIE. I understand that a great deal of money is spent every year on these surveys, and that they are simply duplicating the work done by the British admiralty years ago. I understand that the admiralty charts are very complete.

Sir WILFRID LAURIER. The admiralty charts are certainly very complete and the chart prepared by Admiral Bayfield is as good a piece of work as has been done in any part of the world. But in the Gulf of St. Lawrence and the river St. Lawrence there are displacements all the time and the hydrographic survey cannot stop. It must always go on because every year there are displacements which have to be recorded for the benefit of navigation.

Mr. R. L. BORDEN. What kind of displacements?

Sir WILFRID LAURIER. Boulders in the river St. Lawrence especially. I understand that the currents at the bottom of the river are different from those at the bottom of the ocean and all the time you have to keep a detailed survey going on. New maps are published every year also.

To provide for the building and maintenance of wireless stations, $150,000.

Mr. SPROULE. Where are these stations?

Sir WILFRID LAURIER. I will give the list. First, there is the maintenance of the east coast station as follows: Father Point, $3,500; Clarke City, $3,500; Fame Point, $3,500; Heath Point, $3,500; Point Rich, $3,500; Cape Ray, $3,500; Harrington, $3,500; Point d'Amour, $3,500; Belle Isle, $3,500; Cape Race, $3,500; Cape Sable, $3,500; St. John, $3,500; Cape Bear, $2,500. On the west coast, maintenance is provided for Point Grey, Cape Lazo, Pachena, Estevan, Triangle Island, Deluge Point and Prince Rupert. In addition, there is the construction of one station proposed in British Columbia. We propose also to duplicate the equipment at Point Grey, Victoria, Pachena, Estevan and Cape Lazo. The construction of stations in British Columbia will cost $20,030 and unforeseen expenses, $8,936.

Mr. R. L. BORDEN. I do not notice that Halifax and Sydney are included. Are there stations at these points?

Mr. FIELDING. Yes.

Mr. J. A. CURRIE. Has the department taken into consideration the establishing of wireless stations on the Great Lakes? The United States Steel Trust have decided to install the wireless on their vessels, and Canadian owners are considering the question. In order to have the operation successful, there should be at least three stations on the Huron-Superior division.

Sir WILFRID LAURIER. There is a proposition before us to grant provision for the erection of four stations.

Mr. J. A. CURRIE. Is the government going to handle the stations themselves the same as the Marconi in the east?

Sir WILFRID LAURIER. That is under consideration.

Department of the Naval Service—	
Deputy minister..	$ 5,000
First division, subdivision B, 2 at $2,100..	4,200
Second division, subdivision A, 3 at $1,600..	4,800
Second division, subdivision B, 1 at $1,300, 8 at $800..	7,700
Third division, subdivision A, 2 at $900..	1,800
Third division, subdivision B, 2 at $550, 7 at $500..	4,600
Messengers, 1 at $550, 2 at $500..	1,550
Contingencies..	20,000
	$49,650

Sir WILFRID LAURIER. Perhaps it would be satisfactory if I give the committee a statement of the proposed organization of this new department. There will be the deputy minister, who will have in his office, three clerks, one each in 2B, 3A and 3B. The accountant will be an officer in class 1B, and he will have also one in 2A, one in 2B and two in 3B. The director of stores, who will be in class 1B will have three officers, one each in 2A, 2B and 3B. In the records and correspondence office, there will be five officers, of whom one will be in 2A, two in 2B and two in 3B. The director of gunnery will have an officer in 2B with one assistant in 3B. In the office of the chief of staff, will be one officer in 2B and one in 3B. The same will be the case with the office of the naval engineer—one in 2B and one in 3B. The office of director of the naval service will have one officer in 2B and one in 3A. There will be two messengers. This makes a total of 28.

Mr. JAMESON. Who is to be the new deputy minister?

Sir WILFRID LAURIER. That is a point that has not been settled yet.

Mr. SPROULE. The estimate here shows the number to be employed. Are more to be employed than are shown here?

Sir WILFRID LAURIER. That is all.

Ocean and river service—maintenance and repairs to government steamers and ice-breakers, $710,000.

Mr. TEMPLEMAN. There is an increase in this vote of $75,000, which is almost entirely accounted for by the 'Earl Grey,'

which did not figure largely in last year's estimates. For wages, provisions and so forth on the 'Earl Grey' we require $86,683. The other ships are practically about the same as last year.

Mr. DANIEL. Is the 'Earl Grey' a new steamer?

Mr. TEMPLEMAN. She is the new ice-breaking steamer between Nova Scotia and Prince Edward Island.

Mr. DANIEL. It is singular that a new steamer should require so many repairs. Was she damaged?

Mr. TEMPLEMAN. There are no repairs to the 'Earl Grey' among these items.

Rewards for saving life, including life-saving stations, $40,000.

Mr. DANIEL. With regard to this item, the minister may recall the facts of the case that took place in connection with the wreck of the steamer 'Hestia.' He will remember that the seamen were on board that steamer from Sunday night, or about 1 o'clock Monday morning, until the afternoon of Tuesday, without any one coming near them to rescue them from that wreck. There is a life-saving station not far away, and a lighthouse only about three or four miles distant. It will also be remembered that this steamer sent off continuously rockets and bombs, and also lighted a large bonfire on the deck of the ship on Monday night. It was an absolutely clear night, all shore lights were visible, and that light should have been seen at a very long distance. But apparently no notice was taken of it by the lighthouse keeper at Gannet Rock, and as a matter of fact, the wrecked seamen were not relieved until the afternoon of Tuesday. I think the minister will also remember that when the court of inquiry took place on that wreck, the chairman, Captain Lugard, said that it was the intention of the government to make a further inquiry into all the circumstances of the case, because the court refused to go into anything that occurred after the stranding of the ship. The Minister of Marine and Fisheries, also, when I brought this matter up early in the session, stated that he would hold a further inquiry into the matter. If any other inquiry has been held it has certainly not been a public one. I have kept a lookout for such an inquiry, and I have seen nothing of the kind, and no reference to it anywhere. I think it was due to the department, it was due to the shipping interests, that a further and more searching inquiry should have been made into the circumstances attending that wreck, and why these wrecked persons were left so long almost within sight of help, without any assistance being rendered them. I think some explanation is due to parliament and to the public from the Department of Marine and Fisheries.

The lighthouse and life-saving service is most important, and it is growing in importance all the time as the commercial marine increases in numbers, and tonnage. One peculiar circumstance was stated with regard to the absence of the life-saving crew coming to that wreck earlier, and it was that the life-boat could not be manned, because the crew refused to go in her owing to the fact that a considerable amount of back pay had been withheld from them. The correspondence brought down in answer to my motion demonstrates that, and it is a serious condition of affairs. The allegation that the light-keeper at Gannet Rock took no notice of these wreck signals, and bon-fires, is another thing we are entitled to have information about. I would suggest to the minister that in the appointment of lighthouse attendants, especially on the Pacific and Atlantic coasts, only men should be appointed who have been formerly at sea, who know the anxiety which is caused to navigators approaching land in hazy weather, and who know how important it is that everything in connection with the lighthouse and signals and appliances should be in proper order. I would therefore urge that only men be appointed who have experience as mariners, and who have been accustomed to keeping watch at sea. I hope the hon. minister will give us information as to the condition of that life-saving station, and as to the reason why the further inquiry promised by Mr. Brodeur and by the chairman of the commission which investigated the wreck of the 'Hestia,' was not had.

Mr. TEMPLEMAN. The wreck of the 'Hestia,' was discussed at very great length, and very fully in the earlier days of the session, and the minister explained the facts and the result of the investigation which appears on 'Hansard.' I am advised that the minister came to the conclusion that a further investigation would be of no service.

Mr. DANIEL He promised it from his place in the House.

Mr. TEMPLEMAN. The minister was later on advised that a further formal inquiry would not be productive of any good results. The department has been very active since that time, and a new and modern life-saving station is nearing completion on Wood island in the neighbourhood where the wreck occurred. A very competent man has been brought out from England to take charge of the life-saving stations on the Bay of Fundy in order that a better service may be rendered in the future, and the steamer 'Stanley,' has been

placed in service on the Bay of Fundy to take care of the life-buoys, and beacons, and to keep them in proper order. This is all a decided improvement over former arrangements, and I suppose it is largely due to the unfortunate wreck of the 'Hestia.' The department has since that time done everything in its power to meet the requirements of the situation. A modern gasoline life-saving boat manned with a good crew and supervised by a competent man brought out from England for that purpose, will be placed on the station. I agree with my hon. friend as to the advisability of employing seafaring men in the lighthouses. I understand that on the Atlantic coast fishermen and ex-sailors are generally if not always selected for positions of that kind.

Mr. DANIEL. Not always.

Mr. TEMPLEMAN My experience is that they are about the only class of men who will take such positions in these isolated stations. The great difficulty is to get good men, and my own opinion is that the salaries of the light-keepers are very low indeed and probably do not command the salaries of the light-keepers are very estly hope that the policy of the department in initiating a system of classification of lighthouses, and increasing the pay of the lighthouse keepers will be extended.

Mr. DANIEL. The statement of the minister as to the improvements that have been made since the wreck of the 'Hestia,' are reassuring, and satisfactory, but at the same time the further investigation promised by the minister, and by Captain Lugard during the inquiry, has not been held. We have no information as to whether the lighthouse keeper at Gannet Rock did his duty on the night of the wreck. There have been statements made in the press as to his seeing this vessel coming in too near and giving no warning signals. I do not know whether that is correct or not, but it is due to the department as well as to the shipping interests, and to the passengers who travel on these ships that a real investigation should have been held. If the lighthouse keeper was not at fault he certainly should be freed from blame. The promise of the minister that a rigid inquiry would be held has not been carried out.

Mr. TEMPLEMAN. The investigation showed that the light was burning.

Mr. DANIEL. It is not denied that the Gannet Rock light was burning.

Mr. TEMPLEMAN. The investigation made by the commissioners was considered to be complete, and I understand the minister promised further inquiry by himself, but he concluded afterwards that nothing further could be ascertained.

Mr. DANIEL. The investigation stopped short at the moment of the stranding of the vessel. The delay in taking these men off the ship occurred after the stranding, and Captain Lugard and his associate commissioners would not allow evidence as to that.

Mr. TEMPLEMAN. The minister ascertained afterwards that the life-saving station was not in the best place, and I presume that it is in consequence, that he is building a better station in a more suitable location.

Mr. DANIEL. Can the keeper of the Gannet Rock light now signal to the main land for assistance?

Mr. TEMPLEMAN. They are putting a telephone connection between the Gannet Rock light and the new life-saving station.

Mr. DANIEL. Will that give continuous communication with the mainland and St. John?

Mr. TEMPLEMAN. Yes; it will connect with an extension and give them communication to St. John.

Mr. MARSHALL. Has there been anything done to improve the condition of the harbour at Port Stanley? The minister will remember that a car ferry which was trying to make the port last winter went to the bottom with 24 hands on board. I understand that the residents of Port Stanley have been asking that some protection be given in the way of a fog signal.

Mr. TEMPLEMAN. The people of Port Stanley have been asking that some dredging be done in order to make the harbour more accessible, and that is a question for the Department of Public Works. The question of putting up lights would be considered afterwards by the Department of Marine.

Mr. BLAIN. I suppose the minister will communicate with the Minister of Public Works in respect to the Port Stanley harbour?

Mr. TEMPLEMAN. I will be pleased to call the attention of the Minister of Public Works to what my hon. friend from East Elgin (Mr. Marshall) has said, and my reply thereto.

Schools of navigation, $8,000.

Mr. SPROULE. Where are these schools?

Mr. TEMPLEMAN. Halifax, Lunenburg, Yarmouth, St. John, Canso, North Sydney, Quebec, Montreal, Kingston, Toronto, Collingwood, Midland, Vancouver, Victoria.

Mr. SPROULE. What do they teach in these schools?

Mr. TEMPLEMAN. Men conversant with navigation teach the rudiments of the science to all seafaring men who apply for instruction. I know that in Victoria the lecturer is the agent of the Department of Marine and Fisheries, and he is a very competent man.

Mr. SINCLAIR. One of these schools was carried on in Canso for a year or two, and did very good work. Fishermen and sailors, attended the school in winter at night and received instruction on questions of navigation. The instruments are found very useful, and when the men get their training they go to Halifax or another examining point and get their certificates. It seems that the instructor left the place without giving any warning to the school board, the instruments were withdrawn by the department and the school discontinued for a year. I hope the minister will try to have it revived next year.

Mr. JAMESON. For the information of the minister I may say there is need for a school of this sort at Digby. During the winter there are many sailors there who desire to improve themselves in their profession, but for lack of opportunity near at home are unable to do so. The expense of such a school does not seem to be great, and I think it would be a good plan for the minister to extend the system if the department has found it has resulted satisfactorily. I trust the minister will see his way clear to establish such a school at Digby.

Salaries and expenses of cattle inspection, $5,000.

Mr. SPROULE. Should this not come under some other department such as quarantine or agriculture?

Mr. TEMPLEMAN. This is for the inspection of the fittings of ships for the carrying of cattle, to see that they are properly stalled, and that there are the proper number of men on board to take care of them. It has always been under this department.

To continue subsidy for wrecking plant at Quebec, maritime provinces and British Columbia, $30,000.

Mr. BURRELL. I wish to draw attention to the case of a man named T. H. McNeil who has been lighthouse keeper at Fiddle Reef. He understands that there was something like a promise made to him by Mr. Gaudin, inspector of Marine and Fisheries, that he should have charge of the Trial island lighthouse when it was completed, and I understand that another man who applied for and obtained the appointment was physically incapable of rendering assistance to those who were carried away by the dangerous currents near this point. Mr. McNeil gets $35 a month. He has many tstimonials, and I would ask if some recognition of a financial character could not be given him in the shape of either an increase in salary or a promotion. I shall read two letters as samples of the testimonials he has received:

Agency of Department of
Marine and Fisheries,
Victoria, B.C., March 9, 1907.

Sir,—I am requested by the deputy minister to convey to you the thanks of the department for your services in extricating the SS. 'Montara' from her dangerous position amongst the reefs and dangers in the vicinity of your station.

The attention of the minister will be called to your valuable services in this connection.

I am, Sir, your obedient servant,
JAS. GAUDIN,
Agent.

Mr. D. H. McNeill,
Fiddle Reef Lighthouse,
Care of P. O. Victoria, B.C.

Victoria, B.C., October 16, 1909.

Mr. D. H. McNeill,
Keeper of Light,
Fiddle Reef, Oak Bay.

Dear Sir,—I have to convey to you the united thanks both of myself and sister for your much valued service rendered off Trial island, when we were swept out in the Straits of Juan de Fuca, by a strong flood tide and westerly wind. We were unable to get back in our small skiff and you were the only person who rowed out and showed yourself able to get us back.

I consider your conduct in this case deserves consideration from the Marine Department of Lighthouses, and I think you should be promoted to a better station.

We thoroughly appreciate your much valued assistance rendered on August 29 last.

With best wishes,
Yours very truly,
M. BUCKLEY,
735 View St., Victoria, B.C.

There are many other leters and testimonials of this kind, and I trust the minister will be able to give some assurance that this man's merits will receive some recognition.

Mr. TEMPLEMAN. I am quite familiar with the circumstances of this case, I quite agree with what the hon. member says of Mr. McNeil, except the statement that he was promised the Trial island light. That is incorrect.

Mr. BURRELL. I am not quoting that as official.

Mr. TEMPLEMAN. I quite agree as to the inadequacy of the salary of $37.50 a month. It must be remembered, however, that this lighthouse is probably a quarter of a mile from Oak Bay hotel, in front of his house. Mr. McNeil rows out to it and puts up a light, and I believe he has rendered good service to a number of inexperien-

ced men and women who foolishly went out into these waters trying to catch salmon. I know Mr. McNeil very well. I quite sympathize with the views expressed by my hon. friend, and I will say a good word for Mr. McNeil to the department.

To provide for the maintenance of vessels employed in patrolling the waters in the northern portion of Canada, also for establishing and maintaining police and customs ports on the mainland or islands, as may be deemed necessary from time to time, $59,000.

Mr. SPROULE. Is this the Bernier expedition?

Mr. TEMPLEMAN. This is for the 'Arctic.'

Mr. DANIEL. Is it all for the 'Arctic'? Because it says 'vessels.'

Mr. TEMPLEMAN. It is all for the 'Arctic'; but it might be necessary, I am told, to send another steamer to bring the 'Arctic' back. This is approximately the amount required for the outfitting of a steamer for a two-years cruise, and paying the salaries for one year. The items are: Salaries, $14,000; fuel, $5,000; repairs, $9,000; supplies and sundries, $32,000. The total amount is the same as last year.

Mr. SPROULE. Is this the total outlay in connection with the expedition?

Mr. TEMPLEMAN. Yes, this covers everything for a two-years cruise.

Mr. SPROULE. What authority has Captain Bernier to establish police stations and customs ports there?

Mr. TEMPLEMAN. An officer of the Customs Department goes on the 'Arctic' with Captain Bernier, who has full authority to collect and does collect customs dues from American and other foreign whalers in our northern waters. I do not suppose that he will establish any permanent customs ports, but for the time being he will collect customs dues wherever he finds foreign whalers in our waters. I am bound to say that the voyage of the 'Arctic' to the northern waters for the purpose of planting our flag and exercising our authority has been fully justified.

River St. Lawrence ship channel, $800,000.

Mr. TEMPLEMAN. This vote is the same as last year. The details are as follows:

This vote is to make provision for the operation of the ship channel dredging fleet, for the construction of additional plant, for the maintenance and improvement of the Sorel shipyard, as well as general additions to the machinery and plant, all according to the subjoined detailed estimate.

6 elevator dredges, with tugs, at $45,000	$270,000
1 hydraulic dredge with two tugs	118,000
2 suction-hopper dredges and tug	120,000
2 inspection and sweeping tugs at $18,000	36,000
1 ice-breaker	40,000
2 stone-lifters and 1 floating shop	10,000
Operating one dipper-dredge and tug	40,000
Operating one rock-crushing plant	6,000
Fleet generally—	
Amount for outfitting, docking and providing of extra parts for dredging fleet	40,000
Maintenance and improvement for Sorel shipyard	70,000
Addition and improvements to the fleet of dredges, tugs, scows and stone-lifters	50,000
	$800,000

Mr. CAMPBELL. Last session the hon. member for Macleod (Mr. Herron) brought up the question of a dredge which had been built at Sorel at immense cost to the Dominion, and when launched it was found would not hold water, and a false bottom had to be built in it. We would like to have some information in regard to that.

Mr. TEMPLEMAN. I am advised that the dredge was built there and was found to be too short for the work, and was lengthened by 20 feet.

Mr. DANIEL. Did she turn turtle after she was launched?

Mr. TEMPLEMAN. No, that is a fiction.

Mr. CAMPBELL. Did she stay above water?

Mr. TEMPLEMAN. Oh, yes.

Mr. CAMPBELL. What was the object of the false bottom?

Mr. TEMPLEMAN. There is not any false bottom; there never was any.

Mr. CAMPBELL. I am referring to a statement made by the hon. member for Macleod (Mr. Herron) that a dredge was built at the expense of Canada at Sorel, and that when she was launched she was not able to float, without anchor, coal or anything else, and that she was put in the dock again and had a false bottom put in. That is the information I am asking for.

Mr. TEMPLEMAN. The minister is authorized to say that it is a fiction absolutely. The hon. member for Macleod (Mr. Herron) was incorrectly advised. There was no such dredge, and there is no truth whatever in the case.

Mr. CAMPBELL. I would like to ask who authorizes the minister to make that statement?

Mr. TEMPLEMAN. The deputy minister of Marine and Fisheries.

Mr. CAMPBELL. Is he correctly informed?

Mr. TEMPLEMAN. I think so.

Purchase of yard property at Sorel, $30,000.

Mr. CAMPBELL. What has been done with this property at Sorel. Are the government operating it?

Mr. TEMPLEMAN. The government has had this property under lease. We took a vote last year to buy it, but we did not do so, and we are taking a vote again.

Mr. CAMPBELL. To buy it outright?

Mr. TEMPLEMAN. Yes.

Mr. CAMPBELL. How many yards of frontage has the property?

Mr. TEMPLEMAN. It is about 35 acres in extent.

Mr. CAMPBELL. I asked for the water frontage.

Mr. TEMPLEMAN. I am told the total frontage is about one-eighth of a mile.

To provide for the completion and construction of a dredging plant for the River St. Lawrence from Montreal to Father Point, $250,000.

Mr. SPROULE. You have a specific item for dredges that you are building, and now you seem to have another item for dredging.

Mr. TEMPLEMAN. It is proposed to deepen the channel from Montreal to the sea to 35 feet, the present depth being 30 feet, and it was necessary to provide a plant to dredge deeper than the present plant.

Mr. SPROULE. Where are these dredges to be built?

Mr. TEMPLEMAN. At Sorel.

Mr. SPROULE. All at Sorel?

Mr. TEMPLEMAN. Yes.

Amount required for permanent piers in Lake St. Peter and other places in the ship channel, River St. Lawrence, $50,000.

Mr. TEMPLEMAN. There is a decrease here. Most of the work is done.

Salaries and allowances to lightkeepers, $400,000.

Mr. TEMPLEMAN. There is an increase here of $30,000. It is simply for the purpose of covering the salaries of new lighthouse keepers and of giving slight increases to the present lighthouse keepers.

Mr. DANIEL. Are there more lighthouse keepers or are the salaries of the present lighthouse keepers being increased merely?

Mr. TEMPLEMAN. There are more lighthouse keepers and slight increases in the salaries.

Mr. DANIEL. What is the average salary for a lighthouse keeper employed all the year round?

Mr. TEMPLEMAN. There is a wide scale of difference in the salaries of lighthouse keepers. They run from $60 a year to $1,500 a year.

Mr. DANIEL. I mean those in exposed positions.

Mr. TEMPLEMAN. Well, $1,500 a year. I think in that case the lighthouse keeper has to pay the salary of an assistant. The lighthouses are divided into classes, there being some 19 different classes. From one to six, they are combined light and fog alarm stations, and in these cases the maximum salary runs from $640 to $1,200. Then there is another class of lighthouses where there is no fog alarm, and they are subdivided again into minor classes, the salaries running from $300 to $530 per year. Then there are minor stations where the exclusive services of a keeper are not required and where the salaries run from $65 to $240 per year.

Mr. DANIEL. Do they get any supplies in addition to their salaries?

Mr. TEMPLEMAN. They get no personal supplies, but they get coal and oil and lighthouse supplies.

Mr. JAMESON. Will there be a general increase in the salaries throughout the entire service? And what will the percentage be based on, the old salaries?

Mr. TEMPLEMAN. I understand that it was a readjustment and reclassification of the lights, and that necessitates an increase of salaries. The average increase was about 10 per cent. That increase was made a year or two ago.

Mr. JAMESON. I brought this matter to the attention of the Minister of Marine and Fisheries (Mr. Brodeur), last year, and I would like to say to the acting minister (Mr. Templeman) now that I think the increase given to the light-keepers was not in proportion to the advance in the cost of living The duties of the light-keepers are very important; upon their faithful attention to these duties the lives and property of many people depends. Many of these light-keepers are practically exiled, and the post is one which, perhaps, is not very eagerly sought. In many cases, their duties are of such a nature that it is impossible for them to engage in any other calling. The salaries paid are too meagre altogether. I can speak definitely concerning those in my own county; I know that the light-keepers and others in connection with the service there are underpaid. They render excellent service, and, I believe, are faithful in the performance of the duties entrusted to them. I hope the minister

will endeavour to do justice to these faithful public servants.

Construction of lighthouses and aids to navigation, including apparatus, submarine signals, and providing suitable boats for carrying on construction works; also for the improvement of the West Coast Trail, British Columbia, $1,000,000.

Mr. DANIEL. Does this include the new occulting buoys, the automatic whistling buoys?

Mr. TEMPLEMAN. Yes, all the lighthouses, fog alarms, and machinery appertaining thereto.

Mr. DANIEL. The evidence brought down relating to the Old Proprietor buoy showed that it was at fault, and that thereby the wreck was caused. It appeared that this buoy had not been visited for fifteen months after it was placed in position. When it was visited, of course, everything was wrong—the light was out, and the whistle was not operative. I understand that it should not have been left unvisited, certainly, for longer than twelve months. Perhaps the minister might explain what the regulations are with regard to the visiting of these buoys, and who sees that they are attended to. For this seems an extremely important thing. If buoys are left unvisited for three months longer than they ought to be, somebody is responsible.

Mr. TEMPLEMAN. As I explained a moment ago, the steamer 'Stanley,' having been placed in the Bay of Fundy to attend to the lights on those coasts alone, she will have ample time to visit them all very frequently. As a matter of fact, they have to report to the department once a month now with respect to the condition of every light in the Bay of Fundy, and along the coast. Of course, lighthouses need not be visited so often as beacons and buoys that have no personal attendants, but they ought to be visited by the steamer practically once a month.

Mr. DANIEL. I am glad to hear the minister's statement, for the evidence in the case of which I have spoken shows that, although that light had been out, and the buoy defective for nine or ten months, the fact was never reported to Ottawa until after the wreck took place. I am glad the department is waking up to the necessity of looking a little more carefully after these things than it has done in the past.

Mr. JAMESON. The minister has placed in the estimates this year $1,000,000 for lighthouses and aids to navigation. This is an increase of $200,000 over the appropriation for last year. I have no criticism to offer of the increased expenditure in this branch, for I think this a very important service. But I hold also that the aids to navigation should be properly distributed. Some time ago, I brought to the attention of the department the need for a 'Fairway' whistling buoy at Grand Passage, Brier island. The Lighthouse Board have said that they did not consider there was any need for a buoy at that particular place for the safety of navigation. That is not the opinion of mariners who navigate those waters. That is not the opinion held by Mr. E. C. Bowers, a former member of this hon. House, a lifelong resident of Brier island, and a man largely interested in shipping at that port. I am going to add that for the lack of this urgently needed aid to navigation, there may be a serious marine casuality at that place, and I wish to be on record as having stated this danger. I understand an application was made for this aid to navigation some years ago, but was not granted. The real trouble, I think, is that the Lighthouse Board does not fully understand the situation, because if they did, I do not believe they would decline to grant this 'Fairway' buoy. There are a great many of these automatic buoys lying about the marine agency at Halifax, when they should be in use, and this is one of the cases where they are needed. The harbour at Westport is a very important harbour, and is much in use by a large number of vessels, but it is almost impossible in a fog for a vessel to safely make that port lacking this 'Fairway' buoy. I am going to make a request now to the hon. the minister. If he will, during the coming summer, send an officer of the board to visit Westport and make a personal examination of the locality, I will be glad to accompany him myself, and if that is not possible, I will place him in the hands of people who know the situation thoroughly, and I am convinced that if he does make an inspection, he will report that there is a need for this whistling buoy.

Mr. TEMPLEMAN. I understand my hon. friend is speaking about Westport. The department built a lighthouse there last year. I have suggested to the deputy minister that the request of my hon. friend is a very modest one, and if he is content with a buoy, I promise that we will send an officer of the department to make an inspection, and if he finds it is necessary, I promise him that the buoy will be placed there.

To provide for breaking ice in Thunder bay and Lake Superior, and other points deemed advisable for the good of navigation, $40,000.

Mr. SPROULE. Has this all been used up at Thunder bay?

Mr. TEMPLEMAN. A part of this money was spent last year. The department has

a contract with the Canadian Lake Towing Company for breaking the ice in Port Arthur and Fort William. The contract price is $30,000 a year, and was made for three years, to expire in 1911. Other contracts were made for breaking the ice in Parry Sound, Depot Harbour, Midland and Collingwood. In these cases the water is kept open by tug boats.

Signal service, $9,000.

Mr. TEMPLEMAN. These are signal stations for signalling passenger vessels, largely in connection with the lighthouses. There are five stations: Quebec, St. John, Brier island, Partridge island and Pointe Bleue.

Mr. DANIEL. How do these stations, Brier island, for instance, signal? By means of flags, or in what way?

Mr. TEMPLEMAN. They report by wire and by telephone.

Mr. DANIEL. I saw a complaint some time ago that a steamer belonging to the Canadian Pacific railway line tried to communicate, and hoisted her number for the Brier island man to signal her, and he did not do it. I know that the steamer reported the remissness afterwards.

Mr. TEMPLEMAN. The department has no complaint from the Canadian Pacific railway about that, and they would be apt to report any mistake of that kind.

Mr. DANIEL. I do not suppose the Canadian Pacific railway made any complaint to the government, but I saw the complaint in the press, and it showed that the vessel endeavoured to get a signal from the Brier island man, and he did not signal her.

Mr. JAMESON. I happen to know the keeper of the signal station at Brier island, and he is a most trustworthy man. I think there must be some mistake, and that my hon. friend perhaps has read a report in a newspaper that is not correct. I know that mariners have the utmost confidence in the fidelity of the signal keeper at that port. I notice that the minister is only paying him a salary of $250. That salary is altogether too small for the duties this man has to perform. He is stationed on a bleak hillside, away from all houses and human society, and he has to live in quarters which are not the most cheerful. I am told by people living at Westport who know the situation, and who know the life he has to lead, that the salary he receives is not sufficient. When the minister makes a readjustment of the salaries, I hope he will bear in mind the keeper of the signal station at Brier island.

Amount required to pay pensions of $300 each to fifteen pilots, $4,500.

Mr. TEMPLEMAN.

Mr. DANIEL. Why does the government pay pensions to these pilots? I do not suppose the government pension system applies to pilots all over the Dominion?

Mr. TEMPLEMAN. Some years ago there was a corporation of pilots on the St. Lawrence. They had the right to pilot on that river, they were a close corporation. The department thought it necessary to make an arrangement with them, many of them were getting old, and had to be retired, and the whole pilotage system of the St. Lawrence was put on a new basis some few years ago. An arrangement was then made that when the pilots retired they would get this allowance of $300. They are compelled to retire from the service at a certain age.

Mr. DANIEL. In the other ports pensions for pilots are provided out of the pilotage fund made up from the earnings of the pilots. That is the case in St. John, and I do not think they make any more money than the pilots on the St. Lawrence.

Mr. TEMPLEMAN. The formation of a fund of that kind is purely voluntary with the pilots. I do not know whether that has been done on the St. Lawrence river. I know that on the Pacific where there is a pilotage authority they have no such fund. It is a matter for themselves, they receive good salaries, but I doubt if they put much away for a rainy day.

Purchase or construction of a lighthouse and buoy steamer for River St. Lawrence to replace the 'Shamrock,' $175,000.

Mr. TEMPLEMAN. That is to build a new steamer to take the place of the old 'Shamrock,' which is out of date, and practically out of use.

Mr. SPROULE. What will it cost?

Mr. TEMPLEMAN. The estimate is $175,000. Plans are being prepared, but no tenders have yet been called for.

Purchase or construction of a lighthouse and buoy steamer for the Pacific coast, $200,000.

Mr. TEMPLEMAN. That will have to be built by tender. On the Pacific coast the department practically owns only one steamer, the 'Quadra,' for lighthouse service, and as a result in the last few years the department had to charter two steamers to aid the 'Quadra.' It is absolutely necessary to have another steamer there, in fact we may have to get two.

Mr. JAMESON. Will these be built in Canada?

Mr. TEMPLEMAN. They ought to be, and probably on the Pacific coast if price is satisfactory.

At six o'clock, committee took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. W. H. SHARPE. I wish to enter a protest against these estimates being brought down and put through to the extent of millions of dollars in the dying moments of the session, especially the estimates for this department, which are between $6,000,000 and $7,000,000, and which, I can say from my own experience, is one of the departments of the government which is not being run in the way it should be. For instance, it takes over a year to get a little return from this department. On February 4, 1909, I asked for a return in regard to the Pembina river in the province of Manitoba, and I did not receive that return until February 14, 1910, one year and ten days afterwards; and before I could get it I had to visit the department several times. I also took it up with the Prime Minister, who promised to have it brought down, and even after that, I had to write a letter reminding him of his promise before I received the return. The Pembina river runs through my constituency into North Dakota. In the early days the farmers who lived along this river were able to get all the fish they needed for their own use; but some years ago some people in North Dakota built a dam at a town called Walhalla, which is just across the line, and since then the fish have not been able to come up the river into the province of Manitoba. I visited that town last year in company with Mr. R. N. Lee, who has always taken a great interest in this question, and we found that a dam 14 feet high, over which it would be impossible for any fish to get. We saw plenty of fish below the dam, and if there had been a fish ladder put in the dam, there would have been no difficulty in getting all the fish we needed in that part of the province of Manitoba. I may say that the settlers along the Pembina river have been trying to get this government to do something that would afford them relief ever since they have been in power. My predecessor, Mr. Greenway, took it up a good many times with the department, as the return will show, and he was unsuccessful in getting the department to act. The commissioner of fish and game of North Dakota, from whom I have a letter here, did promise to have this done, and if the matter had been followed up by this government there would have been no difficulty in having it done. I will not take up the time of the House to read this letter, but I wish to say that though this matter may not be of much importance to the Marine and Fisheries Department of this government, it is a very important question to the settlers who live along that river in my constituency, and I would respectfully ask the acting minister to take some action in regard to this matter. All that is necessary is either to write or to send a man to the commissioner of fish and game of North Dakota to show him the conditions that exist at Walhalla, and I am sure that he will be only too pleased to comply with the wishes of this government.

Mr. TEMPLEMAN. The explanation given to me in regard to the delay in bringing down the return to which my hon. friend has referred—and I think the explanation was made to him by letter—is that the delay was due to the fact that Prof. Prince, the Canadian commissioner of fisheries, had with him when in California the particular file of the department bearing upon the question about which my hon. friend asked for the return, and it was not returned to the department until after the close of last session. But I do not know why my hon. friend did not get the return immediately after the file was returned to the department. With respect to the dam on the Pembina river, I am advised that the question has formed the subject of some correspondence between the Marine and Fisheries Department and the officials of the state of North Dakota. I understood my hon. friend to say that he had a letter from the game warden of that state pointing out a way in which this matter might be remedied. I would suggest to my hon. friend that he send a copy of that letter to the department.

Mr. W. H. SHARPE. They have got it. It is No. 30 of the return.

Mr. TEMPLEMAN. If it suggests a way of overcoming the difficulty, I think, without knowing anything about the facts, that the difficulty ought to be overcome. I can understand quite well the great value of the fishing streams to the farmers along the Pembina river; and if a 14-foot dam prevents the fish ascending into Canadian territory, and if a mere fishway, which is not expensive, could be erected, I would assume that, being in American territory and controlled altogether by the people of Dakota, it would be built altogether by the state of Dakota.

Mr. W. H. SHARPE. They built a mill there, and made this dam.

Mr. TEMPLEMAN. If our department can facilitate the building of a fishway, I would suggest to the officials of the department that they ought to try to accomplish the object my hon. friend has in view. I am a very strong believer in conserving the fish in every river in Canada and in seeing that no natural or artifical obstructions are put in the river in the shape of dams. I know particularly in the province of British Columbia these dams prevent the salmon from spawning and so

means should be taken to overcome these difficulties and to permit the fish to ascend the rivers. The expense of doing so is not great. I am glad that my hon. friend has called the attention of the department to that particular matter. The officers of the department are here and heard what has been said, and I would assume that if anything can be done it will be done.

Mr. W. H. SHARPE. The files must have been taken away with the object of doing something in connection with this river. Did they do anything while they were away?

Mr. TEMPLEMAN. No, the file was not taken with the special view of doing anything with regard to this river, but I might have added when I was on my feet a moment ago, that very probably, in fact I think it is altogether likely, that the Pembina river is not mentioned in the treaty between the United States and Canada, notwithstanding that it is an international water. But I would assume that although it is not mentioned in the treaty, a regulation might be agreed to by the two commissioners jointly to improve the condition of the Pembina river or any other river that crosses the boundary line. It is a small stream, nevertheless there are a great many small streams crossing the boundary, and I think it ought to be the duty of that commission to supervise the fisheries in these small rivers just as well as in the larger waters.

Mr. W. H. SHARPE. The minister is mistaken if he understood me to say that this government would have anything to do with the obstruction of or the controlling of the dam in North Dakota, because I did not say anything of the kind, and I did not wish to convey that idea at all. The idea I wished to convey is that this government will not follow up and carry out the suggestions that have been made to it in connection with this proposition. There have been 68 letters between this government and private individuals which are on the file in the department at the present time. Now, the letter I referred to particularly is from the state commissioner for fish and game in North Dakota. It is not addressed to this government, though this government has the orignal in their department. It is addressed to R. N. Lea, game warden, Pembina Crossing, Manitoba, and it says:

Dear Sir,—Your courteous letter of November 5 is under consideration, also copy of letter to T. M. Daly, Esq. I thank you for calling my attention to this matter of obstructing on Pembina river in North Dakota. It is my duty to see that fish sluices are placed upon all dams of the streams and rivers in North Dakota for the free passage of fish over the same. Can you forward the names of owners of the dams that you refer to, giving their names and addresses. I will commence such action as I trust will result in the construction of the needed fishways or sluices. This department is anxious to provide sluiceways for the passage of fish over all obstructions in all waters, especially those rivers and streams passing into Manitoba.

Now, the department has had this letter in their care for four or five years that I know of, because Mr. Greenway, my predecessor, got these letters from R. N. Lea and gave them to the department. But the department has not followed up the suggestions or tried to have the sluice or fishway put into this dam, and I claim it is the department that is to blame for the fact that we have no fish coming into Manitoba up the river Pembina.

Mr. TEMPLEMAN. Of course, I am not prepared to admit that it is the department that is to blame at all, and I do not think my hon. friend in his own statement of the case has shown that it is the fault of the department. The facts are, that in the state of North Dakota a dam has been put on the Pembina river on American territory and by Americans, and the game warden in that state has written to somebody saying that if the department will point out where the obstructions are he will undertake to have them removed.

Mr. W. H. SHARPE. That has been done.

Mr. TEMPLEMAN. The first thing that occurs to me is that if the game warden of that state wishes to know where the obstructions are he does not need to write to the city of Ottawa to find out. He ought to know where they are.

Mr. W. H. SHARPE. He did not write to Ottawa at all.

Mr. TEMPLEMAN. He is not a very good game warden if he does not know. There is some correspondence in the department in regard to this matter. Will my hon. friend (Mr. Sharpe) give me the date of the letter he has just read?

Mr. W. H. SHARPE. On November, 1894.

Mr. TEMPLEMAN. That is a very old complaint.

Mr. W. H. SHARPE. Certainly it is an old complaint, that is what we are kicking about.

Mr. TEMPLEMAN. Probably the grievance does not now exist.

Mr. W. H. SHARPE. I stated before that I was there last summer when I made a special trip to see it myself.

Mr. TEMPLEMAN. The Department of Marine and Fisheries has been in communication with the state of North Dakota,

and the two last letters sent by the department have not been replied to, and they were written long after that date of the letter quoted by my hon. friend.

Mr. W. H. SHARPE. Will, the minister be good enough to have the department look into this matter and try to give us relief in southern Manitoba?

Mr. TEMPLEMAN. All right.

Mr. DANIEL. Before we got onto the fisheries, I wanted to ask a question about the marine. A short time ago the steamer 'Lansdowne' ran on a rock on the coast of Nova Scotia. At the investigation which was held shortly afterwards, the captain of the steamer stated that he had received no sailing directions. Now, what I wanted to ask the minister was, whether it is the case that all the fishery or government steamers receive no sailing directions for the safe navigation of waters through which they are likely to pass. Capt. Lugard, who was chairman of that commission, and one of the other commissioners, expressed surprise that the captain of the 'Lansdowne' should have been sent to sea without any sailing directions. I bring this to the notice of the minister, and ask if that is the condition of things generally with regard to these government steamers, because if it is, it certainly ought to be remedied.

Mr. TEMPLEMAN. I am told that all the captains of government vessels have sailing directions, and it is the duty of the captain before he sails, to see that he gets them.

Mr. DANIEL. Well, this, the captain certainly stated on oath, that he had not received sailing directions, and that he could not get them.

Mr. TEMPLEMAN. I understand it is the fact that that captain had not sailing directions. But, the sailing directions are comprised in a small book which is supplied freely to all captains of vessels. If any captain has not a copy, he ought to procure it. It is no fault of the department if he loses his copy of the directions and does not supply himself with another.

Mr. DANIEL. I have here the report of the examination—

The formal examination in connection with the stranding of the steamer 'Lansdowne,' on January 24, at Pubnico, commenced yesterday morning before Captain Lugard, with Captain James Hayes and E. C. Elkin as nautical assessors. In the course of his evidence, Captain Burns said he had no sailing directions for the Bay of Fundy. He had asked for them, but hadn't yet received any.

And, later on,—

Murdoch McLean, chief officer of the steamer, testified that there was no proper place on the 'Lansdowne' to take soundings, which drew the remark from Captain Hayes that it was a strange condition of affairs on board a government steamer.

There is a statement that the captain had applied for directions and could not get them.

Mr. TEMPLEMAN. I am advised that the department are prepared to dispute that statement. Every person who applies for the instructions gets them—not only captains, but every person. It is a captain's duty to get them. If he applied for them and did not receive them, the department has no knowledge of that matter. It is the easiest thing in the world for a captain to provide himself with them.

Mr. DANIEL. Is there any record of that application in the department? For this captain makes this statement on oath.

Mr. TEMPLEMAN. The deputy minister tells me that there is no record of the captain applying for these papers.

Mr. PUGSLEY. May I ask the hon. member for St. John if he is reading from the transcribed record of the hearing or from a newspaper report?

Mr. DANIEL. From a newspaper report.

Mr. PUGSLEY. That might make a difference. They do not always get the statements accurate.

Mr. DANIEL. They very often get them the opposite.

Mr. BRADBURY. I was glad to hear the minister declare in favour of rivers being taken care of and fishways being put in where necessary. I called to the minister's attention the need of a fishway at the mouth of the White Mouth river. I do not wish to detain the House at this stage of the session, but I would like an assurance from the minister that the matter will be investigated, and, if found necessary, that the fishway will be provided.

Mr. TEMPLEMAN. My hon. friend (Mr. Bradbury) handed me two letters which I carried in my pocket for several days. But, this morning I sent them to the officer of the Fisheries Department and asked him to advise me with respect to the request made. Probably I shall be able to give an answer on Monday.

Mr. BRADBURY. I am to be absent on Monday. I would like to have the assurance of the minister that the matter will be investigated, and, if found necessary, the fishway put in.

Mr. TEMPLEMAN. It will be investigated, but I do not want to make too many promises about putting in fishways.

I have expressed my own personal opinion that appliances for conserving the fish in our rivers should be provided as far as possible. These fishways do not cost much money.

Mr. BRADBURY. We have settlements all along that river. The river empties into Lac du Bonnet, which abounds in fish. But, a small fall prevents the fish from getting up. Now, an inexpensive fishway would provide the people all along that river with fish.

Mr. JAMESON. I would like to bring to the attention of the minister, a matter of importance to the people living along the Salmon river in Digby county. Several years ago, complaint was made by certain fishermen with regard to a dam on the Salmon river at a mill owned by a Mr. Saulnier. The department required Mr. Saulnier to place a fishway in the dam. He replied that he did not know how to construct one and asked for advice. The local officers stated, as I am informed, that they did not know how to construct one and called on the department for information. The department, as, I am informed, gave information and plans and a fishway was constructed by Mr. Saulnier under the immediate direction of the fishery officers on the grounds, up to the plans which has been furnished by the officers of the department. About a year ago, further complaint was made to the department that the fishway was not giving satisfaction, that it did not allow fish to get up the river. Later some letters were written to me. I visited the place and obtained a statement from Mr. Saulnier, a statement of the facts, the substance of which I have given. Having already put a fishway in that dam under the direction of the officers of the department and according to the plans furnished by the department, he naturally objects to defraying the cost of building a new one. If a new one is found to be necessary, I trust that the department will provide it at its own expense, and out of this appropriation of $10,000 which is being asked for to-day. In fact, I enter a protest now on behalf of Mr. Saulnier against his having to pay any part of the cost of a new fishway.

Mr. TEMPLEMAN. I am advised that instructions have been given already to the inspector of fisheries for that district, to visit that locality and prepare plans for a new fishway.

Mr. JAMESON. I know that this matter has been before the department for upwards of a year. But, do I understand the minister to agree with the position Mr. Saulnier takes, that he, having built the fishway according to the plans of the department and under the direction of the officers of the department, should not be required to pay any part of the cost of a new fishway?

Mr. TEMPLEMAN. The record does not show anything with regard to that position. The hon. member (Mr. Jameson) wants me to admit that Mr. Saulnier is not liable for the fishway. I do not know enough about the facts to be able to make any such statement. I am told that the Act holds him responsible. The department is acting upon it. They sent an officer there to prepare plans and advise as to the best kind of fishway to construct. I suppose it is not a very expensive matter, but I am not going to say whether the party or the department will build it. I assume, from the actions of the department, that the fishway will be put there this summer.

Mr. JAMESON. Mr. Saulnier is a poor man, and it will be a serious matter if he has to defray the cost. The department, in all fairness, should defray the cost.

Fisheries—salaries and disbursements of fishery inspectors, overseers and guardians, $220,000.

Mr. CAMPBELL. I would like to know what is paid to the fishery inspector at Winnipegosis in Manitoba, for the last year, and what work he has done for the salary that has been paid him.

Mr. TEMPLEMAN. Mr. Colliston is the fishery overseer living at Winnipegosis. His salary is $700.

Mr. CAMPBELL. When was Mr. Colliston appointed?

Mr. TEMPLEMAN. Last year.

Mr. CAMPBELL. What time last year?

Mr. TEMPLEMAN. The official of the department, speaking from recollection, says that he was appointed some time in the fall of last year.

Mr. CAMPBELL. I am not asking these questions from any desire to be factious, or to make fun; I am asking because the inspector who was in charge of that district until some time last fall, was a man by the name of Clenny, who was not only inspector for this government, but who was the secretary of the Northwest Fish Company that held, under this government, the monopoly of fishing up in that northwestern part of Manitoba, and which extended up into Saskatchewan. While, I say, he was inspector for this government, he was at the same time secretary for this American fish company, which was robbing the people, my constituents, right and left, under the patronage of this government. I want to know if there was any dissatisfaction with his services, and why he was deposed and Colliston appointed.

Mr. TEMPLEMAN. My hon. friend has just stated the reason himself. I am informed that Mr. Clenny was asked to resign because he occupied a position with a private company, and Mr. Colliston was appointed in his stead.

Mr. CAMPBELL. Who asked for Clenny's appointment?

Mr. TEMPLEMAN. The appointment was made by the minister some two or three years ago.

Mr. CAMPBELL. Who recommended him?

Mr. TEMPLEMAN. He was appointed by order in council on the recommendation of the minister.

Mr. CAMPBELL. But who recommended him to the minister?

Mr. TEMPLEMAN. I have not the slightest idea.

Mr. CAMPBELL. Can you not find out who recommended him?

Mr. TEMPLEMAN. If I was the minister who made the appointment, perhaps I could say.

Mr. BRADBURY. I would like to draw the attention of the minister to the new regulation for Lake Winnipeg. I received a copy of those regulations to-day, and I noticed a very wise provision to the effect that after 2,400,000 pounds of fish have been taken out of Lake Winnipeg the fishing would cease, and that the inspector would have power to order all the nets to be lifted. I commend the department for making this arrangement. Now, how is the officer in charge going to arrive at the amount which has been caught? I understand there was a recommendation made by the commission that all these fishermen would be compelled to make a sworn statement to the fishery officer of the quantity of fish they had taken. I do not notice any protection of that kind in the regulation, and unless some check of that kind is provided, I would like to know how the officer at Selkirk is going to know when there are 2,400,000 pounds of fish taken.

Mr. TEMPLEMAN. I understand the companies have entered into agreement that the maximum amount of whitefish to be taken by them this year shall not exceed 2,400,000 pounds. The inspectors will have to be responsible to see this regulation is carried out. The particular method by which he will do so has not yet been evolved by the department, but probably affidavits will be required as to the quantity of fish taken. The inspector will probably report the quantity landed at Selkirk each week, will keep a close check upon it by personal observation, and take every means in his power to see the regulation carried out.

Mr. BRADBURY. If what the minister suggests, and that only is done, I fear the regulation will not be enforced. There should be some provision made in the license that you give——

Mr. TEMPLEMAN. It will probably be embodied in the license.

Mr. BRADBURY. There should be a sworn statement.

Mr. TEMPLEMAN. It will be a condition in the license that when the stipulated quantity of fish is taken fishing will have to stop. The particular methods by which our inspectors will check up the catch will be decided upon by the department. I suppose we can require the companies to make a sworn statement, and the inspector can report at intervals that they have landed so many fish, and no more.

Mr. BRADBURY. I urge on the minister the suggestion made by the commissioners, that a sworn statement should be made by the fishermen themselves as to the amount of fish they catch. The mere fact that the companies agree that they will only take 2,400,000 pounds does not mean that they will not take more if they get the chance. But if there is a condition in the license, and a sworn statement required, and a severe penalty provided for infraction, then, there will be a possibility of the regulation being carried out. If a man makes an incorrect sworn return his license should be cancelled, and he should not be allowed a license in the future. I speak from experience when I urge the adoption of these precautions upon the minister.

Mr. TEMPLEMAN. I think the department will attend to that.

Mr. GERVAIS. I direct the attention of the minister to the following facts: About fifteen years ago, a dam twenty-two feet high was constructed in the Chambly river between Chambly and Richelieu, by the Chambly Manufacturing Company. There was no fish run provided for in that dam, and the consequence is that the Chambly river which was once full of fish is now almost entirely depleted. Is it the intention of the Minister of Marine and Fisheries to force the Chambly Manufacturing Company to construct proper fish passes in that dam, so as to permit the fish coming from the St. Lawrence to reach their habitat in Lake Champlain. No action has been taken by the department for the last fifteen years in this direction, and it is high time that we should now ask the department of government concerned to force this wealthy company which is rated at $15,000,000 to spend a few thousand dol-

lars for the benefit of the fishermen who live along the Chambly river. The Minister of Marine and Fisheries should give some promise that this matter will be attended to.

Mr. TEMPLEMAN. I will call the attention of the officers of the department to what my hon. friend (Mr. Gervais) has said, and if the thing is possible I will ask them to attend to it. That is all I can say.

Mr. GERVAIS. I understand that a fish run may be constructed there at a cost of about $3,000, and there is a law at present under which the company can be compelled to do that work. The people of the county of Chambly, and of the other constituencies along the Chambly river have suffered long enough in this regard, and the minister should now give a specific promise that he will ensure the construction of a fish run in this dam.

Mr. BRADBURY. I wish to have some assurance from the minister that there will be a declaration required under oath with regard to the catch of white fish. The hon. gentleman may think I am unreasonable, but I may tell him that I have a good deal of experience in this matter, and my experience leads me to believe that unless my suggestion is carried out the law will be evaded. If a sworn declaration is required from these fishermen they will have no excuse for making a false return, and if they do so they can be prosecuted for perjury. If you take from them a mere statement they may say they have only taken 2,400,000 pounds, but if it is afterwards found they have taken 5,000,000 pounds you cannot successfully prosecute them because their plea will be that they did not know they had taken so many fish. I hope the minister will assure me that there will be a sworn declaration required from each of these companies as to the quantity of fish they take.

Mr. TEMPLEMAN. I thought I was very explicit in stating that the department is bound to see that this regulation is carried out.

Mr. BRADBURY. I know you say that.

Mr. TEMPLEMAN. I do not think I ought to be asked now to give an assurance that we will make every man give a sworn affidavit.

Mr. BRADBURY. It is the only way that is any good.

Mr. TEMPLEMAN. It is one way, but possibly it may not be the best way. I think the fish are landed for Wininpeg at Selkirk, and we can station our inspector there to check every fish landed at the wharf, and charge them up against each company, and when they have reached their limit we will stop them fishing. I will give my hon. friend the assurance that this regulation will be carried out in the very best way that the department can devise.

Mr. LANCASTER. The statement of the minister is not satisfactory in view of what the hon. gentleman from Selkirk has said. I should think the time of the inspector of the department is more valuable than that he can stay there watching these fishermen take the fish. After all, is not the suggestion of the member for Selkirk the best that can be adopted? If a sworn declaration is required, the man cannot afterwards say that he did not know he had taken so many fish, and give other excuses. If a fisherman makes false affidavits, he would know there was no technical way of escaping the consequences of his deception. He knows, and is the only one who does know, and if he stated what was not true, he would be liable to perjury. If the license contained a provision that these affidavits were to be made by the fishermen themselves, they would fear to run the risk of being imprisoned for perjury. If, on the other hand, the affidavit is made by an officer of the company who must depend on the statements of the fishermen, and who would have no personal knowledge of the facts, so that he could evade conviction by saying that he was informed or instructed that the statements were true, there would be no protection. If the minister expects the inspectors to go up and inspect every fish, he is placing a very low value on the inspectors' time.

Salaries, building and maintenance of fish-breeding establishments, $322,300.

Mr. SPROULE. This would indicate that it is not intended to increase the number of fish-breeding establishments.

Mr. TEMPLEMAN. Provision is made for two new hatcheries on the great lakes costing about $10,000 each, a salmon trout hatchery on the north shore of Lake Superior, and a whitefish hatchery on the northern end of the Georgian bay. The exact sites have not yet been decided. There is also provision for lobster-breeding establishments or retaining ponds in the maritime provinces, and several new establishments in British Columbia.

Mr. CAMPBELL. Would the minister give some account of the work of the fish hatchery at Lake Winnipegosis?

Mr. TEMPLEMAN. I can get that information.

Mr. CAMPBELL. I want it now.

Mr. TEMPLEMAN. That hatchery has been in operation two seasons. This year

60,000,000 young whitefish are to be distributed.

Mr. CAMPBELL. He closed the hatchery last season.

Mr. TEMPLEMAN. The hatchery was closed the season before, as my hon. friend is no doubt aware, because there was no supply of eggs with which to fill it.

Mr. CAMPBELL. I am sorry the minister is so lost to knowledge of the conditions there as to make a statement of that kind. It was not closed for the reason he alleges. Two million eggs were taken in the fall of 1908.

Mr. TEMPLEMAN. That is very little.

Mr. CAMPBELL. The minister will find in the Public Accounts $1,500 paid on contract to Coffey and Company for 25,000,000 eggs which were not delivered in the fall of 1908. The contract provided that no fish were to be taken at that time except for the purpose of collecting the eggs. Fish were not to be taken for commercial purposes. Coffey and Company employed inexperienced men and wrong methods and collected only 2,000,000 eggs. The eggs were put in the hatchery on October 25, 1908, and the staff was employed there taking care of their hatching until on in January, when they found that owing to the methods that had been employed by the government employees and contractors the eggs were absolutely unfertile, and they dumped them into the lake in January, 1909. That cost this government $1,500. This occurred during the time the minister said the hatchery was not in operation. In getting this spawn, 151,200 pounds of whitefish, 43,540 pounds of pickerel, and 43,000 pounds of jacks were taken and were all shipped to points in the United States, absolutely against the wording of the contract entered into by that company with the government. In other words, about 75,000 full-grown whitefish, two-thirds of which were females—and I understand that is a very small proportion—were destroyed. The average, I believe, is something like 4,000 eggs to each female, so that if you make the computation you will see that this means that 200,000,000 eggs were destroyed in an attempt to secure 25,000,000 eggs, which attempt proved absolutely abortive, as no eggs were hatched; and the minister has cloaked his department under the excuse that the hatchery was not running. The hatchery was closed during the spring of 1905, and was only opened in 1908; and during the time that the lake was open in 1908, 175 cars of fish were shipped from the shipping point nearest the lake, and every one of those cars was a case of law-breaking on the part of Coffey and Company, who shipped them. They had no permission to do this and in fact had signed a contract in which they bound themselves not to ship any fish. We have seen that the cost of the hatchery up to last year was $18,754, and not even a sucker has been hatched out during the three years that it has been more or less in operation. I understand that this year there has been some change for the better, and I am glad of it, because I heartily approve of hatcheries being established in those northern lakes. I want to point out another matter which pertains to the fisheries up there; that is, the fact that the hatchery requires a large amount of cordwood to keep it going—to keep up the steam in the boilers and to keep the hatching rooms at a proper temperature, and that the contracts for the cordwood are given to partisan friends of the government. I think it is only right that tenders for supplies for a government institution should be called for, and that all parties, whether Liberals supporting the government, or Liberals antagonistic to the government, or Tories, should have an equal right to tender. This year I know that the men who got the contract were partisan friends of the government, and I hope that the minister, if he is going to act for any length of time in charge of his department, will see that this does not occur again, or I will talk a little more freely on the next occasion than I am doing now.

Mr. TEMPLEMAN. Public tenders have been called, for cordwood and other supplies, for the Selkirk hatchery, and the same thing is going to obtain hereafter in respect to the other hatcheries.

Mr. CAMPBELL. Why the delay? Why has not this been done before?

Mr. TEMPLEMAN. I cannot give the reason why it has not been done before this.

Mr. CAMPBELL. It was just as easy to do it at Winnipegosis as at Selkirk. While we live far back, we have both mail and telegraphic communication.

Mr. TEMPLEMAN. I may as well confess at once that I cannot possibly enter into a discussion of all the matters brought up by my hon. friend in regard to the Winnipegosis hatchery, the cost of its building, the cost of the eggs and the reason why 25,000,000 eggs were not obtained and 2,000,000 were obtained. I am afraid that it would take too long to master the letters which have been placed in my hands, and I do not suppose my hon. friend would care for me to read the instructions given to the officer in charge who made the contract for the delivery of these eggs. My hon. friend, I imagine, rather desires to make his own statement and get it on 'Hansard' and in the press.

The department is quite willing to let it go at that.

Mr. CAMPBELL. I must take exception to that. I am asking for information. There have been the worst kind of abuses in the north end of my riding. I tried last year to bring them to the attention of the minister. I pointed out to him how this Northwest Fish Co., an American company, who shipped all their fish to the United States held a monopoly under this government, were protected by this government in every way, robbed the fishermen, failed, and did not pay their just debts to the fishermen, who were compelled to sell to them at a less price than the market would have afforded them had this government and its officials not insisted in upholding this monopoly. Then, in the case of this hatchery, I am drawing to the attention of the government again the abuses that have existed there and that exist to-day, and I want the government to sit up and take notice. I am not making a grand-stand play for the sake of getting on 'Hansard.' I never look at 'Hansard.' I only try to bring to the attention of the government abuses that exist in my riding, in the hope that the government will at some time wake up and correct them.

Fisheries—legislation and incidental expenses, $4,000.

Mr. LANCASTER. What are these expenses for?

Mr. TEMPLEMAN. They are for minor cases which the department may have to prosecute for violations of the regulations about which they may know nothing, and they instruct the Department of Justice to prosecute.

Mr. LANCASTER. Does the Department of Justice instruct local lawyers to do the prosecuting? Where are those lawyers situated and what do they do?

Mr. TEMPLEMAN. They may be in any town in Canada?

Mr. LANCASTER. But where were they, they might be in the moon?

Mr. TEMPLEMAN. We pay them their fees as they may be retained from time to time.

Mr. LANCASTER. Again I ask where do they live?

Mr. TEMPLEMAN. They might be in Halifax or in Vancouver.

Mr. LANCASTER. Where. There is a good deal of money going out from the departments in that general way for legal and incidental expenses. It is a very handy way of rewarding political friends for doing party work, and sometimes rather disgraceful party work. We are beginning to find it necessary to know who these gentlemen are.

Mr. TEMPLEMAN. I do not know where these people reside. They may be in any province of the Dominion, or in any city. The expenses would be paid to the lawyer who was retained for the time being to prosecute a particular case.

Mr. LANCASTER. At what rate are they paid?

Mr. TEMPLEMAN. I do not know. The Justice Department certifies the expenses and the department pays it.

Mr. CAMPBELL. Perhaps I can help out the minister. There was a legal gentleman of the name of Markey, who was mixed up in some of those fish leases. Perhaps the government paid him for accepting these monopolies, and the payment may be included in that charge. Does his name appear among the legal lights who have been paid?

Mr. TEMPLEMAN. The department is not aware that Mr. Markey has been paid any fees whatever.

Canadian fisheries exhibit, $16,000.

Mr. CROSBY. What is that used for. Is it used for exhibits in the Dominion, or for exhibits abroad?

Mr. TEMPLEMAN. There is in the city here a fishery building, and this item is largely to pay the cost of maintaining that. A small sum goes to a small exhibition in the province of British Columbia where a miniature hatchery is exhibited yearly.

Mr. CROSBY. We have a provincial exhibition in the city of Halifax which is conducted by the provincial government and the city. It is more or less an agricultural exhibition, but the fish interests have been trying to arrange a fishery exhibit there. As no funds are provided for that purpose by either the province or the city I think it would be fair and reasonable if the department could see its way to assist that exhibition, because it is in the centre of the Atlantic coast fisheries. We have the exhibition there every year, and a small annual contribution for the fishery exhibit would help materially the fishing interest of Nova Scotia, Prince Edward Island, and perhaps New Brunswick.

Mr. TEMPLEMAN. The request of my hon. friend appeals to me, because I am a little familiar with the good results that have followed from the slight assistance given to the fisheries exhibit at the New Westminster exhibition, and with the success that has attended the fishery exhibit

is the most popular one on the grounds. They show the fish alive and the process of hatching. Without making a distinct promise I may say to my hon. friend that I will request the deputy minister to do what he can along the lines we have followed in New Westminster, as we recognize that the maritime provinces are a great centre of the fishing industry, and ought to have a fishery exhibit at its annual industrial exhibition.

Oyster culture, $10,000.

Mr. R. L. BORDEN. What is the increase in this item for?

Mr. TEMPLEMAN. For the proposed establishment of an oyster bed in Prince Edward Island.

To assist in the establishment, maintenance and inspection of cold storage for bait, and the conservation and development of the deep-sea fisheries, $40,000.

Mr. CROSBY. While we approve of the system of cold storage and admit that it has been of great assistance to the fishermen, I am sorry to say that in a great many cases it has not proved of such assistance as might have been expected. When the cold storage systems were established it was understood that they were for the purpose of enabling the fishermen to put in their bait during the season when they could collect it, so that they could get it out of cold storage when they could not get fresh bait from the sea. I do not wish to say anything derogatory to the gentlemen who have those cold storage systems in charge, but there are complaints that the fishermen cannot get the storage facilities for their bait that they expected. It is said that they cannot get their bait in storage and that they have to pay the cold storage men very high prices sometimes, and in some cases have to make a contract to give the fish that they catch with the bait back to the cold storage men at their own prices. The department might make some inquiries during the recess into this matter. I have no doubt that the government established this cold storage system for the purpose of helping the fishermen, and if it is the case that they are not being helped, I think it would be wise for the government to ascertain the facts.

Mr. TEMPLEMAN. We will do so.

To provide for the maintenance of experimental works for the reduction of dog-fish, $60,000.

Mr. CROSBY. What success has the department had in this work? Are the establishments that were first set running still being carried on, and have the results been such as to warrant the continuance of the experiments?

Mr. TEMPLEMAN. The works first established are being carried on. The amounts realized for scrap and oil sold are as follows:—1905-6, $30; 1906-7, $1,675; 1907-8, $15,900; 1908-9, $346; and 1909-10, $10,498.

To provide for expenses of inquiries respecting the relative rights of the federal and provincial governments in regard to the fisheries, under Privy Council decision of 1896, $10,000.

Mr. LANCASTER. What is the condition now in this controversy?

Mr. TEMPLEMAN. Of course, the hon. member knows that the question of jurisdiction over the fisheries has been the subject of negotiation and correspondence between the several provincial governments and the Dominion for some years.

Mr. LANCASTER. And what is going on now?

Mr. TEMPLEMAN. With respect to the province of British Columbia, Mr. Bastedo, a year or two ago, carried on negotiations with the government with a view to arriving at an agreement whereby one government might administer the fisheries. But nothing came of that. Recently, the deputy attorney general of the province has been in Ottawa discussing with the Justice Department a reference to the Supreme Court of these fishery matters.

Mr. LANCASTER. You propose to state a case by agreement as to the facts between the province and the Dominion for the decision of the Supreme Court on matters supplementary to the Privy Council decision and with a view to working that out?

Mr. TEMPLEMAN. Yes.

Mr. LANCASTER. And it will be heard this year?

Mr. TEMPLEMAN. I can hardly say that the question to be submitted is absolutely agreed upon, but I think they have made progress.

Mr. LANCASTER. Will that include only one province, or will there be more?

Mr. TEMPLEMAN. It has been discussed so far with the province of British Columbia. But any decision arrived at, I assume, would have a bearing on all the provinces.

Mr. LANCASTER. That is the reason why I was going to suggest that it would be better to have all the provinces, or, at all events, the provinces likely to be concerned, engaged in it, because if they were not parties to it they might not be bound in exactly the same way as if they were heard on the same argument.

Mr. TEMPLEMAN. I understand that it would be the desire of this government that all the provinces should join.

To pay customs officers for services in connection with issuing of modus vivendi licenses, $700.

Mr. CROSBY. Has the department taken into consideration doing away with these licenses? I do not wish to take up time at this stage of the session. But that matter was gone into very fully by Mr. Maclean the former member for Lunenburg. Has the department in view the bringing of this to an end?

Mr. TEMPLEMAN. The department has not been considering the question of doing away with the modus vivendi in regard to this matter. I am not certain, but, probably, the questions being submitted to the Hague tribunal will have an effect upon the government's policy in this matter.

To pay customs and other officers for services in compiling and forwarding daily reports in connection with the fisheries intelligence bureau for the season of 1910-11, $500.

Mr. JAMESON. The minister of Marine and Fisheries is asking parliament to vote $828,000 this year, an advance of $69,000 over the amount asked for last year. I wish to make a few remarks on fisheries generally. I do not believe in criticism for criticism's sake, but I believe that there are many ways in which the condition of the fisheries and those connected with them may be improved. It is in that spirit I offer the suggestions that I propose to offer, very briefly, and I trust the minister will receive them in the same way. If he does so, I think he will find that many of the suggestions I make are practical and can be carried out to the benefit of the fisheries and fishermen and with little trouble to the department.

First, as to the reports of the fisheries intelligence bureau. The minister is asking $500 for this purpose the same as last year. I think a much more generous vote should be taken for this service. The reports are very meagre. They are telegraphed to the daily papers, but they do not in all cases, or even in many cases, reach the fishermen in time to be of much value. If they were telephoned to the fishery stations, many of which have telephones, they would be of great utility. I think also the weather probabilities should be telephoned to the fishery stations. In my own county of Digby the weather forecast is telephoned every day to the signal at Westport down Digby neck. The fishermen have frequently said that if this weather forecast could be taken off the wire at the different fishing stations when it was sent down to the signal station and placed in a bulletin, it would be of the utmost assistance to them. And the same on the opposite side of St. Mary's bay, and in almost every part of Nova Scotia. This system would be of the greatest advantage to the fishermen when they are leaving home, it would enable them to know what the weather was likely to be during the next 24 hours. I think an appropriation should be made for that purpose. I could recite many instances of fishermen who have been blown off the coast of Nova Scotia, and who have suffered great hardships and perils by reason of not knowing when a storm was approaching.

Another suggestion I wish to make is for the establishment of a fishermen's library at the various fishing stations. In many places there now exist fishermen's unions, associations which are formed amongst the fishermen. These have been established in many parts of Nova Scotia through the initiative and assistance of Mr. M. H. Nickerson, M.P.P., who resides at Clark's harbour. These associations are gradually extending their influence and are well patronized. Where they now exist I do not think there would be any difficulty in establishing fishery libraries, and where they do not exist the libraries could be developed by the assistance of the customs house officer, postmaster or other prominent person. Reports of the Department of Fisheries, together with the results of investigations made by the department could be furnished to those libraries, and other information along that line. We are desirous of improving the condition of the fisheries and those engaged in them. At the present time the fishermen are scattered along 5,000 miles of the coast and there is little community of interest among them. We wish to improve their condition, and I think this would be a very effective means of doing so, and it would tend to secure co-operation among the fishermen in a better observance of the laws. Many of the fishermen are educated men, they are great readers, and very intellectual people.

Another subject which of late years has received a good deal of consideration by the people engaged in the fishing industry, is the question of bounty paid to fishermen. This was begun by the government of Sir John A. Macdonald, in 1882, and I understand that an amount of $160,000 has been voted from year to year for that purpose. The amount of the Halifax fishery award was capitalized, and the interest from year to year is applied to this purpose. Now, the bounties which have been paid to the fishermen have varied from year to year, according to the number engaged in the industry. The vessel fishermen receive a much larger bounty than the boat fishermen, and the boat fishermen

consider that now, since they are obliged to have more expensive boats, fitted up generally with gasoline engines, they should receive more equitable treatment, they should receive a larger sum. The fishermens' union have discussed this matter and taken strong ground. I do not mean to say that there should be any reduction in the amount paid, either to vessels or to vessel fishermen, but I think a more generous grant should be made for the purpose of paying these bounties.

The amount received by the government from year to year for licenses under the modus vivendi is about $10,000; something less than $500 of this is paid to officers of the department who issue the license, and the balance of $9,500 might very properly be turned into their fishery bounty fund. The fisheries are developing, and the revenues of the country are increasing, and it seems to me a further amount towards the fishing bounty might be voted. The boat fishermen, as I say, are now using boats much larger and better equipped than in years gone by. A fishing boat now costs five to eight times more than it did ten years ago, and it also costs considerably more to maintain and operate it. This is a further suggestion I would commend to the consideration of the department.

Now, on the subject of the oyster fishery. We had during the sessions of the Fishery Committee last year, the evidence of Captain Ernest Kemp, the oyster expert of the Department of Marine and Fisheries, who gave his testimony on the 25th of March, 1909. I see there is a sum of $10,000 in the estimates this year, an increase of $4,000 over the amount voted last year for this purpose and I hope the work will be proceeded with systematically. Sometime ago there was an experiment made in Digby basin, but I have not been able to learn the result. I will quote from the evidence of Capt. Kemp on the occasion to which I refer when I asked him with regard to the subject:

Q. You have given us some information with regard to your knowledge of Nova Scotia coast. Have you any knowledge of the conditions in the Bay of Fundy, St. Mary's Bay or Digby Basin with respect to oyster culture?—A. I have examined the area in Digby Basin. Some years ago I planted oysters as an experiment on Goat Island and I have heard that those oysters have grown well. I have not had an opportunity of ascertaining whether there has been any spat derived from there or not. These oysters were planted in different places and grew well, I am told.

Q. Do you remember the year in which they were planted?—A. They were planted in 1902.

Q. Have you visited the locality since?—A. I do not think so.

Q. Those oysters were planted in Annapolis Basin?—A. Yes.

Q. Did you at that time examine St. Mary's Bay, or are you familiar with the formation of the bottom there?—A. No.

Q. Are you familiar with the formation of the bottom of the Bay of Fundy?—A. No, that is the only place that I have no knowledge of.

Q. You found the conditions were favourable within Digby or Annapolis basins for the culture of oysters?—A. The waters on the north of Goat Island, I think it is, were the most suitable. I had difficulty in finding suitable bottom on account of the heavy sediment on the sides of the basin and river.

Q. There is a large volume of fresh water from the Annapolis river flowing into the basin, would that interfere with oyster culture?—A. I did not want to go up too far. I thought if I could plant any on Goat Island that would be a suitable locality. The farther I went up the shore I found more mud bottoms. Suitable bottoms are limited there.

Q. Who has charge of the cultivation of the oysters which you planted in Annapolis Basin?—A. The ground was in charge of the lightkeeper on the opposite side, as far as I know.

Q. On the Grenville side?—A. Yes.

Q. You have had no reports from him?—A. No.

Q. Was the oyster farm leased to any person?—A. No, I do not think so. My time has been so wholly taken up that I have not had the opportunity of going down to see how those oysters were getting on. I wanted to go there last fall but was detained with my boat and did not have the opportunity.

Now, this seems to me to be a most extraordinary way to conduct experiments of this kind. The oyster industry can be made a most profitable one, and I hope the minister will see that Captain Kemp visits Digby basin and inquires into the condition of this oyster bed that was set out there. There are other places along the Bay of Fundy and St. Mary's bay where I believe oyster culture is not only a possibility, but where there is very strong reason to believe that it would prosper and flourish and become a profitable industry. I trust the minister will take pains to see that Captain Kemp shall adopt a more systematic method of procedure. I do not think it is right at all that he should leave an oyster bed set out nearly seven years ago and not have any reports from it. If this industry is worth spending $10,000 a year on, it is certainly worth while that the department should keep in touch with it and see what progress is being made from time to time. These suggestions are not offered in the way of hostile criticism, but merely with the view of placing before the department the ideas I entertain on the subject. I believe that if the minister will take them into consideration he will find they can be worked out profitably and beneficially to the fisheries and to the people who are interested in them.

Mr. TEMPLEMAN. The department appreciates the suggestions made by my hon. friend (Mr. Jameson), and I am quite sure they will be taken into serious consideration. I am advised that the department has at present under consideration very considerable improvements in connection with the fishery intelligence service. It is hoped that the service will develop into issuing bulletins and even embrace telephonic communication. As to the libraries, my own view is that they do not come within the scope of the Marine Department or even of this government. I cannot, of course, speak with full knowledge as to the bounty question, but I think the bounty money was fixed at five per cent on the Halifax award. Of course, the more fishermen there are, the less will be paid to each in the division, and the fewer there are, the higher the bounty will be to each. Whether it would be advisable to pay a higher interest than that provided is a question of policy on which I would not care to express an opinion. I will call to the attention of the experts of the department the suggestions made by my hon. friend as to oyster culture, and I shall ask for them the very best consideration.

Mr. JAMESON. Do I understand that the minister will take the question of weather bulletins into consideration, and endeavour to have them communicated to the fishermen by telephone.

Mr. TEMPLEMAN. I am advised that the meteorological service is being extended very rapidly, and that still further extension will be made.

Mr. JAMESON. There is now in the county of Digby a very perfect system of telephonic communication between the fishing stations, so that the experiment would cost very little indeed. I believe that if it were once given a trial, the department would be so impressed with its advantages that they would beyond doubt continue it and extend it.

Mr. CROSBY. I endorse what has been said by the hon. member for Digby with regard to the fishing bounties. The Halifax award was $4,500,000, which would produce $225,000 yearly at five per cent, but I understand that we only pay $160,000 a year in bounties. The boat fishermen get a very small amount of this, and I would urge on the minister that their bounty should be augmented. In many sections the fishermen have to come to the fishery officer, 10 or 15 miles in some cases, to file their claim, and then have to travel the same distance again to get $3 or $4 of fishing bounty, so that it is hardly worth the trouble. The Washington treaty, of which the fishing bounty is an outcome, was brought about by the admission of the American fishermen within the three-mile limit, so that in reality the compensation granted by the award belongs more strictly to the boat fishermen who fish within that limit. I do not say that a bounty should not be given to the fishing vessels and the men engaged on them, but I do hold that that bounty should come out of the general revenues of the country. The deep sea fishery is open to the world, and every dollar we take out of it is so much brought into the country, whereas the inshore fisheries and the fisheries in our inland lakes may in a sense be said to belong to the country, and they, therefore, stand on a different footing from the other fisheries. Did time permit, I could prove that all countries in the world interested in fisheries are paying bounties to their fishermen. The people of the little island of St. Pierre Miquelon, whose fish comes into competition with our Nova Scotia catch, have a bounty from the French government of nine francs for every quintal exported from St. Pierre to Canada or to any other part of the world outside of France, and in addition to that a considerable bounty is paid to the men and to the ships. I would urge on the government that they should consider the question of paying the bounty to the deep sea vessels and deep sea fishermen from the general revenues of the country, and permit the interest on the Halifax award to go to the shore fishermen to whom it specially belongs. Now that we require a great many men for our navy, whether it is a tin-pot navy or a runaway navy, or whatever else you like to call it, your recruits must come from amongst the deep sea fishermen, and they deserve encouragement from the national treasury.

To provide for the settlement of the claim of the British Columbia government for a share of revenue from fishery licenses collected by the federal government from 1901 to 1907, both years inclusive, $56,137.

Mr. TEMPLEMAN. This is a final disposition of a question between the province of British Columbia, and the Dominion which has been pending for some years. After the decision of the Privy Council which placed the ownership of the fish in the province, the provincial government made a demand on the Dominion government for a share of the revenue which this government had been collecting from fishing licenses in that province. In 1901, Sir Louis Davies, then Minister of Marine and Fisheries, entered into a modus vivendi with the province whereby the Dominion government continued the administration of the fisheries, and collection of revenue, a balancing of accounts to be made later. In 1907, British Columbia

passed its own Fishery Act, and proceeded to administer its fisheries, as far as it had authority to do so, and began the collection of licenses, imposing a license fee of $5 for salmon-fishing license. This terminated the modus vivendi. This amount is the sum arrived at between the province and this government as the share of the province in the revenue collected by this government between 1901 and 1907.

Investigation of ore deposits and economic minerals; examination and delimitation of peat bogs, determination of fuel values, coals and peat of Canada, including salary of a producer gas expert and mechanic; investigation of ore dressing; collection of information regarding mineral and metallurgical industries and operations, $41,000.

Mr. R. L. BORDEN. It would save time if the minister would explain all these increases together.

Mr. TEMPLEMAN. In the total vote for the Mines branch there is a decrease of $2,000. In this particular item there is a decrease of $7,500. This is for the publication of a monograph on various subjects in connection with the investigation of ore deposits and minerals. The increase can be accounted for by the desire of the department to carry on this work on a larger scale.

Operation of government peat bog, $4,000.

Mr. TEMPLEMAN. The department acquired a peat bog in Alfred, near Caledonia Springs, of 300 acres. We are now putting into operation a plant for the experimental manufacture of peat to determine how cheaply it may be manufactured. I invite all members to visit the bog in the next three months, and see the process in operation. We are hopeful of very considerable results from this experiment. This $4,000 will pay the expense of operating this peat bog. There may be another small sum in the supplementary estimates. We expect in this experiment to manufacture 2,000 or 3,000 tons of peat. If we were going to sell it, we might make some money out of it. The experiment is for the purpose of demonstrating the production of power from peat, the object being to show that peat will make gas which will produce electric power as cheaply as water-power. My hon. friend can see the demonstration going on any day in Ottawa at the experimental station, very successfully, and very cheaply.

Mr. HENDERSON. Is there any quantity of the raw material in Ontario?

Mr. TEMPLEMAN. There are millions of tons all over Ontario. Another part of the work of the Department is the locating of peat bogs in the settled portions of Ontario and Quebec, and especially in the maritime provinces.

Mr. HENDERSON. Can the gas be used for fuel purposes as well as for power?

Mr. TEMPLEMAN. I imagine that it can be, but when it is used in a gas-producer engine it goes into the engine as quickly as it is manufactured and is used in that way to produce power. We believe that it will be much more economical for this purpose than coal.

Mr. CAMPBELL. Coming from a prairie province, I am interested somewhat in these experiments with peat. Is it the intention of the government to experiment in making peat brickettes to take the place of coal or wood for heating purposes?

Mr. TEMPLEMAN. Yes. The operation of the peat bog is simply to make brickettes to be burned in furnaces or stoves for heating purposes. The purpose of this experiment is, first, to demonstrate how cheaply peat can be produced as a fuel instead of coal; and, secondly, to demonstrate that peat can be put into a gas-producing engine, and the gas used direct to create power.

Mr. CAMPBELL. How far west have these experiments been made? Have they been made in Manitoba or in any of the western provinces?

Mr. TEMPLEMAN. The department is making the experiment with this particular bog of 300 acres which we bought at Alfred. We put a plant on it, and last week we started to make peat. This is the only place in Canada where we have done any experimenting. We have also put up the experimental testing plant in Ottawa. But the location of peat bogs has been carried on for a number of years by officers of the department, and we now have in the department a record of hundreds of peat bogs in the country. Our investigations have been chiefly in Ontario and Quebec and the maritime provinces, although we know that there are peat bogs in Manitoba and other western provinces. Although the peat bogs in the more populated parts of the country will be the first to be brought into use, we will not neglect the west. For instance, if it is possible to make peat cheaper than you can buy coal in the city of Winnipeg, we will try to demonstrate to the people there that it is their duty to utilize the peat bogs which are not very far from that city.

Mr. GERVAIS. Is it the intention of the department to get the report made by Mr. Mystrom translated?

Mr. TEMPLEMAN. The translator is very busy getting our reports translated,

but I am not sure whether that is one of them or not.

Mr. GERVAIS. I have read the report which Mr. Nystrom has made to Dr. Haanel. I have also read the letter of instructions from Dr. Haanel to Mr. Nystrom, and I notice that Mr. Mystrom has been instructed to inspect the peat bogs of Denmark, Ireland, Belgium and Germany, but there is not one word said about the French peat bogs. As a matter of fact, the largest area of peat bogs, as many as 4,000,000 acres, and the most complete and perfect instruments for the manufacture of peat are to be found in France. I hope that this report, which is only a partial one, will be translated into French for the benefit of the province of Quebec, where many large peat bogs are to be found. I regret that Dr. Mystrom should not have been instructed to visit France, where there is the largest area of peat and where the comparative value of peat, soft, Anthracite, Cardiff coals for self-producing gas engines have been tested and studied more especially by Mr. François Depeaux, of Rouen.

Mr. TEMPLEMAN. I am not sure about the instructions, but there is no doubt that Mr. Mystrom was the engineer who went to Europe on that occasion some years ago. I know he visited the northern countries of Europe, Denmark, Sweden, Germany and Russia, where the manufacture of peat and the utilization of peat are on a larger scale, even than in France, though there is in France a very large quantity.

Mr. GERVAIS. 4,000,000 acres.

Mr. TEMPLEMAN. Peat is more plentiful in the countries I have named. However, Mr. Mystrom's report I think should be published in French, and that will probably be done if it has not yet been done.

Geological Survey Branch—for explorations and surveys in Canada, including wages of explorers, draftsmen and others, $140,000.

Mr. R. L. BORDEN. Why that increase?

Mr. TEMPLEMAN. The explanation is that more parties are being sent out, and they are being made a little larger and stronger. There will be more men in the field, covering Canada as well as they can, from Nova Scotia to British Columbia, this year than ever before.

Mr. CAMPBELL. Does this cover the exploration of Canada in conjunction with the work of the Conservation Commission?

Mr. TEMPLEMAN. We have nothing to do with the Conservation Commission.

Mr. CAMPBELL. Does not the Conservation Commission cover the same ground as is covered by this item?

Mr. TEMPLEMAN. I do not think so.

For the publication of reports, maps, plans, illustrations, &c., $75,000.

Mr. TEMPLEMAN. The increase here is due to the increased number of publications and reports.

For the purchase of books, instruments, laboratory apparatus, chemicals, mapping material, stationery, maintenance of offices and museum, transfer and packing of specimens, clothing for three firemen, miscellaneous expenses, $40,000.

Mr. TEMPLEMAN. The same reason for the increase here, the increase in departmental work.

To pay for specimens for Victoria Museum, $10,000.

Mr. TEMPLEMAN. This is an increase of $2,000. We have in view the occupation of the new museum probably before the next session of parliament, and we desire to be in a position to acquire all the specimens that may be offered.

Investigation of the manufactures and storage of explosives in Canada, $10,000.

Mr. TEMPLEMAN. That item is due to the fact that we purpose next session introducing a Bill to regulate the manufacture and importation of explosives of all kinds, based upon the English Act. There is nothing of the kind in this country at present. The many fatal accidents that have occurred in mines, and that have been due to premature explosions, and that kind of thing; have brought the matter to the attention of the department, and meetings have been held in mining communities at Cobalt, in British Columbia, and elsewhere, and have adopted resolutions asking the government to pass an Act regulating the manufacture and importation of explosives of all kinds. We have entered into the collection of information already and have some information prepared, but we thought it wise to let the Bill stand over until next session. In the meantime we are going to continue our investigation. We expect to bring an expert from England, an official of the British government who enforces the explosives Act there, with the view of examining all the manufacturing establishments where explosives are made, and with the view of helping us to frame an Act, and of giving us whatever information may be necessaray. That is the purpose of this $10,000 vote. We will certainly require to pay the expert a decent fee, and travelling expenses.

Militia and defence—chargeable to income —ordnance, arms, lands, rifle ranges, reserves, stores and equipment—transferred from militia capital, $1,300,000.

Sir FREDERICK BORDEN. For the convenience of hon. members I have had

a memorandum printed and circulated, and I hope that every hon. member of the committee has a copy. I have endeavoured to explain the items as fully as possible, and perhaps at this late hour, and at this late period of the session it would be better for me not to make a statement, but simply to endeavour to answer any questions respecting points, which are not dealt with in this memorandum, as we go along. This particular item is one which has been voted for a number of years in capital account. It was changed this year to revenue as it was thought desirable to do so. But, that is the only change, a mere matter of book-keeping. The object for which the money is voted is the same as in former years, and the explanation will be found in the memorandum on page 16, namely the purchase of military stores of various kinds, armament, rifles, artillery, reserve clothing, lands, and constructing rifle ranges.

Mr. DANIEL. That is to be expended during the coming year?

Sir FREDERICK BORDEN. Yes.

Mr. DANIEL. Will that include any of the Mark II * * Ross rifles?

Sir FREDERICK BORDEN. Yes.

Mr. DANIEL. Is that the rifle you expect to arm the militia with?

Sir FREDERICK BORDEN. In part. We shall have about 80,000 of the Mark 2 rifle with the Mark 3 sight. About 30,000 are being distributed to the cadet corps throughout the country, which will leave about 50,000, which are being distributed to the troops. It is possible that the sight called the Mark 3 sight—which is not the best; there have been many improvements —may be changed to give us the latest up to date sight. We consider that rifle quite as good as any rifle, except, perhaps, the Mark II * *. It is intended to secure the manufacture of, probably, 5,000 of the Mark II * * at the earliest moment, and, later on, a still larger number. But we do not intend to throw over the rifles which have been manufactured; that is not necessary. In point of fact, there is practically no difference between the Mark 2 with the Mark 3 sight, and the Mark II * *, except the length of barrel.

Mr. DANIEL. Is there not a difference in the rifling?

Sir FREDERICK BORDEN. There is practically no difference except in length of barrel, and the weight of barrel, which makes the rifle about one pound heavier than the Mark 2 with the Mark 3 sight.

Mr. CROCKET. Is there any difference in the price?

Sir FREDERICK BORDEN. None, except that we have had to pay $12 more for the Mark II * *, because we have simply had the other rifle converted—the Mark 2 with the Mark 3 sight converted to the Mark II * *. But the company claim that they should receive more for the Mark II * *. We do not admit that, but there is means under the contract by which any difference of that kind can be settled by one expert appointed on either side, and, if they do not agree, these appointing a third.

Mr. CROCKET. What does the department pay apiece for the new rifle?

Sir FREDERICK BORDEN. The price under the contract is $25.

Mr. CROCKET. But the new one?

Sir FREDERICK BORDEN. I say that we pay for the conversion about $12, and we had converted some 700, I think.

Mr. HERRON. Making $37 for the new rifle?

Sir FREDERICK BORDEN. Yes, those that have been converted.

Mr. CAMPBELL. The Mark II** is the rifle we heard of in the early part of the session as having been issued to a few of the members of the House. Have any more been issued?

Sir FREDERICK BORDEN. We provided 500 made last year, and 200 more are being converted now, and I placed an order with the company for 1,000.

Mr. CAMPBELL. I refer to the discussion with regard to certain members getting rifles for the use of their constituents, the Mark II * * and I want to know whether any more members have got them. I would suggest to the Minister of Militia that all members of this House who are interested in rifle practice should have the privilege of having these rifles sent out for the use of the rifle clubs in their constituencies.

Sir FREDERICK BORDEN. More have been issued, and I have stated in the House that it was a perfectly proper thing to do. I have had a number of applications since, and shall be very glad to receive others.

Mr. CAMPBELL. From every member?

Sir FREDERICK BORDEN. Yes.

Mr. ROCHE. Has the minister decided what new rifle ranges should be established in Manitoba this summer?

Sir FREDERICK BORDEN. There are some places mentioned in the memorandum. I would refer the hon. gentleman to page 17—'under consideration'. That does not mean that these will all be constructed,

nor does it mean that some others may not be. We have not been able to settle on the list yet. As soon as parliament prorogues, I expect to take that matter up with my officers of the Militia Council.

Mr. S. SHARPE. Are the rates of annual pay to the volunteers who go to camp uniform throughout the Dominion?

Sir FREDERICK BORDEN. Yes.

Mr. S. SHARPE. Would the minister tell us what they are.

Sir FREDERICK BORDEN. The basis of the pay is 50 cents a day. There is a further sum of 50 cents for good conduct and excellence in rifle shooting. It is the same throughout the Dominion, but the pay a man receives depends upon the way he comports himself in camp.

Mr. S. SHARPE. I understand it is regulated rather by marksmanship and that good conduct does not enter into it.

Sir FREDERICK BORDEN. The man who misbehaves does not get it.

Mr. S. SHARPE. There is a good deal of dissatisfaction at the camps in regard to that, arising out of the inefficient marking. As a rule the green men, the worst men in the company, are sent to the butts to do the marking, and consequently it is apt to be inaccurately done. Pay should depend in large measure upon the length of service. Marksmanship might enter into the matter, but there should be more emphasis placed on the length of service.

Sir FREDERICK BORDEN. Great difficulty was found in the first place in ascertaining correctly the length of time an individual may have served, and there is the temptation to misrepresent. Further than that, you might have a man in camp who had attended six years, say, yet who would be unable to hit the target at fifty yards. Such a man is no good as a soldier, we do not want him. I am advised by the adjutant general and other military advisers, that, after careful note of the experience, the present plan is decidedly the best. If the system of marking is defective, that is a very serious matter. I am glad the hon. member (Mr. S. Sharpe) has called attention to it. What he has said here will be carefully read by the officers in charge, and, in any case, I should consider it my duty to bring the subject to their notice. We must see that absolute fair play is given to all the men in this matter which is so vital to them, and on which the amount of pay they receive depends.

Mr. HUGHES. The point referred to by the hon. member for North Ontario (Mr. S. Sharpe) is very important. But there is another matter which I have officially drawn to the attention of the minister, and which I desire to impress upon him now. Many of the men in camp shoot at a target for the first time. They do not understand sighting the rifle, and unless some one in the regiment is detailed to see that each rifle is properly sighted before the competitor fires, he loses a round or two before he gets his elevation properly. As I pointed out to the minister in a letter some time ago, four or five of the best shots among the officers in a camp last year failed to qualify by reason of having rifles handed to them and having to find the sighting. Major King and Captain Farrell, of the 46 Regt. expert shots took the trouble to sight every rifle before the volunteer fired it. It was a very useful expenditure of ammunition, but it took a couple of rounds extra per man, which were provided at the expense of the regiment. The sighting is a very important matter, because none of the sights put on the rifle are absolutely accurate for the range they are sighted for. I am afraid that there is too much truth in what the hon. member for North Ontario has stated. A good many scorers are not experts, and sometimes, possibly, sufficient care is not taken with the register keepers. That will always require oversight on the part of the range officers and musketry instructors. But the rifles should be tested by one of the officers on the range to see that they are accurate. This will mean a couple of rounds extra per man, and it would be worth it to the department to provide these.

Sir FREDERICK BORDEN. I quite agree with that.

Mr CROSBY. I would like to read a resolution I have here from the municipality of Halifax:—

Moved by Councillor C. E. Smith of Sambro, seconded by Councillor J. V. Reno of Herring Cove.

Whereas the big gun ball and shell practice by the artillery at the forts at the entrance to Halifax harbour causes the fish to swim into deep water and prevents the mackerel from schooling on the south shore of this county and therefore deprives the fishermen living on said shores of the chances of catching these fish with their seines and nets as heretofore, more particularly in the vicinity of said forts.

And whereas the fisheries of our country are of great importance to this province as well as being the chief means of livelihood to hundreds of our fishermen and their families living to the south of Halifax, and every protection should be given to the toilers of the sea in prosecuting their occupation.

And whereas the said big gun practice could be done between the 30th day of November and the 15th day of June in each year, when the fisheries are of less importance to our fishermen as mackerel do not school in such quantities up to that time as they do later in the season.

Therefore resolved that the Dominion gov-

ernment be requested to make such regulations with regard to the time of the big gun practice as will result in the least injury to the fisheries, and to the fishermen on the south shore of Halifax harbour as aforesaid.

Further resolved that a copy of this resolution be sent to the Minister of Militia of Canada, and also copies be sent to our representatives in parliament, Messrs Borden and Crosby.

I hereby certify the above to be a true and correct copy of the resolution passed by the Municipal Council of the Municipality of Halifax, Nova Scotia, on the 28th day of February, A.D., 1910.

PARKER ARCHIBALD,
Municipal Clerk.

I presume that the Minister of Militia has received this resolution.

Mr. LANCASTER. Is that from the county of Halifax or is it the city?

Mr. CROSBY. Yes, the county. For the benefit of those who may not understand the schooling of mackerel on our Atlantic coast, I may say that during the months of July, August and September, the mackerel school in large quantities on the surface. They run into our bays and harbours and school along the coast. But, with this heavy gun practice at the mouth of Halifax harbour, the fishermen claim the fish are disturbed and they have not the opportunity to catch the fish that they otherwise would. I have heard that the department is trying to meet the views of the fishermen. I hope the minister will see to it that their wishes are met as far as possible.

Sir FREDERICK BORDEN. I received a copy of the petition which the hon. member has read, direct from the municipality. My attention was also drawn to the matter by the leader of the opposition (Mr. R. L. Borden). The question was at once referred to General Drury, who took it up with the fishermen. And I believe that an entirely satisfactory arrangement has been reached for the future.

Mr. CROSBY. I am glad to hear that.

Mr. J. A. CURRIE. So far as I know, there is no rifle range north of Toronto in the section in which my riding is located, that is, there is no rifle range either in the county of Simcoe or in the county of Grey. I do not wish to press upon the minister any unnecessary expenditure, but I think that possibly a couple of thousand dollars would purchase land and rig up a range that would do for the regiment there, and that possibly could be used by both the Grey and Simcoe regiments.

Sir FREDERICK BORDEN. At what place?

Mr. J. A. CURRIE. It could be around the shore of Georgian bay, in the vicinity of Collingwood, or on the sand plains south of Collingwood. I think that a hundred acres of land could be got for, perhaps, $1,500. That is, there is waste land that could be obtained.

Sir FREDERICK BORDEN. A rifle range at Barrie is in the list of those proposed. That would be in that neighbourhood, I think.

Mr. J. A. CURRIE. I suppose that would do, but I should think it could be put further north than Barrie. If located in the place I have in mind, there would be no danger of people being shot.

Sir FREDERICK BORDEN. I am glad to have my attention called to this. We are extremely anxious to afford all the accommodation possible. It is vital to the militia to afford the means of using the rifle at every possible point, because that is the most important part of the training of the militia. I shall be glad to look into this again with a view to seeing whether Barrie is the best point at which to place a range.

Mr. HUGHES. What is the minister doing with regard to cadet rifles?

Sir FREDERICK BORDEN. With regard to cadets, I stated before my hon. friend came in, that 30,000 of Mark II. rifles are to be issued to the cadets wherever possible. I suppose the ordinary rifle ranges will be used. The cost of constructing special ranges for the use of gallery ammunition is not very great and we will be prepared to afford the necessary expenditure to give the accommodation at every point where it seems to be justified by the numbers who are taking advantage of it.

Mr. BLAIN. Is the minister buying any sub-target guns now, and how many has he purchased?

Sir FREDERICK BORDEN. I think there are none provided for this year. We have on hand 550. I gave to the House some time ago the points at which these sub-target guns are distributed. So soon as there is a further demand for them, I expect to ask for a vote. But we do not want to buy them until they are actually required. I think in connection with the very general cadet movement throughout the country, it is probable there will be a considerable demand for these guns at schools and colleges. They have proved to be a most useful accessory to the militia force in teaching the use of the rifle. They are looked upon as indispensable: we could not get along without them in the camps. Men who try to shoot with the rifle and fail, are given a course with the sub-target gun, then they return to the targets and make very good shooting. So I think the

results have fully justified our course in purchasing this sub-target gun. I may say that in England it is becoming more and more popular, and I think the same is true in the States.

Mr. J. A. CURRIE. Has the department under consideration the adoption of a new rifle in line with the rifle which the British War Office is supposed to be experimenting with at the present time? I understand they propose purchasing a rifle of about ·25 to ·28 calibre, and adopting a fire arm of automatic action. Now, a Canadian has the honour of inventing a rifle that has been in use in the British army for a great many years. I think the minister ought to take into consideration the advisability of offering some reward for the best invention along those lines, to stimulate the inventive mind of Canadians to produce a weapon for the British army. I think that in a few years a very modern arm will be made with an automatic rifle of a small calibre. The advantage is that the ammunition required is so small that a discharge can be carried over and above what is carried even with the ·303 which has a small cartridge, and a soldier can carry about half as many again. Has the minister taken that into consideration?

Sir FREDERICK BORDEN. Yes. Of course we know that experiments have been carried on in England with a view to procuring possibly an automatic rifle. We are perhaps not experimenting exactly in that direction, but I have employed the services of two or three expert men in that respect, who have been engaged in the matter of perfecting the Ross rifle with great success. The question of offering a premium or a prize is worth considering. But I say in answer to my hon. friend from Simcoe (Mr. Currie) that if a rifle is adopted by the war office which is better than our rifle and better than theirs, I would consider it my duty to recommend that that rifle should be adopted by Canada; and notice given under our contract to the Ross rifle factory, that at the expiry of a certain time provided by the contract, a year I think it is, we want that rifle manufactured. They would have to do it, and it would be our duty to give them such notice.

Mr. HUGHES. Experiments are being carried on in England at the present time, and I may say—it is not necessary to keep the secret any longer—that we have been carrying on experiments in Canada with automatic rifles. However, I am a little conservative in this matter, and I have very little use so far for an automatic rifle. I think that the experience of riflemen the world over goes to show that it is impossible to keep up the supply of ammunition for automatic rifles in the firing line. I think it would be much better to have long range machine guns with telescopic sights. In my opinion, at all events, until I see an automatic rifle that will win me over, the best rifle in the hands of the soldier would be one with, say a ·280 or ·285 calibre, with a high velocity of 3,000 feet per second, and with telescopic sights. If this were carried out, I am satisfied that the enemy would hesitate a long time before they would advance to any position held by men armed in this way. However, the automatic rifle seems to be the fad at present, and they are experimenting with them in various places, but I have not yet heard that they have been successful.

Mr. DANIEL. What is the difference between a repeating and an automatic rifle?

Sir FREDERICK BORDEN. I cannot say; not very much I should think.

Mr. J. A. CURRIE. My experience with the automatic rifle is different from that of the hon. member (Mr. Hughes). I have used a military rifle for many years of course, and for three years I have used a sporting automatic rifle in the bush for days and weeks and under what are equal to war conditions, and I found it not only reliable but just as simple in action as the Snider. There are always prejudices among military men, especially those who are growing older, about changes in equipment. The Duke of Wellington prevented the adopting of the repeating rifle through having laid it down that the bullet must be sufficiently large to break the leg of a horse, and if we apply that rule to-day we could not have high power rifles. Germany and Japan are adopting the automatic rifle as well as Norway and Sweden, and France and England are experimenting. Automatic rifles having proved successful for sporting purposes which is a good test, I think we should begin to consider the matter. When the ·303 rifle was adopted the opinion was generally expressed by officers that it would be useless because the men would not keep it clean, but I know of four or five hundred of these rifles which have been in use for over 12 years, and fully 50 per cent of them are good for active service to-day. I have every confidence that a satisfactory automatic rifle can be obtained.

Militia annual drill, $881,250.

Mr. HUGHES. Will this drill the whole force?

Sir FREDERICK BORDEN. Yes.

Mr. S. SHARPE. I would suggest to the minister that he might curtail on certain items and increase the pay of the men. Fifty cents a day when everything is so ex-

pensive is not much inducement to a young man to join the militia.

Sir FREDERICK BORDEN. Quite true.

Mr. S. SHARPE. There should be a minimum per day of 75 cents and the efficiency pay added, so as to attract men of better character and better education. We must make our militia more attractive to the young men if we want to get the better class into it. There has been some criticism, how well-founded it is I do not know, against the Militia Department as to the headquarters staff being too large and being over paid. If the minister can make any curtailment there and add it to the pay of the men it would meet with the approval of the country.

Sir FREDERICK BORDEN. I think that would be false economy, but of course it is impossible to discuss that question fully to-night. I do not think there is a dollar more paid to the staff than ought to be paid, provided the staff does its work properly. The question of increasing the pay of the militia is well worth considering. In former days my hon. friend from Halton (Mr. Henderson) brought up that question a great many times and we eventually adopted the 50 cents efficiency pay idea. I think it is our duty to throw no unnecessary obstacles in the way of the men earning the extra 50 cents efficiency pay, but rather we should make it as easy for them to do so as possible.

Mr. HUGHES. And as honest and as accurate.

Sir FREDERICK BORDEN. Certainly. I would think that all deserving men should earn the dollar per day without difficulty. We shall watch the matter closely during this season, and when we come together again we may take some action

Mr. S. SHARPE. How many on the headquarters staff?

Sir FREDERICK BORDEN. About 28.

Mr. HENDERSON. I have long advocated increased pay to the volunteers, and I may say that I am requested to do so again. In fact, the inadequacy of the pay of the volunteers has been, I think, my only criticism with regard to the Militia Department. I do not see why the minister should hesitate to give the men something more than they are getting now.

Sir FREDERICK BORDEN. The statute limits us, and we would have to amend it to increase the pay.

Mr. HENDERSON. Then I think I may say that parliament will amend that statute just as soon as the minister brings down the Bill. I believe the sentiment of the House and of the country is in favour of giving our militiamen a little more pay than they are getting now. It is unreasonable to expect men to leave employment at $1 or $2 a day to go to camp for 50 cents. If you increase the pay a little, I am sure you will get a better class of men, and I would ask the minister to consider the propriety of doing so.

Mr. HUGHES. I am not going to advocate a decrease in the pay of the men, but I am going to advocate an increase in the pay of training officers. The only system of training that has been successful in this or any other country is to train the officers as cadets and let them take their place in the ranks as privates, corporals and sergeants, and holding their certificates, work their way up to the command. Then we could select our officers from the men who in subordinate positions had proven their efficiency. The record shows that the increased pay has not brought out a better class of men; indeed, I verily believe that we have not as good a class of men in the militia now as we had when we had well trained officers and the men were paid only 50 cents a day. What you want is efficient and energetic officers in the regiments who will inspire enthusiasm in the men. I know one company in my own regiment in which the assessed value of the property held by the young men and their fathers was over $3,000 each, and that was common in the old days when the pay was only 50 cents, and when the officers were efficient and enthusiastic for the service. The chief inducement to a young man now to go to camp is: Come along and if you make good shooting you will get the increased pay. That is not the way to build up a militia force. A militia force must be a patriotic force. Many regiments, city corps and some rural corps, never touch their pay, they turn it into a fund for other purposes, and I am satisfied that what is wanted is to see that the officers are trained and well trained, and that each company is equipped with officers and non-commissioned officers capable of putting spirit into the men and of leading them on the camp field or in action.

Mr. J. A. CURRIE. If you compare the militia list of to-day with the militia list of twenty years ago, you will find as many qualified officers now as then and more. However, the young man who takes a commission in a militia regiment is put to a large expense, probably $250 for qualifying and uniforming himself. In Great Britain formerly they granted to each volunteer officer to assist in paying for his uniform twenty to twenty-five guineas. Then to-day the militia uniforms have to pay duty, running $30 or $35. If officers who qualified themselves at a school or military instruction were given an allowance towards pro-

viding their uniforms, in two years there would not be a single unit in the country that would not have well qualified, and efficient officers. The pay given officers while attending the schools is really not sufficient to meet their expenses. The social advantages obtained by taking a commission are not great. The officers all over the country give their services, they do not expect pay for them, in fact they invariably fund their pay, and I think it would be highly desirable to adopt some plan as I have suggested.

Sir FREDERICK BORDEN. The suggestion is a very good one, and I agree with my hon. friend that the allowance to officers attending schools of instruction is ridiculously small. I found it there when I came into office. I was discussing it the other day with one of the staff, and I think a change should be made.

Mr. HUGHES. Has the minister inquired into the system of messing, and the general mode of living in barracks?

Sir FREDERICK BORDEN. We are doing that now.

Mr. HUGHES Proper supervision should be exercised even over officers high in the permanent corps in connection with mess rooms, &c., at the schools. Officers should be taught also that their chief function is to educate those attending the schools along military lines, and not along social or other lines.

Sir FREDERICK BORDEN. There is sufficient supervision now. I think, we can scarcely remove the duty on officers' clothing, and I see no reason why uniforms should not be made in Canada, although of course the price would be greater. I agree that the better way out of the difficulty is to give some special allowance for uniforms, and I feel disposed to do that.

Mr. R. L. BORDEN. I wish to call attention to the case of a messenger who was employed in the Auditor General's office. He had been there about ten years, and although technically a temporary officer he was virtually permanent in the same sense as many men in the service, until the passing of the recent Act. He went to South Africa, fought in the war, and his position seemed to have been exactly the same as that of other men who received full pay during their absence, and were reinstated in their positions as soon as they returned. For example, I understand, that his case is exactly the same as that of Cawdron of the Justice Department and Ross of the Dominion Police. He was not reinstated and remained idle for nine months. He lost the continuity of his service, certain statutory increases, and his pay for the nine months during which he was absent, and his pay from the department while he was in South Africa. Certainly in their case there was no delay after they returned. They were reinstated at once, as I am informed, in the positions which they had left to go to South Africa. I do not see why there should be any discrimination in the case of this man.

Sir FREDERICK BORDEN. I may say that this man was employed by the Auditor General, and he refused to reinstate him. My hon. friend from Victoria and Haliburton brought this case to my notice the other day, and I read all the papers relating to it, and I cannot see in what respect the Militia Department could have any responsibility in the matter at all.

Mr. R. L. BORDEN. I do not say that it has, except that the order in council under which some of these men were re-instated in their positions and received their pay was made on a report of the Minister of Militia and Defence. It seems, therefore, proper to bring it to his attention now.

Sir FREDERICK BORDEN. That was as to the service; but we could not change the rule. The Auditor General insisted on the letter of the rule being followed, and as he employed this man in his department, when he raised that difficulty we could do nothing.

Mr. R. L. BORDEN. I have been informed that the present Auditor General takes a different view of it. I do not see why one department of the government should take a different view. The government ought to come to some conclusion about these men. There should be one rule for all and no discrimination. I am informed that there has not been the same rule for all, and that there has been discrimination. If that is so, it ought to be rectified.

Mr. HUGHES. I might point out to the minister that this matter was up years ago. The Auditor General employed this man, and he declined to recommend him for reinstatement, and I presume that the minister took for granted that that settled the case. I wrote to the minister the other day, calling his attention to the fact that Cawdron and Ross had both received their gratuities, although they served under the same conditons as young Cottee. In the same way the friends of two or three men who died on their way to South Africa have received gratuities while the friends of others who died have been refused them. There should be even-handed justice all round.

Mr. R. L. BORDEN. The minister, I hope, will look into this matter.

Sir FREDERICK BORDEN. I really do not see that I have anything to do with

it; but I shall be glad to take it up and see who is the proper officer to deal with it.

Mr. R. L. BORDEN. Has the attention of the Minister of Finance been called to it?

Mr. FIELDING. I remember that there was a young man of that name, and my recollection is that he was a temporary employee, and that when he returned his services were not needed. However, I have only a hazy recollection of the facts.

Mr. R. L. BORDEN. He may have been a temporary employee, as other men, who have been in the service of the government for 25 or 30 years, are technically called temporary employees. It is useless to consider these men as in a different position from permanent men in the service, because in honesty and common sense they are not. They are called temporary employees in the statute, but in reality they are permanent employees. This man, I am informed, had been 10 years in the service of the department before he went to Africa. It is idle to talk of that man as a temporary employee.

Mr. FIELDING. I hardly think that is right. There are two classes of temporary employees—the permanent temporary, if one may call them so, and the temporary temporary. There are men who are technically temporary employees, but have been in a department a great many years. Then there are the bona fide temporary employees who are only employed for a short time. I understood that this man belonged to the latter class.

Mr. R. L. BORDEN. I will read this memorandum in more detail than I have done:

Prior to his South African service he had been in the employ of the government for ten years. He had applied in the usual way for leave of absence to serve his country in the war in South Africa. He served in the 6th Regiment Canadian Mounted Rifles. On his return he reported for duty and was told that his position had been filled, as the work could not wait, and for nine months after his return he had no regular or steady employment.

We know that even private corporations kept positions open for men who went to South Africa to fight in that war, and I think it would be very petty for the government to adopt a different principle.

Militia and defence — engineer services, $300,000.

Mr. S. SHARPE. There is an increase of $25,000. Will the minister explain the necessity of it?

Sir FREDERICK BORDEN. The increase is simply returning to the normal vote. We had to cut down the vote last year owing to the shrinkage of the revenue, and we are putting it back where it was.

Grant to 65th regiment for armoury, $50,000.

Sir FREDERICK BORDEN. This is to assist in the construction of a large armoury, the government paying one-half. That has been done in two or three cases, and we think it is a very advisable thing to do in the city of Montreal.

Grant to 5th regiment for armoury, $15,000.

Sir FREDERICK BORDEN. That is the same thing, the balance of our contribution.

Mr. S. SHARPE. I would like to urge upon the hon. minister the desirability of considering, where the Department of Public Works is erecting a post office or customs building, of placing the headquarters of the militia company, if there should be a company, in the building, and of providing an armoury for the company.

Sir FREDERICK BORDEN. In the same building?

Mr. S. SHARPE. Yes, say in the basement of the building. There has been an appropriation for a post office in the town of Uxbridge, and there is no reason why an armoury should not be constructed in the basement of the building. It would save the officers paying the expense of rental. I would strongly urge the minister to have that done. The Minister of Public Works stated the other night that he had had the matter under consideration, and thought favourably of the idea.

Mr. HUGHES. It would be even better to have it in the rear of the building where the boys could have miniature rifle practice, and where the arms could be stored.

Sir FREDERICK BORDEN. Where there is one company, or even two companies the suggestion made by my hon. friend (Mr. Sharpe) would be a very good one. It is being carried out in one or two cases. I think there is a case in the eastern townships, and I think there are one or two others. I will be very glad to take it up with the Minister of Public Works, for I believe it would be an economical arrangement, and it would help us to get armouries more quickly than in any other way.

Mr. CARVELL. There are one or two in New Brunswick.

Mr. S. SHARPE. I think it is very unfair that officers should have to pay rental for an armoury out of their own pocket.

Sir FREDERICK BORDEN. There is a special allowance.

Mr. S. SHARPE. Yes, but it is only a small sum, not sufficient to cover the rent of an armoury. I think it is unfair to the officers.

Sir FREDERICK BORDEN. Of course the old practice was in the rural district for the captain to provide a room in his own house, or to take some outbuilding, and then the $60, or whatever the allowance is was given to him to pay somebody to keep the arms and the clothing in order. That was the origin of the provision many years ago, and it has worked fairly well. Perhaps the country is outgrowing that system, and we have got to adopt a better and a more expensive one.

Mr. S. SHARPE. A few years ago in Uxbridge we had a building and in one room we kept the stores, and we used it for drill, but the department took all the stores to the regimental town of Whitby, and took away our armoury. Now, I think this is a splendid opportunity for the minister. Uxbridge is a suitable town to have a good company headquarters in, and I trust the minister will favour the idea of providing an armoury in conjunction with the post office.

Sir FREDERICK BORDEN. I do.

Gratuities, $6,000.

Sir FREDERICK BORDEN. I want to reduce that amount by $4,000.

Mr. HUGHES. Why?

Sir FREDERICK BORDEN. The intention was to pay a gratuity to Colonel White, but it has turned out as a result of the amendment to the Pension Act that he is entitled to a small pension by counting time he served in the active militia, so that the gratuity will not be necessary.

Mr. J. A. CURRIE. There was a gratuity to an officer in my corps who caught disease in Quebec?

Sir FREDERICK BORDEN. Henderson?

Mr. J. A. CURRIE. Yes.

Sir FREDERICK BORDEN. That is to be paid. The gratuity is to be $1,000 and it will be paid.

Maintainance of military properties, $80,000.

Mr. ROCHE. I would like to make my annual request for a drill hall in the town of Minnedosa.

Mr. BLAIN. Is it not in the supplementaries?

Mr. ROCHE. I have failed to see it in the supplementaries. For a number of years I have been urging the minister to construct in my town a drill hall. We have a number of enthusiastic young men there who have banded themselves together and have a very good company of dragoons. They have carried away first prizes in competitions at the annual drills, but they have not a suitable place for the storing of the government arms. They constructed a frame building at their own expense, but unfortunately that building was burned this winter, and the stores, saddles, bridles and other accoutrements were consumed. I do not know whether there was any insurance on the property or not. I presume a request has been sent in for a new supply. I heard that the town council had been looking for a site which they would be willing to tender to the government in order to secure a drill hall. I think it rather petty that the government would ask them to furnish a site. It is a comparatively small town with 1,700 of a population, and the price of property is comparatively low. Some intimation must have come to them, but if the government will not give a drill hall on other grounds they are willing to give the site. I would strongly urge the minister to give a drill hall to that town. They are very much disappointed and discouraged that they have not one, especially seeing that it was partially promised some years ago.

Sir FREDERICK BORDEN. My hon. friend (Mr. Roche) has brought the matter to my notice more than once. If there was any correspondence with the town council in regard to a site, it must have been with the Department of Public Works. I have no knowledge of anything of the kind emanating from my department. There is a general vote for the construction of armouries, and it is not necessary that the place should be named in the estimates.

Mr. ROCHE. I was told that six years ago.

Sir FREDERICK BORDEN. I think the misfortune which our militia friends there have met with in the loss of their building fortifies their claim to have something done, and we will see whether we cannot do something this year.

Mr. JAMESON. I wish to bring to the attention of the hon. minister the need for an armoury at Digby. There is now, as the minister knows, a battery of artillery, and they are very seriously handicapped for lack of a suitable place to store their accoutrements. I understand there are likely to be some guns placed there, and with the added interest which is being taken in the battery, I would like to see better facilities afforded the men. I trust the minister will provide the necessary grant.

Sir FREDERICK BORDEN. We will either have to construct a suitable building or rent one in three or four of the

towns in Nova Scotia where the heavy artillery has its headquarters. Yarmouth, I think, is one place, Digby, Pictou and Mahone bay are other places. They are all under consideration, and we will have to provide a proper place for the storage of these expensive guns and equipment.

Mr. JAMESON. Then the matter is receiving the consideration of the minister?

Sir FREDERICK BORDEN. Yes, but I am not saying whether we shall rent a suitable building or build one. That will depend upon the money at our disposal.

Pay, allowances, provisions and supplies of the permanent force, $1,950,000.

Mr. HUGHES. In connection with the headquarters staff and the district staff, it has been the custom for many years to issue a sort of syllabus from time to time for the camps of instruction, prepared, I presume, by some clerk in the department, and these are supposed to form the routine for the instruction in camp. I need not say to any one who has had any experience with them, that those sent out are utterly absurd. The department should undoubtedly prescribe the sections and subjects to be taken up in camp and in which the volunteers should be proficient, but it should be left to the discretion of the officer in command of the camp to prepare his own routine. Where you are out for twelve days camping, and have officers who are supposed to know their business, it is quite out of place to issue such a syllabus.

Salaries and wages of civil employees, $155,000.

Mr. S. SHARPE. I think the minister has adopted a good plan in issuing a memorandum explaining the estimates. Unfortunately it has not been issued soon enough to be of much service to us. I desire to register a protest against allowing the estimates to stand until this late day in the session, near Sunday morning, when we are putting through several million dollars without examination and criticism. The members cannot do themselves justice, nor the public justice, under those circumstances. If that memorandum had been issued earlier in the session we would have been better able to study it. This item, and a previous item for paying allowances at headquarters to command and district staffs, seem to be large amounts in connection with our militia affairs, they seem to be out of all proportion to the number of men we have on the permanent staff. It seems to me the staff is overcrowded. I cannot understand why we should require so much expense at the headquarters staff and so many civil employees.

Sir FREDERICK BORDEN. The explanation with regard to civil employees is to be found here. The small increase is due to the fact that certain things that were done by the Public Works are taken over by the Militia Department. As regards the staff, it is altogether too late to discuss that question. But I agree entirely with my hon. friend that it would be much more desirable that these estimates should be discussed earlier in the session. I expected that would be done, and this memorandum was prepared in the month of December. It was not issued, because I thought it would be better to issue it only two or three days before taking up my estimates in the House, and it was issued the day before yesterday. I hope next session we will be able to take the matter up earlier, and I think I will be able to prove to my hon. friend, who is himself a militia man, the absolute necessity of having a large and efficient headquarters staff. I think I can demonstrate to him that our staff is less expensive, even taking into consideration the relative strength of our militia, than is the staff of Switzerland, whose militia is, of course, ahead of the world. There is no other force in the world that, for cheapness and efficiency, can be compared with the militia of Switzerland. In a memorandum that I laid before parliament two years ago, I demonstrated that fact beyond doubt; and I had the advantage of laying before the House a carefully prepared memorandum made by General Lake, which entirely supported the view I have presented. I hope at some other time to have an opportunity of discussing this matter more fully.

Mr. S. SHARPE. How does the minister explain the large increase of $75,000 in salaries and wages to civil employees?

Sir FREDERICK BORDEN. $17,000 is taken over from the Public Works, and $39,706 which was paid out of clothing vote, is put into this vote. So the only difference consists in certain new appointments, and increasing the rate of wages, $7,800.

Topographical survey, $30,000.

Mr. HUGHES. Speaking of the general staff, how many members of that general staff are supposed to be in Canada?

Sir FREDERICK BORDEN. Five I think. We change them from time to time.

Mr. HUGHES. Are they elected on account of any general fitness?

Sir FREDERICK BORDEN. They must all have passed the staff college, that is their only recommendation. As I explained to the House a few days ago in connection with the Royal Military College, we have

brought out an officer to take charge of the Royal Military College, and two persons who are specially qualified to be members of the general staff. General Lake and General Otter are members of that staff.

Monuments to battlefields — amount required towards the erection of a monument to commemorate the battle of Stoney Creek—revote, $5,000.

Mr. HENDERSON. I desire to draw the minister's attention to a matter which I had the honour of speaking to him about a few days ago. In the county I represent, in the township of Nelson, on Lake Ontario, there is a small graveyard in which are buried some of those who took part, I am informed, in the battle of Stoney Creek, Queenston Heights, Lundy's Lane, and also at Detroit. The graveyard has been practically abandoned for over forty years, and the descendants of those old warriors who were buried there seem to have all passed away or left that section of the country, and there is no one to look after this old cemetery. It is the desire of the people living in that neighbouring that it should be cared for in some way, and I think it is fitting, when the minister is asking a sum in connection with the battlefield of Stoney Creek, that something should be done to commemorate the memory of those who fought for their country and who lie buried in this old graveyard. I hope the minister will take the matter into consideration. The old graveyard is 80 yards long and 30 yards broad and it would not cost much to build a wall round it to protect it from desecration. I hope the minister will meet the wishes of the people.

Sir FREDERICK BORDEN. I shall be very glad to look into the matter.

Mr. J. A. CURRIE. I call the attention of the minister to the conditions with reference to Fort Malden on the Detroit river. From that point issued the expedition under General Brock that captured Detroit, and so it is an epoch making land mark in our country. I understand Fort Malden is now owned by private parties and is being laid out for town lots so that in a few years that famous spot will disappear from the ken of the public. Fort Malden is just as worthy of preservation as Fort George or any other of the historic places along the frontier. Mr. Clarke of Essex and I have received communications from parties interested in having the land at Fort Malden taken over by the government. I hope the minister will see what can be done.

Sir FREDERICK BORDEN. I shall be very glad to.

Sir FREDERICK BORDEN.

Mr. LANCASTER. Where is the monument to be erected at Stoney Creek?

Sir FREDERICK BORDEN. Where the battle was fought, I think.

Mr. LANCASTER. What is the cost to be?

Sir FREDERICK BORDEN. I think it is to cost $10,000, and we are contributing one-half.

Mr. LANCASTER. Is the government contributing to the Laura Secord memorial?

Mr. FIELDING. There is a contribution to the association.

Mr. LANCASTER. Is the government grant on condition that the memorial should be in the form of a monument?

Mr. FIELDING. That is in the hands of the association, but I believe the monument is being erected.

Mr. LANCASTER. I have had correspondence at the beginning of the session with a lady who is in charge of that, and she understood then that no provision was made for a contribution.

Mr. FIELDING. I have given direction that the amount should be paid before the close of the present fiscal year, and I think the matter has been arranged satisfactorily.

Mr. LANCASTER. These people are not in my county, but I have promised them to do what I could in the matter.

Mr. FIELDING. The hon. gentleman will find it is satisfactory.

Mr. LANCASTER. The prevailing opinion now is that it would be better to erect a memorial hall rather than a monument. Is the government insisting that it should take the form of a monument?

Mr. FIELDING. My recollection is that the proposal made was for the erection of a monument and that we granted aid to that. I do not think we have imposed any condition that it should be a monument.

Mr. LANCASTER. If those interested change their idea and decide on erecting a memorial hall rather than a monument, I hope the government will not insist that their original request be adhered to.

Mr. FIELDING. I think the monument, if not constructed is under contract.

Mr. LANCASTER. I do not think it is, because it is only this session I was asked to advocate this with the Minister of Militia.

Mr. J. A. CURRIE. Is it the intention of the government to give a grant to the memorial tower at Halifax?

Mr. FIELDING. I think there is a vote in the estimates for that.

Some resolutions reported.

MESSAGE FROM THE GOVERNOR GENERAL—SUPPLEMENTARY ESTIMATES.

Hon. W. S. FIELDING presented a message from His Excellency the Governor General transmitting supplementary estimates for the year ending March 31, 1911.

On motion of Mr. Fielding, His Excellency's message, together with his estimates were referred to the Committee of Supply.

Mr. FIELDING moved the adjournment of the House.

Mr. HENDERSON. What business will be taken up on Monday?

Mr. FIELDING. Private Bills, and when we reach government orders all the resolutions that stand on the order paper will be taken up in their turn.

Motion agreed to, and House adjourned at 11.57 p.m.

HOUSE OF COMMONS.

MONDAY, May 2, 1910.

The SPEAKER took the Chair at Eleven o'clock.

ALIEN LABOUR ACT—ALLEGED IMPORTATION OF RAILWAY LABOURERS.

Mr. SCHAFFNER. I have a matter to which I wish to call the attention of the Minister of Labour (Mr. King). I received a letter from Boissevain concerning men coming across the line to work on the Great Northern railway. The employers are dismissing all the Canadians along that line from the boundary to Brandon and substituting for them Greeks imported from the other side. This has been giving us trouble for some time, and I would like the Minister of Labour to look into the matter.

Mr. KING. If the hon. member (Mr. Schaffner) will send me the communication to which he refers, I will make the necessary inquiry.

WESTERN GRAIN TRADE.

Mr. SCHAFFNER. I wish to put on 'Hansard,' for the benefit of the Department of Trade and Commerce, a letter I received this morning. It is from Mr. R. McKenzie, secretary of the Grain Growers' Association of Manitoba, and is as follows:

Winnipeg, Can.,
April 28th, 1910.

Dr. Schaffner, M.P.,
Ottawa, Ont.

My dear sir,—

In further reference to the subject matter of my telegram to you, as you will no doubt know, the stock of the different grades in store in the terminal elevators was weighed in August of last year, and immediately on the close of navigation Inspector Gibbs made an estimate of the quantity in store of each grade by measurement. There is a report current that this estimate showed that the amount of high grade wheat shipped out far exceeded the amount received and as a consequence the Department of Trade and Commerce ordered the warehouse commissioner to institute an investigation. This investigation has been going on for some time and culminated in three of the terminal elevator companies being fined on information sworn out by Mr. Castle on the 22nd inst. Report has it that the solicitor representing the elevator company and the solicitor representing the department and Mr. Castle had arranged that the charge should be that of making false statements rather than the more serious charge of mixing grain. Be that report true or not, the fact remains that in place of the former being tried in open court, the solicitor for the terminal elevator companies met Mr. Daly in Mr. Hudson's office (Mr. Hudson being Mr. Castle's solicitor), and pleaded guilty, and was fined, the object apparently being to prevent the matter from coming before the public.

We think that this 'star chamber' method of holding court should not be tolerated. If these terminal elevators are offenders against the law they should be treated as other offenders. It is a matter of common knowledge that practices in contravention of the law and against the best interests of the country were indulged in in these elevators for many years, and when the offenders were once brought to justice there should be no effort to endeavour to minimize the effect it would have. A simple fine is no punishment to these people. Publicity is what they are afraid of.

In the few days you have at your disposal before the House prorogues, will you, in the interests of the farmers, do what you can to get Mr. Castle's report and all correspondence brought down so that the public may know what has been done. I do not think at all that the Department of Trade and Commerce want to conceal anything, and there should be no disposition on the part of anyone to protect those who are accused of tampering with our grades. Our government undertakes to deliver our grain on the world's market according to specifications defined by statutes. Their inspectors compel the farmers to meet the requirements of the specifications and they should see that their inspectors should also compel those who handle our grain to comply with the require-

ments of those specifications in the handling of our grain.

Yours very truly,

R. McKENZIE,
Secretary.

Mr. OLIVER. Following up the subject which my hon. friend (Mr. Schaffner) has just laid before the House, I may say that Mr. Castle's report on this case was laid on the table on Friday.

TREATMENT OF STEAMSHIP PASSENGERS.

Mr. OLIVER. I would like to read a report from the superintendent of immigration on the subject brought to the attention of the House by the hon. member for South Simcoe (Mr. Lennox) some days ago:

With regard to the letter read in parliament on the 26th instant, by Mr. Lennox, M.P., I beg to state that full inquiry had been made into the question of the delay of passengers ex SS. 'Corsican' before the matter was brought up in the House.

Under date of April 4, M. J. V. Lantalum, our agent at St. John, wrote giving his reasons for the action he took. According to his report the 'Corsican' entered the dock at ten minutes to six o'clock, having on board 16 saloon, 364 2nd cabin and 250 steerage passengers. Mr. Lantalum's contention is that had the passengers been landed it would have been very late in the night before their baggage could be checked and passengers started on their railway journey. In support of his contention that it would be very late before the passengers would be able to get away from St. John, Mr. Lantalum mentions the fact that although landed at 9.05 a.m. Sunday morning, it was 3.30 in the afternoon before they got the first train away, and 4.15 when the second train left, seven hours and ten minutes from the time of landing until the last train left. Mr. Lantalum points out that if it required seven hours and ten minutes to check the luggage, &c., during daylight on Sunday, it is only reasonable to suppose that it would have required a much longer time at night when the passengers were tired and other circumstances not so favourable. He also contends it would have been a hardship for the women and children to remain awake while the preparations were being made. It is evident there was a difference of opinion among the passengers as to what should be done, many being of the same opinion as Mr. Lennox's correspondent, that they were undergoing a hardship by being delayed. On the other hand Mr. Lantalum says in his report:

'Many of the passengers were very much pleased at being kept on the ship all night as they said they had a good night's rest which would enable them to stand the long rail journey. One head of a family thanked the immigration authorities warmly for it.'

It is quite evident that Mr. Lantalum's action was taken solely in the interests of the passengers, and while I personally think it would have been wiser to have landed them, I do not think Mr. Lantalum is open to any censure for the action he took. I am, however, notifying him in future that when boats whose passengers had been examined at Halifax reach St. John before 8 p.m., he is to allow them to land, providing the steamship and railway companies desire him to do so.

W. D. SCOTT,
Superintendent of Immigration.

Mr. LENNOX. I understand that this is not likely to occur again.

Mr. OLIVER. Not at St. John.

INQUIRIES FOR RETURNS.

Mr. FOSTER. I desire to ask the government for three returns as follows: One ordered by the House on December 1 with reference to the British and United States agreement on the great lakes; the second ordered by the House on January 17 with reference to the commissions issued by this government, and the third ordered by the House on February 28 showing the employees in the civil service. I would like very much to get these returns.

Sir WILFRID LAURIER. With regard to the last named, I think it has been brought down. I will make inquiries. As to the agreement on the great lakes, I suppose my hon. friend (Mr. Foster) refers to the Waterways Treaty?

Mr. FOSTER. No, to the agreement concering naval armaments on the great lakes, the Rush-Bagot arrangement.

Sir WILFRID LAURIER. I will inquire into that.

SURVEY IN ST. JOHN RIVER CHANNEL.

Mr. CROCKET. I call again the attention of the Minister of Public Works to the returns in connection with the survey in the channel of the St. John river. I am anxious to have that brought down before prorogation.

Mr. PUGSLEY. I have made inquiries, and was informed they had gone to the Department of the Secretary of State. I presume they will reach here to-day or to-morrow at latest.

SCRIP TO SOUTH AFRICAN VOLUNTEERS.

Mr. HUGHES. I wish to ask the Minister of the Interior a question, and to get some information. On their way to South Africa a number of soldiers died, and I understand that the friends or legal representatives of those soldiers in many cases are denied the right to scrip because the soldiers did not land in South Africa. But the representatives of two, if not three, of those soldiers have been given their scrip, and I would like to know from the minister

how he makes fish of one and flesh of the other.

Mr. OLIVER. I think that probably my hon. friend's question should be addressed to the Minister of Militia and not to the Minister of the Interior, as it is the Department of Militia which decides who should get scrip, and we only issue a land warrant on receipt of the bounty warrant from the Militia Department.

Sir FREDERICK BORDEN. I will look into this matter. All these matters have to be attended to by Col. Smith, who is an extremely careful officer. I have given no instructions to make any discrimination between applicants.

Mr. HUGHES. In case it is found that the representatives of two or three of these men who died before reaching South Africa, have received their scrip, may we expect that others in the same case will be dealt with in the same way?

Sir FREDERICK BORDEN. I can hardly make any promise of that kind. If there has been an unintentional discrimination of the kind, I think that some remedy will have to be applied. I will look into the matter.

DELAY IN MAILS BETWEEN MONTREAL AND LOWER PROVINCES.

Mr. EMMERSON. I would like to invite the attention of the Postmaster General to the subject of the transmission of mails from Ontario to points east of Montreal, particularly to the maritime provinces. Letters mailed in Toronto or at Ottawa, or at any other point in Ontario west of Montreal, in the evening of any day, reach, in the ordinary course, Montreal on the next morning. They are there held apparently until the evening of that day, and are then sent out in the Canadian Pacific railway mail train to points east. Apparently, the Post Office Department is not aware that there is a mail train leaving by the Intercolonial at 12 o'clock each day, and if these letters and other mail matter were transmitted by that Intercolonial train, they would reach Moncton and other points east much earlier, and reach the recipients fully a day in advance of the time when they actually reach their destination. The difficulty appears to be in connection with the transfer of mails at Montreal. It seems to me that the letters should be sent forward by the Intercolonial at 12 o'clock, instead of being held in Montreal until 7.25 the same day.

Mr. CROCKET. That would apply only to mail for the north shore counties in New Brunswick.

Mr. EMMERSON. The mails for Fredericton and St. John of course reach St. John about the same time if they go by the Intercolonial. But the complaint arises in connection with the mails for Moncton, and points east on the Intercolonial in Nova Scotia and at other points in New Brunswick.

Mr. LEMIEUX. I am glad my hon. friend has called my attention to that defect in the service. He saw me the other day, and immediately I wrote to the Montreal postal authorities to see that all mail destined to the lower provinces arriving in Montreal in the morning, should be forwarded by the noon train. There is no reason why the mails should not be transferred at once. A letter leaving Ottawa at night, even late at night, reaches Montreal at 8 o'clock in the morning by the western train. There is no reason why the mails should not be transferred from the Windsor station to the Grand Trunk station between 8 or 8.30 in the evening and 12 o'clock next day. There is something wrong in the service there, and I will give the necessary instructions that the complaint be remedied at once.

Mr. CROCKET. I hope the Postmaster General will not think of making the change in regard to all the portions of the maritime provinces. If the arrangement proposed by the hon. member for Westmoreland (Mr. Emmerson) were adopted, it would cause a delay in the arrival of mail at St. John and Fredericton which are served by the Canadian Pacific railway sooner than by the Intercolonial.

FOREST RESERVE AT OKA RIVER.

Mr. CAMPBELL. I wish to call the attention of the departments interested to a matter which I brought up earlier in the session; I refer to a petition that was sent by the people of the municipality of Oka river complaining that, owing to the fact that the forest reservation was immediately south of that municipality, the water backs up there and gradually overflows the lands, and prevents the farmers from putting in their crops in the vicinity of that reserve. I wrote to the Minister of the Interior asking favourable consideration of this matter, also to the Minister of Public Works and to the Prime Minister. I think it is only a moderate request on behalf of the people of that municipality that they should be aided in some way to build drains to take care of the water that overflows their land from the timber reserve.

Mr. OLIVER. Speaking for the Department of the Interior which is responsible for the existence of the forest reserve, I do not understand that the existence of that reserve has any particular bearing on the undesirable presence of the water. It is because of the topographical condition, for

which the department is not responsible, and therefore it seems to me that the department or the government cannot be called upon to make good a damage which does not exist because of the action of the department or of the government; it is something for which no department of the government is responsible. While I am speaking on this subject, I may be permitted to say that I think the subject of drainage is one that is essentially a provincial matter; under these circumstances I do not think it would be right and proper that the federal government should undertake to do that which is essentially a provincial work.

Mr. SPROULE. How can the province drain through Dominion lands?

Mr. CAMPBELL. I realize that the minister is right in a great measure when he says that drainage is essentially a matter that appertains to the local provincial governments, but when they form a drainage district the lands within that district are charged with their share of the expense. It is impossible, as I understand, to charge Dominion lands and I just ask as a matter of fair play to the municipality that the Dominion contribute in some way towards the draining of this land which is absolutely necesary owing to the fact of the wooded country being immediately south of the municipality.

Mr. LANCASTER. I may say to the minister what my hon. friend contends for has been adopted by this House as a principle in regard to Dominion railways. The Dominion railways could not be made to contribute to the cost of draining their lands as well as the adjoining lands by provincial authority, but we saw the evil and we agreed to amend the Railway Act a few years ago by providing that we would make the Dominion railways which are under the control of this country contribute, under the provincial authority, in the same manner as my hon. friend contends that Dominion lands should. I think that parliament, in order to be consistent, should adopt the same system of legislation as that which was adopted in regard to the Dominion railways and for the same reason that Dominion lands should contribute as contended for by my hon. friend.

Mr. HUGHES. I would like to ask——

Mr. SPEAKER. It is not permissible at this stage to discuss the question. It may be done on going into Supply.

Mr. HUGHES. I am only going to ask a question. Is it not the damming of the Ochre river cause by the debris, logs, timber, &c., from the forest reservation, and is it not the minister's plain duty to see that this debris is cleared out of the forest reservation so as not to dam the river?

Mr. OLIVER. The reason is because the land in the Dominion reservation is high and on a slope and the land through which the Oka river runs is flat. The water runs down on the flat land and the river does not run fast enough to carry it away for which conditions the Dominion government is in no sense responsible. In regard to what the hon. member for Lincoln (Mr. Lancaster) said, the subject which he mentioned is a matter for consideration, but I submit it is a matter for legislation rather than for administration.

ROYAL MILITARY COLLEGE CADETS—VISIT TO OTTAWA.

Mr. HUGHES. I understand that the cadets of the Royal Military College are to visit Ottawa to-morrow or next day, and I desire to ask the Minister of Militia if any arrangement has been made whereby the members of parliament could have an opportunity of viewing these young men. I think it is very proper that they should be brought here, and that the representatives of the people should have an opportunity of seeing them the first time they visit the city of Ottawa.

Sir FREDERICK BORDEN. I think there will be no difficulty in making an arrangement. I am not aware that any special arrangement has been made. It has been understood generally that parliament was likely to prorogue before the day of their arrival but if there is any desire of the kind intimated by my hon. friend from Victoria and Haliburton (Mr. Hughes) I will see that some arrangement is made to have them parade here.

WESTERN GRAIN TRADE.

Mr. OLIVER. The hon. member for Portage la Prairie (Mr. Meighen) brought a matter up in this House some days ago, to which I made answer. He writes me that the answer was not correct, that it was not an answer exactly to the question he asked. He asked in regard to a certain deputation which visited Ottawa on a certain day. I gave him an answer in regard to one deputation, but he writes me that he wishes an answer in regard to another deputation. The first deputation was representative of the Manitoba Grain Growers' Association. The second deputation, or the deputation which he has alluded to, was a deputation of parties who are interested in the export of grain. My remembrance of the interviews that took place is that both deputations were urging the same action and for the same reasons, and in neither case was it legislation that they required so much as administration.

COAL SUPPLY FOR NOVA SCOTIA LIGHTHOUSE KEEPERS.

Mr. R. L. BORDEN. I would like to ask the hon. acting Minister of Marine and Fisheries (Mr. Templeman) for some information with respect to the matter set forth in the following letter:

Will you kindly ask why the coal was taken from the light-keepers on the Nova Scotia coast last fall? I consider it a shame. One of the keepers, a friend of mine, was not notified of this until the 18th of December last. He was looking every day for his coal to be delivered as usual and the SS. 'Aberdeen' came along and the captain informed him, if he wanted coal he had orders to sell it to him, as that was the orders from Ottawa. This keeper is six miles from mainland and at that time of year to get that notice is shameful. We have another instance of it; the light-keeper and his only son at Marie Joseph, while gathering wood, were both drowned a few weeks ago. Had they been supplied with coal this would not have happened.

I do not know anything about the matters mentioned, but the gentleman from whom I received this letter is a very reliable and trustworthy man of excellent standing in the community in which he lives, and I knew that he would not have made these statements if they were not founded on fact. If the minister will kindly obtain the information and let me have it, I will be very glad.

Mr. TEMPLEMAN. I will be very pleased to give my hon. friend an answer, and if, in the meantime, my hon. friend will permit me to have that paper or memorandum—as 'Hansard' will be out too late in the morning—I will have an answer for him to-morrow morning.

INQUIRY FOR RETURN.

Mr. G. V. WHITE. I would like to ask the hon. Minister of Public Works (Mr. Pugsley) to have the return brought down that I moved for on the 14th February last.

Mr. PUGSLEY. My hon. friend the Secretary of State (Mr. Murphy) has the matter in course of preparation. There are some documents which were sent to the Prime Minister but the return will be down to-morrow.

CANADA GAZETTE—PUBLICATION IN FRENCH LANGUAGE.

Mr. GERVAIS. I would like to ask the government if it is their intention to comply with a request which I find contained in a resolution passed by the hon. the Senate on the 14th April, 1910, reading as follows:

The Hon. Mr. Landry moved, seconded by the Hon. Mr. David,

That in the opinion of this House the most elementary justice and respect for the constitution demand that every time laws, regulations, orders in council, or any documents concerning the public in general, are published in English in the 'Canada Gazette,' that journal, which is the official organ of the country, ought equally to contain the publication in the French language of the same laws, regulations, orders in council, or documents concerning the public in general.

The question of concurrence being put thereon, the same was

Resolved in the affirmative, and

Ordered accordingly.

I would like to supplement this resolution by one remark. In the province of Quebec very often——

Mr. SPEAKER. The hon. gentleman cannot discuss that question now. He can only put a question.

Mr. GERVAIS. Well, I would like to ask the government, and the Secretary of State more especially, if it is their intention that the necessary orders shall be given to the King's Printer to bring about compliance with the request contained in that resolution?

Mr. FIELDING. I will call the attention of my right hon. friend the Prime Minister (Sir Wilfrid Laurier) to my hon. friend's question. I would not care to answer it immediately.

DETENTION OF MR. ALEXANDER LYONS AT ELLIS ISLAND, N.Y.

Mr. WALLACE. I would like to draw the attention of the Minister of Labour (Mr. King) to a despatch which I see in this morning's 'Citizen,' and which reads as follows:

Mr. Alex. Lyons, former vice-president of the Amalgamated Carpenters' Unions of Toronto, has been detained by the immigration authorities at Ellis Island, N.Y., and prevented from coming to his home in Toronto. As a result the local labour men are indignant. Mr. Lyons left for Toronto during the winter to visit the old country and to work at his trade for a while. He was on his way home when he was stopped by the authorities. It is understood that the amount of money sufficient to pay his fare to Toronto was not in his pocket at the time he landed and that is the excuse on which he is held. The local unions are taking up the case at once.

TERMS OF EMPLOYMENT OF RAILWAY MEN.

Mr. J. A. CURRIE. I have had placed in my hands a copy of the approved uniform code of rules for Canadian railways, approved by the Railway Commission.

I find in the general notice a clause which says that employees in acepting an employ-

ment assume its risk. I understand that such a code or rules as are approved by the Railway Commission are virtually the law of this country. I would like to know from the government if such a clause as this is to deprive the workmen on railways of their rights under the Workmen's Compensation Act. Is it the intention that this rule shall become the law of the land?

Mr. FIELDING. I should not imagine that a mere order of the Railway Commission could override the laws of the land. I would not care to discuss the question, but I shall call the attention of the Minister of Railways to it and ask him to give an answer tomorrow.

PRIVATE BILLS.

RETAIL GROCERS' ASSOCIATION OF CANADA.

House again in committee on Bill (No. 210) to incorporate the Retail Grocers' Association of Canada.—Mr. Gervais.

On section 1, incorporation:

Mr. EMMERSON. I was unfortunately prevented from being in my seat on Friday evening when this Bill was under discussion, otherwise I would have taken occasion to express my judgment on it. It seems to me that this legislation properly belongs to the provincial legislatures, and that at this stage of the session certainly the time of this House should not be taken up with it. We have had similar legislation before parliament this very session. I understand this legislation is designed to protect the retail merchants in the several provinces. We have had legislation proposed with a view to protect the consumer, and that legislation met with but scant courtesy at the hands of parliament. This legislation, I am sure, is not any more entitled to consideration. I wish to be placed on record as entirely opposed to the measure in its general principles and also in detail. It is not necessary for these men to apply to this parliament for legislation to govern any association which they may have. While I can understand that there may be some reason for the wholesale merchants having Dominion incorporation, the same reasons do not apply in the case of a retail merchant whose business horizon is necessarily a very narrow one, certainly not extending beyond his own province. Many of them do not go in their business transactions beyond the the community in which they reside. The retail merchants should go to their provincial legislatures for incorporation. It cannot be argued that the provinces have no jurisdiction over such matters. There is too strong a tendency for the Dominion to encroach on the provincial jurisdiction, and we should not permit these gentlemen to take up the time of this House. I feel that this committee should at this moment take a very determined stand against advancing this Bill any further during the present session at least.

Mr. NEELY. I had hoped the Prime Minister would be in his place when this Bill came up this morning, because I wanted to make an appeal to him, but as the Minister of Public Works is apparently leading the House in his absence, I would appeal to him. When the Bill first came up, a motion was made that the committee rise after the first section had been defeated by a considerable majority, but in deference to the feelings and wishes of the promoter that motion was withdrawn and the committee also consented to reconsider clause 1, the understanding of those who had voted against the Bill being that the promoter wished to withdraw it. This is the third time the Bill has been in the Committee of the Whole House. It took up the whole of the hour for private Bills on Friday night. A large number of the members have gone away, as the session is drawing to a close and numbers of those who had voted against the Bill are not present. I appeal to the fairness of the promoter, and I ask the minister of Public Works if it is a fair proposition to press this Bill to a conclusion after we have had a division of the committee, now to bring it forward the third time, when a large number of the members are not here to vote.

Mr. PUGSLEY. I might remind my hon. friend that this is a private Bill, and I do not think the government should be urged to take any charge of the committee upon it.

Mr. BEST. I am surprised to see this Bill again before the commitee. A few days ago we passed an Anti-Combine Bill. This morning, after discussing this three times, we are asked to pass a Bill that may lead to the formation of a huge combine. I cannot see where this Bill will help either the producer or the consumer, and I want to be placed on record as being straight against this Bill. I think it is unfair to bring it before the House at this time. The Bill was voted down and out the first time it was discussed, and now, when many members are away, it is brought forward again when we expect to prorogue in a short time.

Some hon MEMBERS. Vote.

Mr. GERVAIS. Before the vote is taken I wish to say a few words. I have been listening to the so-called arguments

of the hon. gentlemen on three different occasions, on two nights and one day, and I think I am entitled to say a few words as a rejoinder of issue. The hon. gentlemen have tried to bring forward some arguments, but I can assure you that nothing but fiction, imagination, and something else which I shall not qualify has been advanced in support of the rejection of this Bill. Who are the promoters of this Bill? The retail merchants of Canada who are deserving so great consideration in Canada. I have been sitting in this House for seven years. In that time we have incorporated companies right and left at the request of groups of five persons. Provided five persons have paid $200, a fine of $100 sometimes, and sometimes a fee of $1,200, charters have been granted for the incorporation of companies of all kinds, so-called railway companies, so-called banking houses, so-called trade unions, so-called benevolent societies—as a matter of ract any group of five men in the land coming before this high court of parliament, the highest of Canada, has been granted a charter. Surely, before this parliament I can appeal under better circumstances than before any lower court, any Superior Court or Court of Appeal in my province and any group of men should be given a fair hearing in this parliament. In this particular case the retail merchants of our country should be granted a fair hearing, as fair as the many hundreds of corporations that have been created since confederation. I am now rather surprised to see so many hon. members of parliament speaking so lightly or slightingly of the retail merchants of Canada, the promoters of this Bill. As a matter of fact who are the retail traders and wholesale traders of Canada? They are well known, deserving and progressive people, they have done more for the benefit of Canada than most all of the workingmen of Canada.

Some hon. MEMBERS. Oh, oh.

Mr. GERVAIS. Yes, yes. That may be a surprise to you, but if you read the latest discoveries of social history you will find that the traders of the world have done an immense work for the progress and advancement of humanity. This has been the case in Canada and hon. members should not speak so disparagingly of the traders of Canada.

Mr. TOLMIE. What about the farmers?

Mr. GERVAIS. The farmers have done their part of the work. What do you find in clause 1 of the Bill? That well known merchants all over Canada, numbering about 100, are now asking this parliament of Canada just to give them a charter to enable them to enjoy the powers and rights which are granted to any corporation under common law, under the civil law, under the law of confederation; because before all, I challenge any opponent of this Bill to point out to the House one paragraph, one sentence, one word, tending to show or of the nature to show that from the incorporation of this company a monopoly will be created, or a so-called combine or that any illegal act will be committed. I repeat, it is fiction, it is imagination—I do not want to give out the third epithet—it is fiction and imagination to pretend that through the instrumentality of this Bill a monopoly will be created or a combine will be brought into existence. As I said, I am surprised to see how the retail merchants of Canada are being treated by some hon. members of the House. The hon. member for Humboldt on Friday night last, tried but failed to advance reasons why we should not incorporate the Retail Merchants Association of Canada.

This House of parliament is a high court of justice to hear such demands as are made here and to grant them. Those demands or requests are framed in accordance with the constitution of 1867 and in accordance with the rules of parliamentary procedure. The Retail Merchants' Association of Canada have presented to this House a petition which has been properly signed. They have made the required deposit, given the necessary notice, and the Bill has been introduced in due form.

Mr. EMMERSON. There is no petitioner outside of Quebec and Ontario.

Mr. GERVAIS. I beg the pardon of the hon. member for Westmoreland (Mr. Emmerson). This incorporation is being sought for by the general traders of Canada. This Bill is not being forced upon this House by the association of retail merchants of but one province only. It has been presented in proper form with due notice; it has been reported to the House, which, I claim, is in duty bound to pass it. There is no reason for the rejection of the Bill. I challenge any lawyer in the House, and if the Minister of Justice were in his seat I would ask him to give his opinion, to say that he can find anything in the Bill which can be interpreted as trespassing upon or invading the rights of anybody or to show anything in the Bill which would create anything like a monopoly, combine or commercial company. The hon. member for Humboldt (Mr. Neely) has told the House that the Retail Merchants' Association if incorporated would tend to create a monopoly or combine of

the nature which the House declined to accept in the Co-operative Societies Bill. If you read over the Bill relating to the so-called co-operative credit societies, you will find that the societies which sought to incorporate under that Act were asking powers to borrow money or to lend money. I was a little aggrieved to see so many members not of the legal profession putting a construction upon the Bill which cannot be justified by the general rules of interpretation. I call your attention, Mr. Chairman, to the fact that there is no danger of any monopoly, trust or combine being created for the very simple reason that the association will have no power to buy goods or to sell goods or to borrow money. They will have no power to do any trade of any kind and they will be powerless to make any of the 20 contracts which are known under common law and under the civil law of the province of Quebec.

Mr. PUGSLEY. What about section 6?

Mr. GERVAIS. Under section 6 the association is merely authorized to borrow a few dollars on its notes or acquire a little property for its offices.

Mr. PUGSLEY. There is no limit.

Mr. GERVAIS. There is a limit. It is only authorized to borrow a few dollars for the realization of purposes as defined in clause 2.

Mr. EMMERSON. How about section 8?

Mr. GERVAIS. The limit is this, that they cannot use that money except for the purposes mentioned in section 2, and if any member will read over section 2 he will find that the association is powerless to make any contract or do any trade of any kind. My hon. friend (Mr. Pugsley) is too clever a lawyer not to understand that under section 2 the association is powerless to make any contract, do any trade or any banking. He knows quite well that if they did, there are common law remedies, and the association could be brought to terms in any court of the land by a writ quo warranto on information. I repeat that this mischief feared by some hon. members is not possible under the provisions of the Bill, as the moment the Retail Merchants' Association of Canada tried to open a store, they could be enjoined by a writ quo warranto, while if they formed any combine they could be brought before the criminal courts and forced to account for their action. For, as we all know, there are provisions in the Criminal Code of Canada which have a very important bearing upon conspiracies in restraint of trade. Should any group of retail merchants use this association for the purpose of making what is known as a combine or monopoly, anybody in the land—anybody —can bring those offenders before the criminal courts. All fears of combine or monopoly through such a measure as this fade away the moment I draw attention to the fact that anybody in Canada may become informer and bring before the criminal court, not merely one man, but even all the members of this Retail Merchants' Association of Canada, to force them to withdraw from an illegal combine should any such be formed.

Then, there is a third remedy, and a very good one. Should the Retail Merchants' Association of Canada form a combine, the law which has just been enacted at the instance of the Minister of Labour can be made use of to prevent the continuance of any such anti-commercial organization. Thus, we have the three remedies, legal and complete remedies, should this Act of Incorporation be taken advantage of for the purpose of forming a combine in restraint of trade: first, the quo warranto on information of the Crown; second, the anti-combines law; and, third, bringing before the criminal courts the merchants accused of maintaining a combine.

Some hon. members of this House call for the rejection of this Bill but without showing any reason for such a course. I have said, and I think I have shown, that the retail merchants of Canada are entitled to some little consideration from this House. And all they ask is the same consideration that is given to any group of five men, which groups have been incorporated right and left by this parliament, the only conditions demanded being, proper notice for one month, a deposit of $200, and the following of a procedure established under certain rules. The Retail Merchants' Association of Canada, are, purely and simply —yes, and I say exclusively—requesting this House to give them a charter of incorporation. Is there any good reason to dismiss such an application? I wonder if the opposition to this Bill can arise because two Bills relating to the incorporation of co-operative societies which have claimed the attention of the House for the last two sessions have been dismissed? But it is rather queer to note that the most rabid opponents of the Bill now before us, who oppose it on the ground that its promoters have been fighting the co-operative Bills, never attended the sittings of the Banking and Commerce Committee before which the arguments for and against the co-operative Bills were brought out. This I believe, is true of these gentlemen with one exception. The hon. member for Humboldt (Mr. Neely)—

Mr. NEELY. I am not a member of the Banking and Commerce Committee.

Mr. GERVAIS. But as amicus curiae, as one interested in the matter, perhaps the

hon. gentleman might have brought to the committee the supply of information which had been given him by an employee of this House. As we all know, everybody was welcome to appear before the Banking and Commerce Committee, and everybody who had information to give was well received and attentively listened to. I am surprised that the hon. member for Nanaimo (Mr. Ralph Smith) was not good enough to give the Banking and Commerce Committee the benefit of his extensive data and information in relation to co-operative societies and the marvellous things they have been doing in foreign lands—though they have brought nothing but disaster in Canada. I have acted as legal adviser for five or six co-operative societies in the course of my experience as a lawyer, and, so far as I have observed these societies, they have resulted only in failure, fraud and bankruptcy. It is for this very reason that I did not feel disposed to give my support to a general law to incorporate co-operative societies—a blanket Act under which any group of seven persons can form a trading society, a wholesale society or a banking society, if they will put up $1 apiece, making a capital, to begin business, of the magnificent sum of seven dollars. Is it because I stated before the Banking and Commerce Committee that I did not believe in any such financial theory that I find that in this House the supporters of these Bills make it a crime for me to have acted according to the dictation of my conscience and the warnings of my experience of twenty-five years? Fortunately or unfortunately, I have been the legal adviser of most of the co-operative societies established in Montreal within the last twenty-five years, and I could myself furnish a few data to the hon. member for Nanaimo who seems so well supplied with all kinds of information on this subject, taken from his head and from abroad and from his—

Mr. RALPH SMITH. Mr. Chairman—

Mr. GERVAIS. I have not yet concluded my remarks. Every hon. member in this House has plenty of time to support his own request which he makes in this House; and I think that the many thousands of retail merchants of Canada, the retail merchants as well as the wholesale merchants, are entitled to a few hours of our attention in this House. These retail merchants' associations will have something to say when the election comes on, as well as the wholesale merchants, and I think these retail merchants' associations deserve to be heard.

Mr. RALPH SMITH. This matter has been before the committee for some time, and I feel sure every member on both sides of the House is well informed in regard to it. I beg therefore to move that the committee rise, report progress and ask leave to sit again.

Mr. BOYCE. This House has voted several times on this Bill already, therefore, I do not think it is advisable that it should be permitted to delay the business of parliament any longer. I am opposed to the principle of the Bill, because I think it belongs to provincial jurisdiction. I think it is extraordinary that legislation of this kind can be introduced and take up so much time, when we have a Minister of Labour who is supposed to look after these things, and who persists in staying away while this Bill is under consideration. The Minister of Labour was not here this morning, this is the first order on Private Bills, and as soon as the order is called the minister goes out of the House. I say this Bill would not have taken up so much time if the Minister of Labour were here and had told us : In my opinion, as having regard to the Combines Bill, this legislation ought not to pass. I think it is unfortunate that this Bill has been brought up when we have not an opportunity of consulting with the Minister of Labour, to find out how far this Bill will affect the legislation he has introduced already.

Mr. GERVAIS. The hon. gentleman who has just sat down complains that we have not the advantage of consulting the Minister of Labour on this question. Well, I will read to him the opinion of the law clerk of the House of Commons, which has been confirmed by the Minister of Justice, and I think that the opinion of the law clerk is more pertinent on this question than even the opinion of the Minister of Labour.

Mr. EMMERSON. Dispense.

Mr. GERVAIS. No, I think that opinion will be useful to the committee.

Mr. RALPH SMITH. Take it as read.

Mr. GERVAIS. No, I will not, I will read it. You are in need of it.

April 29, 1910.

H. Gervais, Esq., K.C., M.P.,
Ottawa.

Dear Mr. Gervais,—With reference to Senate Bill S, to incorporate the Retail Merchants' Association of Canada, in the form in which it passed the Senate on the 13th instant.

Mr. LANCASTER. We have not got to the 13th instant yet.

Mr. GERVAIS. (reading):

Replying to your question as to whether, under this Bill, the association has a power to do a banking or loan business, or to engage in retail or wholesale business, or to create a monopoly of any kind.

Mr. Chairman, I appeal to you to keep order. I am reading the opinion of the law clerk of the House of Commons.

Mr. DEPUTY SPEAKER. As the hon. member has appealed to me for order, I ask hon. gentlemen not to indulge in conversation to any extent.

Mr. GERVAIS. (reading) :

Without having been able to give very careful consideration to the above, I can, however, reply that the question of doing a banking business is prohibited to the Association under the Interpretation Act, Revised Statutes of Canada, chapter 1, section 30, subsection 2, which says:

'2. No corporation shall be deemed to be authorized to carry on the business of banking unless such power is expressly conferred upon it by the Act creating such corporation.'

Then the law clerk continues:

There would appear to be no authority in the Bill——

Mr. RALPH SMITH. Is this not a private letter, and did not the writer of that request the hon. member not to read it in this House?

Mr. GERVAIS. No, and I told him I would read it. The opinion is not given in a private letter, but it is the opinion of the law clerk of the House of Commons. The hon. member for Nanaimo (Mr. Smith) can examine it if he wishes.

Mr. RALPH SMITH. Then what right has the hon. gentleman to read it?

Mr. GERVAIS. I know the rules of etiquette as well as the hon. member for Nanaimo, I know them well enough not to make use of a private letter. The letter was given to me to be read in the House. Then the law clerk continues:

There would appear to be no authority in the Bill, either expressed or implied, which would enable the association to carry on a loan business. Clause 8, which has been called to my attention, relates to the drawing, endorsing, etc., of bills and notes, but does not in my opinion give loaning powers. I do not find any words which would indicate power to carry on a retail or wholesale business. Clause 2 says 'the objects of the association shall be: (a) the promotion of the industrial and commercial interests of the retail merchants of Canada.'

Mr. EMMERSON. By what means?

Mr. GERVAIS. The law clerk will answer the hon. member for Westmorland.

I think that if the association attempted to carry on a wholesale or retail business under the authority of this clause, they would be acting without authority, and could be enjoined in the proper way. I also observe that there is no capital stock, without which it would seem improbable that any such business could be engaged in.

We know that the way to enjoin this corporation is by writ of quo warranto, or by a writ of injunction, in those provinces where such a writ exists.

* * * * This apparently is intended to be covered by clause 9 of the Bill, which says that the existing constitution and by-laws of the voluntary association, in so far as they are not contrary to law or this Act, shall continue to be the constitution and by-laws of the association.

This letter is signed, 'Faithfully yours, A. H. O'Brien.' That opinion is just as good as the opinion of any layman who may attempt to interpret the Bill according to his wishes, and irrespective of any questions of law which are involved in that Bill. Section 1 may be carried, and then if there is any amendment needed to any objectionable clauses, they can be amended and put in proper shape. But I state it as a legal proposition, that this House cannot take it upon itself to refuse incorporation to any body of men who are asking for incorporation in accordance with the laws of the land, and with the forms of procedure of this House. This House is a court of law as well as a court of legislation.

Mr. RALPH SMITH. I did not intend to move that the committee be directed to sit again. I simply move that the committee rise.

Mr. BICKERDIKE. I have listened to a good many of the speeches against this Bill, but there has only been one argument of any force that has been brought forward by the hon. member for Humboldt (Mr. Neely) and that argument is that the whole of the petitioners are from the provinces of Ontario and Quebec. There has been no point made against the Bill.

Mr. LANCASTER. Will the hon. gentleman tell me the reasons from the public standpoint why this Bill should pass?

Mr. BICKERDIKE. It should pass for the same reason that any similar Bill has been passed by this House. The Bills incorporating the Manufacturers' Association, the Shipping Federation and dozens of others were on exactly the same footing. Why should this Bill be killed?—because it is introduced by the hon. member for Montreal—St. James?

Some hon. MEMBERS. No, no.

Mr. BICKERDIKE. Or because the members of the association belong principally to Ontario and Quebec?

Some hon. MEMBERS. No, no.

Mr. BICKERDIKE. These are very strange reasons. The merchants of Canada are asking for this Bill. They are an important body, and they are simply asking for what the wholesale grocers asked for and which you gave to them. They are

asking what the Manufacturers' Association and the Shipping Federation asked for, and which you gave to them. For some reason or other some of the members of this House are determined to fight this Bill.

Mr. LANCASTER. The hon. gentleman asked why this association should be given any less consideration than the Manufacturers' Association. Does the hon. gentleman say that the Manufacturers' Association is incorporated by Act of the Dominion parliament?

Mr. BICKERDIKE. Yes.

Mr. LANCASTER. What year?

Mr. BICKERDIKE. I cannot tell from memory just what year, but I myself introduced the Bill to incorporate the Shipping Federation, and it passed this House unanimously.

Mr. LANCASTER. Does my hon. friend say that the Manufacturers' Association was incorporated by Act of the Dominion parliament?

Mr. BICKERDIKE. Yes.

Mr. LANCASTER. I would like to see the statute.

Mr. BICKERDIKE. I cannot give it to the hon. gentleman at a moment's notice, but, as I say, I introduced the Shipping Federation Bill myself. There is no reason given why this Bill should not pass except that these people are from Ontario and Quebec, and the gentleman who introduces this Bill has offended the Co-operative Association. Surely this House is not going to stoop to anything of that kind—

Some hon. MEMBERS. Question, question.

Mr. BICKERDIKE—for the sake of persecuting the hon. member for St. James. I hope that every member of this House will vote for the Bill.

Motion (Mr. Ralph Smith) negatived. Yeas 30, nays 36.

On section 1,

Mr. EMMERSON. It seems to me that the objection is very strong against this legislation being passed by this parliament. By looking at the names of the incorporators in the Bill it will be seen that on its face it is not of general application, that it does not relate to the whole Dominion, that there was no petitioner from the west and none from the east asking incorporation. To meet the description of a Dominion organization there should be representatives from every section of the Dominion. That shows that the country has not asked for it.

Mr. HUGHES. Are there not enough names for an incorporation? Five are all that are needed.

Mr. M. CLARK. If my hon. friend from Westmoreland (Mr. Emmerson) will allow me, I would like to tell him that of my own knowledge there are numerous retailers in the west who wish this legislation.

On section 8, promissory notes and bills, liability of officers in respect of notes and bills.

Mr. PUGSLEY. I would suggest to my hon. friend (Mr. Gervais) that section 8 should be struck out. This association has no capital stock, and I do not think it should be allowed to accept bills of exchange and make promissory notes.

Mr. GERVAIS. This Bill will have to go back to the Senate, and any amendment means that the Bill may be killed. As a matter of fact, the law clerk says that there is nothing objectionable in the Bill. The association want simply to discount notes for their own little business. There is a limitation in clause 2. If you wish to carry the Bill, it will have to go through now, because prorogation will take place on Wednesday and we will not have time to have the Bill amended in the Senate. Anything in violation of the tendency of clause 8 is limited by clause 2, and I assure the committee that proper remedies will exist at common law. I ask that clause 8 be left as it is for the time being.

Mr. TURRIFF. That clause 8 is not necessary and should not be carried as part of the Bill. I do not think the Bill should be carried. If the legislation is right, it should come from the provinces. Judging from the experience we have had with this sort of legislation in the west, that clause should be struck out, because the only purpose for which such a power as that contained in clause 8 was used by the Lumbermens' Association was the quashing of competition. If this association wants money and wants to discount notes for the purpose of getting money, it can only be with that object in view. The promoter of the Bill says that it is not going into business, either retail or wholesale. It must be for the same purpose as that for which the Retail Lumbermen's Association in the west wanted money, and that was to get the men engaged in that business into a combination so that there will be no competition. I move that clause 8 be struck out.

Sir WILFRID LAURIER. I would suggest to my hon. friend the promoter of the Bill (Mr. Gervais) that if he is anxious to have this Bill passed, he had better accept the amendment. The object of the Bill is such that if you give power to this com-

pany, which has no capital at all, to incur liabilities you adopt a very dangerous principle, and, moreover, if my hon. friend expects this Bill to go through at this stage of the session, he had better accept the amendment, and let it go to the Senate. It will come back from the Senate to-morrow, and it can be amended again if necessary.

Mr. GERVAIS. This association simply wants the general power that is conferred upon any company to issue promissory notes.

Mr. PUGSLEY. But there is no capital.

Sir WILFRID LAURIER. If my hon. friend is anxious for the Bill to go through especially at this stage of the session, I would suggest that he allow that clause to be stricken out.

Amendment (Mr. Turriff) agreed to.

Bill reported, read the third time, and passed.

OTTAWA AND MONTREAL POWER AND TRANSMISSION COMPANY.

House in committee on Bill (No. 178) to incorporate the Ottawa and Montreal Power and Transmission Company, Limited—Mr. Perley.

Mr. CONMEE. It was agreed in commitee that the word 'power' should be stricken out of the name of the company; it is now a transmission line only.

Mr. DEPUTY SPEAKER. The proper time to change the name is on the third reading.

On section 8.—Powers.

Mr. SEALEY. It was distinctly understood in the committee, that this company was to have no powers except those incidental to the purposes of a transmission line. If the words of this section give the company the right to acquire water-powers it is not what was understood in committee.

Mr. BOYCE. This clause is for the purpose of enabling them to lease power or force for the purpose of transmission.

Mr. SEALEY. That was the intention.

Mr. CONMEE. My recollection is that the words 'or other power' were to be stricken out of the Bill wherever they occur. The company was to get power to transmit electrical energy or force, but this clause would seem to give them the right not only to transmit power which they might acquire in any way, but also to create power. There is nothing in the clause that would prevent them from dealing with hydraulic power as well as with other powers and that was not the intention.

Sir WILFRID LAURIER.

Mr. BOYCE. Hydraulic power was stricken out of the Bill.

Mr. CONMEE. The words 'or other power' should have been stricken out too. The Bill is inconsistent if they are allowed to remain in it, I move that they be stricken out.

Mr. BOYCE. This Bill was considered by the committee, referred to a subcommittee and carefully considered there, and it was finally agreed to. My hon. friend (Mr. Conmee) stated this objection before the subcommittee and I do not think it is fair at this late stage of the session to move an amendment which may have the effect of killing the Bill for this year. The clause is not capable of the construction which the hon. gentleman (Mr. Conmee) gives to it. He knows perfectly well that everything in this Bill that in any way gave rights as a water-power company has been eliminated, and that the intention is to make it purely a transmission company. Had there been the powers of a water company given these words might have effect, but these powers being eliminated the words have absolutely no other meaning than to carry out the object of a transmission line.

Mr. CONMEE. I did raise this point before the committee, and the committee agreed upon the Bill, and then the promoters in reprinting it have put into it just what the committee struck out of it.

Mr. BOYCE. Oh, no.

Mr. CONMEE. I say, yes.

Mr. PERLEY. This clause is copied from the St. Lawrence Power Bill and these words are inserted just as they are in that Bill. It is not right for the hon. gentleman (Mr. Conmee) to suggest that the words have not been put in as agreed to by the committee.

Mr. CONMEE. I understand that, but the clause in the St. Lawrence Power Bill would not be applicable in this Bill without the phraseology being remodelled. My hon. friend knows that the clerk and the promoter of the Bill were to change it.

Mr. LANCASTER. Is not that what they say they have done?

Mr. CONMEE. But they did not do it. That is what I am finding fault with. They did not strike out these words as they should have done. What are the words:

(a) For the purpose only of transmitting electricity or electric or other power, current or energy.

There is no objection to them having as many words as they please for the transmission of electric energy or current, but there is objection to the word 'power'.

That is from my point of view, and if they said the words were to be struck out. then they ought to live up to that agreement.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

Mr. PERLEY. This Bill stands in my name, but I wish it understood that I have no personal interest in it whatever. There is no person who is more anxious to have it put into proper shape than I am. Those gentlemen who are asking for the legislation have already got a water-power in Hull which has been in active operation for several years, and they own other water-powers on rivers running into the Ottawa from the north, and all they want now is the right to a transmission line. Anything that is needed to put this Bill in proper shape I am prepared to accept. The hon. member for Rainy River (Mr. Conmee) suggested that the word 'power' in line 27, and also the word 'power' in line 30 might be misconstrued. Although I do not agree with him, at the same time I can see no objection to their being left out.

Mr. CONMEE. Would the hon. member strike out the words in the third line 'or other power'; then it would read 'electrical current or energy'. If the hon. gentleman wants something wider, then put it in.

Mr. PERLEY. The word 'power'. with a comma after it, in the nineteenth line, and the word 'power' in the twenty-seventh line, and the word 'power' in the thirtieth line might come out; but the word 'power' in the twenty-ninth line would have to stand, because that has another application.

Mr. CONMEE. Would the hon. member put it in this way 'light, heat, or electrical power'?

Mr. PERLEY. That will be satisfactory.

Mr. CONMEE. I was discussing this particular section at 1 o'clock, and I made a motion. Now, after hearing the remarks of the hon. member, I wish to withdraw that motion, as I understand these words are to be struck out. Now, I wish to point out to the committee what I think is an objection in this particular clause. As the Bill was originally printed, clause 12 provided for the consent of a municipality by by-law; as the Bill now stands, the consent of the municipality is to be obtained subject to section 247 of the Railway Act, which does require consent by by-law, but by by-law of the municipal corporation only. In the previous section it provided that they should not enter cities without the consent of the city. In this case they are empowered to enter without the consent of the city, because if they cannot agree with the city, then the Board of Railway Commissioners fix the conditions. I do not object to that provision, but I am merely calling the attention of the committee to what I think ought to have been the provision, namely, that in case of cities the by-law should not only be a by-law of the municipal corporation, but it should have the assent of the qualified-ratepayers.

Mr. LANCASTER. Why have a different franchise in cities from any other municipality?

Mr. CONMEE. For my part I think it would be a fair provision for both cities and towns. My hon. friend will say: Why in cities and towns, and not elsewhere?

Mr. LANCASTER. And in a village which may be bigger than a town.

Mr. CONMEE. It could be put, perhaps, on the basis of population; we should have some general provision governing that, but we have not, the reason is that in rural municipalities through which these lines pass there is not the same interest to protect. The line can go through without doing a great deal of harm, and we all know that its construction and operation does a great deal of good, it is a public utility in that sense. But I am not raising the question with an idea of taking objection to it. I am simply calling the attention of the promoter of this Bill and some other hon. gentlemen opposite, just to show where I think they are inconsistent with their previous position when they support this Bill. Here is a Bill which gives power to go to a great city, a Bill which is purely provincial in character. The gentlemen asking for this Bill did not ask for the power, in their notice, or in their petition, to cross the Ottawa river or to enter Montreal now. They have got power in the Bill to cross the Ottawa river, and to enter Montreal, but they have no right to it, they did not ask for it in their petition. Now, I am not objecting to it from my point of view. But hon. gentlemen have taken up a great deal of time in this House combatting other Bills which less invaded provincial rights than this Bill does. Here is the situation: That because an hon. member in the ranks of the opposition has this Bill in charge, their theories of provincial rights have all vanished, so far as we have any evidence at present. Now, I have objection to clause (c) in this Bill, which reads this way:

> Acquire such lands, easements and privileges as are necessary for the purpose of its undertaking.

In a further amendment subsection 5 of section 16 there is a provision which

confines them in the taking of land required for a transmission line only. I think this subsection (c) is inconsistent with section 16. If they are to have the power to expropriate land for purposes other than a transmission line across the bed of the Ottawa river, then I have serious objection to it. We in the west expect that some day the Ottawa river will be made a navigable stream to a much larger extent than it is to-day by the construction of the Georgian Bay canal, and no obstruction should be placed in the way of that undertaking, when it can be reasonably avoided without any injury to the promoters of this Bill. I would like to know from the member in charge of the Bill if, in view of the provisions of subsection 5 of section 16, he would consent to have section (c) struck out.

Mr. PERLEY. The great distinction between section 8 and subsection 5 of section 16 is that section 8 gives them power to buy lands, etc., by private purchase. But section 16 is an expropriation section, and what they can expropriate is limited.

Mr. CONMEE. I think the Bill has to be read as a whole, and that this cannot be separated from the meaning of the statute. It gives wider power, I am afraid, than is intended.

Mr. DEPUTY SPEAKER. It is moved that in line 19 of section 8 the word 'power' be struck out. Carried.

It is also moved that in the 27th line where the word 'power' occurs it be struck out. Carried.

Mr. CONMEE. In subsection (a) of the third line the words, 'or other power,' should be struck out.

Mr. PERLEY. No, the word 'power.' The chairman has declared that carried.

Mr. CONMEE. I did not hear it.

Mr. DEPUTY SPEAKER. I understood the motion to be simply to strike out the word 'power.' If I did not understand it, that point can be explained. It was also moved to strike out the word 'power' in the 27th line. Carried. It is also moved to strike out the word 'power' where it occurs in the 30th line. Or, perhaps, it would be better to take up an amendment in the 29th line—before the word 'power' to insert the word 'electrical.' Carried. Also to strike out the word 'power' where it occurs in the 30th line. Carried.

On section 9, disputes to be decided by Railway Commission.

Mr. SEALEY. I agree with the hon. member for Thunder Bay and Rainy River (Mr. Conmee) that subsection (c) of section 8, perhaps, was not definitely dealt with. The hon. member (Mr. Conmee) had a suggestion that that subsection be struck out. I am not sure whether he put it in the form of a motion or not, but I think it would be quite proper.

Mr. CONMEE. I suggested it, but it was not accepted. The section has been carried.

Mr. BOYCE. All I can say is that if my hon. friend from Thunder Bay and Rainy River proposes that section 9 be struck out——

Mr. CONMEE. I do not. It is subsection (c) of section 8 that I referred to. As to section 9, I think that in its present form it does not convey what was intended, and I hope the hon. member in charge of the Bill will accept the suggestion I have to make. The section now reads:

In case of any dispute or difference as to the price to be charged by the company——

And so on. I think it should read:

In case of any application for power, as herein provided, as well as the price to be charged by the company.

And so on. It is not a question of dispute, for the section goes on to provide that the government of the Dominion or of the province of Quebec, the province of Ontario, or any municipality, may make application to have the prices and terms fixed. These parties would not have a dispute. I do not think it is intended to defeat the latter part of the section by the language of the first line or two, and I would suggest to the hon. member that it would not weaken the position in any sense to amend it as I have suggested, and it may prove a possible difficulty. I would recommend the adding of these words:

Mr. BOYCE. What words?

Mr. CONMEE. Strike out in the first line the words 'dispute or difference' and insert 'applications for power and prices as herein provided.' Then, in the third to last line on that page, that is on line 43, I propose to insert the word 'and,' making it read 'and the said board, on the application of any person,' and so on. I do not want the section weakened in such a way that either of the governments named or any municipality may not take advantage of this provision to step in and ask for a regulation of prices and conditions and thereby relieve the individual from having to do it. That is the object, and I think that the language I have suggested would make it clear. Then, in the forty-second line, I think the words 'or transmitted' should be added after 'produced'. That is an important point. This company has the right not only to transmit power which it itself generates, but to transmit power that it leases from other companies. This

language might not include the power that it takes from the other companies.

Mr. PERLEY. That suggestion is all right. Let it read 'produced or transmitted'. The other suggestion is for a merely verbal change. This section was discussed at length in the committee, and it appears as reported. Except for the addition 'or transmitted', which is reasonable, the section should stand as it is.

Mr. CONMEE. Then, we are agreed, all but one word. Let me point out that the section goes on, that in case of dispute or difference as to method of distribution, the time within which the power is furnished or the quantity or conditions, that dispute or difference shall be settled by the Board of Railway Commissioners for Canada 'on the application of any user of or applicant for power or electrical or other energy produced by the company, or upon the application of the company'. That seems to be the end of the sentence. Then, this section goes on:

The said board, on the application of any person or municipality, or on the application of the government of Canada, or the government of the province of Ontario, or of the government of the province of Quebec——

It is intended that the government, or a municipality, may, without dispute, and of their own motion, for the benefit of their citizens, make an application. But after the word 'and' they proceed: 'The said board has acted as is already provided, it may be argued that the board would have exhausted its jurisdiction.

Mr. BOYCE. I do not know that the promoter of this Bill has any very serious objection to the proposal of the hon. member for Thunder Bay and Rainy River (Mr. Conmee), but I do feel it my duty to point out that my hon. friend was a member of the subcommittee appointed by the Private Bills Committee to investigate this Bill, that he sat there for several days, that this clause was the subject of very serious consideration by the subcommittee, that he proposed several amendments, that upon several of these amendments this clause was put into its present shape, that the amendments agreed to by the subcommittee were just the same as they are now, that this clause was moulded in accordance with my hon. friend's suggestions to the subcommittee, and that the hon. gentleman was perfectly satisfied, or he did not express any dissatisfaction therewith. The subcommittee reported the clause to the Private Bills Committee. The Private Bills Committee reported it to the House, and now the hon. gentleman, within the last hours of the session, endeavours, according to my way of thinking, rather unfairly, to obstruct the passage of this Bill by pressing amendments absolutely contrary to the position which he took in the Private Bills Committee. Personally, I have no objection to them, I do not think they amount to anything, I do not suppose that the promoter of the Bill objects, but I desire to emphasize my very strong objection to the hon. gentleman, at this time, taking a position inconsistent with that which he took before the subcommittee of the Private Bills Committee.

Mr. CONMEE. The hon. gentleman is not warranted in making the statement that I am taking a position different from that which I took in the subcommittee. This clause was to be drafted. I had no opportunity of seeing it printed until to-day. I was not here on Saturday. I was not at the committee meeting, although I attended at the hour at which it was called. I tried to get a copy of the Bill, but the clerk said that the print had not reached him; I could not remain all the afternoon. I believe the committee did sit afterwards and pass the Bill but I am not responsible for that.

Some hon. MEMBERS. Carried.

Mr. SEALEY. I wish to suggest that there be inserted as the first line of section 9 that 'the company must supply applicants nearest the source of development first.' My reason for suggesting this is that western Ontario and in the Niagara peninsula we have two transmission companies in operation and another will be in operation in a very few days, I expect. They transmit from the source of supply to large centres like Toronto, Hamilton and other places, but they decline to consider the applications of people who wish to use their power in the intermediate territory. The people of the intermediate territory have to submit to all the inconveniences and dangers of the transmission lines passing their places, sometimes on the roadway, at all events crossing the roadway in many places, and in quite a number of places in front of their doors or between their doors and the street or highway. It is only fair that if they have imposed upon them all the dangers and inconveniences they should be entitled to the benefits and conveniences that accrue to the central points. In the case of this particular company it will be very much more advantageous, if, between Ottawa and Montreal there should spring up a hundred towns where manufacturing industries will be established, where workmen can live in comfort and with healthy surroundings free from the disadvantages which generally afflict the congested communities in the great cities, than it would be to have this power transmitted in bulk to Montreal, there to develop that city's industries and increase its population by 100,000. The de-

centralization of population from the great cities could be effected to a wonderful degree by these transmission lines. These transmission lines may be useful in building up thriving communities throughout the country without continuing to further stimulate the centralization of everything around large cities. For that reason I think it is in the interest of the particular community and for the welfare of Canada generally, that the company should be obliged to give power to the applicants en route, and upon terms not any more expensive or difficult to comply with than at the centres. I believe that if that line were inserted at the beginning of section 9 it would cover the condition that I would like very much to see provided for.

Mr. BOYCE. My hon. friend proposes an amendment which is already in the clause. My hon. friend, at least three times in the subcommittee and in the Private Bills Committee, proposed the same amendment, and it was pointed out to him that it was contained in this clause. The condition as to price, methods, time, quantity, and all conditions upon which the power shall be supplied to everybody, are all referred to the Railway Commission, and my hon. friend was satisfied in the committee that everything that he contended for was done by this clause. My hon. friend spoke about twenty people making an application for power. I pointed out to him that twenty people or less might make an application for power under clause 9. But, suppose that only three people on this line want power. They simply have to apply to the company, and if the company refuses to give them power on terms which are satisfactory to them, all they have to do is to go to the Railway Commission under the clause as already framed and as amended by the hon. member for Thunder Bay and Rainy River (Mr. Conmee). Under that clause the question is not as to twenty people, but one man may apply and the whole question will be decided by the Railway Commission. First, there is the question of price; second, methods of distribution; third, time within which the power shall be finished; fourth, the quantity to be furnished, and fifth, the conditions upon which it shall be furnished. Anything further that my hon. friend might engraft upon this clause would be mere surplusage. His suggestion was considered by the subcommittee of the Private Bills Committee. His objection was raised there, and it was pointed out that the addition that he proposed would be surplusage. I am satisfied that it is surplusage and, therefore, I appeal to him to allow the section to go through as it is, because the objections which he has raised have already been met. When he raised those objections, I considered them carefully, and we looked at this section so as to see that it included all that my hon. friend was contending for. Any one who wants power and disputes as to the price or the conditions may go to the Railway Commission and have it settled.

Mr. SEALEY. It is quite true that this question did come up in the subcommittee, and that my hon. friend (Mr. Boyce) said that these provisions were embodied in the section. The company are not obliged to supply power to any one, but the provision is that any application may be referred to the Railway Commission, and the Railway Commission may so order if they wish and they are permitted to so order upon the circumstances and conditions which are shown. The circumstances and conditions as shown will be that it costs so much more to tap the line between here and Montreal and to give a number of applicants the power that the Railway Commission would in all probability determine that the power should be supplied at ten times what it would cost in Montreal. This would immediately put the applicant out of business, as he would not be able to pay any such price. If our friends are sincere in what they say, then it is only right that the Bill should be put in the language which would make clear what we intend. From the best information I can get, a number of individuals who would make application for 25 horse-power would not be able to get it except on terms that the company would deem to be profitable to them. If hon. gentlemen are right in saying that the language suggested would only be repeating a good thing, then let us repeat it.

Mr. DEPUTY SPEAKER. There has been no notice of any amendment to this Bill in committee except that by Mr. Sealey with regard to clause 9.

Mr. CONMEE. I understood from the hon. gentleman (Mr. Perley) that he would accept the change I have suggested in the first line of section 9.

Mr. PERLEY. The hon. gentleman must have misunderstood me. It would seem rather ridiculous to suggest that a man who is able to make an agreement with the company privately for the supply of power, should not be at liberty to do so. If there is no difference between the two what is the necessity for going to the Railway Commission? The clause provides further down that if the user of power is unable to agree on terms with the company he will have power to apply to the Railway Commission to get the terms fixed. I cannot accept the suggestion of the hon. gentleman (Mr. Conmee).

Mr. BOYCE. The suggestion made by my hon. friend (Mr. Conmee) does not make the wording grammatical. The Bill as reported from the subcommittee says: 'In case of any dispute or difference as to price,' and the hon. gentleman suggests it should read: 'In case of any application as hereinafter provided as to the price to be charged by the company for power, etc,' which would destroy the sense. Besides I take the objection that no notice has been given of this proposed amendment.

Mr. CONMEE. I do not think that notice for such an amendment is necessary, and if the words suggested are not correct we can easily find other words to express the meaning. The Bill as drafted does not carry out the intention of the subcommittee. This clause is taken from the St. Lawrence Power Bill, under which the board is empowered to act either for the purchase or sale of the power, and if this clause means anything it means that the board on the application of the government of Canada, or the governments of Ontario and Quebec, or of a municipality, may fix a price. These governments or municipalities referred to may not be consumers of power, but they are to have the power to act on behalf of those they represent, and the clause as it stands now may defeat that object. I see in it a difficulty, and there is no reason why that difficulty should not be removed by inserting some such words as I suggest.

Mr. SEALEY. If I may be permitted, I wish to add a few words to the amendment of which I have given notice. I have my clause proposed as an amendment in a wording here which I think is slightly better than that contained in the printed amendment.

Mr. DEPUTY SPEAKER. The hon. gentleman, having given notice of this motion, he had better adhere to it.

Mr. SEALEY. I would like to have the amendment of which I have given notice read in this way, the words in parenthesis being added:

Provided, however, that in any case where the quantity of power or energy applied for (anywhere along the main transmission line) exceeds twenty-five horse-power per annum (the company must supply it and), the price to be charged therefor shall not exceed the minimum price per horse-power (for the same or any less quantity of power, than is), charged to any other user of the company's power or energy, whether supplied directly by the company, or by any other company selling and disposing of the company's power and energy for use.

In view of the custom of the House, I think I should be permitted to insert these words, but if the Chair rules against that, I will move the amendment in the words in which the notice is given.

Mr. DEPUTY SPEAKER. I am not able to at once decide as to the seriousness of these proposed changes, and I shall be bound to accept the notice of motion as the hon. gentleman has placed it on the order paper, unless the committee unanimously accede to his desire.

Mr. PERLEY. I must object very strongly to this amendment by the hon. member for Wentworth (Mr. Sealey). I think this Bill should be safeguarded in every possible way, so as to give these gentlemen the right to build their transmission line and at the same time preserve the rights of the public. This clause 9 provides that in every case the Railway Commission shall have full authority to decide any disputes between the company and those who wish to use the power, as to price, as to whether a sufficient number ask for this power in any particular place to warrant the company in giving them a service and as to whether 25 horse-power is sufficient to warrant the company in supplying it. It is no use for us to decide these matters here. This is simply making an exception to the general power given under clause 9 to the Railway Commission, and I think we ought to have sufficient confidence in the Railway Commission to trust them to give the public justice. This amendment ties their hands and practically makes an exception to the powers given in section 9.

Mr. CONMEE. My suggestion which I again urge is to strike out the words in the first line, 'dispute or difference.'

Mr. PERLEY. Does the hon. gentleman not think that the company, and a private individual should have the right to settle the price to be paid?

Mr. CONMEE. Oh yes, I do not touch that point. This is an application to the Board of Railway Commissioners; if there is an agreement between the consumer, and the company there would be no such application. In case an application is made I would suggest adding these words: 'An application for power as herein provided, or as to price.' If it is the intention of the promoter that this government or a provincial government or a municipality shall have the right to apply to the Board to regulate the price, then I think they should accept this suggestion in all fairness. If my suggestion is not adopted the individual may be met with all kinds of technicalities, and will have to fight out a case where he will have to employ a lawyer, and perhaps incur heavy expense.

Mr. SEALEY. We have not a general Act providing a maximum and minimum

charge for electrical energy. There are Acts for the several railway rates, both freight and passengers. For instance the Railway Commission are obliged on application to grant a passenger rate between here and Casselman or Coteau on the line between Ottawa and Montreal, at a price not exceeding 3 cents per mile. The railway company may be able to show that it costs them 10 cents a mile or more to slow up the train and fire up again, but still their rate must not exceed 3 cents a mile. My object in this amendment is to see that no intermediate applicant shall be charged a larger rate than is charged at any other point equidistant from the source of generation. In that way I think it is entirely fair, so fair that I trust the promoter will accept it. If not, I trust that this committee, in the interests of Canada generally and especially in the interest of the communities through which this transmission line passes, will adopt it.

Mr. PERLEY. I submit in a word that the amendment of the hon. gentleman (Mr. Sealey) is an impossible amendment to put into execution. The Railway Commission cannot say that every user of power shall pay the same price; that must depend on the quantity used, and other conditions. I ask the committee to vote down the amendment.

Mr. CONMEE. I do not think the amendment means that. The hon. member (Mr. Boyce) will see that by my amendment the powers of the Railway Commission are not in any way interfered with.

Mr. BOYCE. Any attempt which is made by this amendment to limit, and restrict or hamper the discretion of the board would be wrong legislation under the circumstances and should not be passed. If the board is to control at all it should have absolute control free of any restrictive legislation as to price. What is the use of leaving to the Board of Railway Commissioners full control as to the price if the provisions of clause 9 were restricted by imposing certain conditions under this amendment?

Mr. PERLEY. This section is taken from the St. Lawrence Power Transmission Company Bill which was threshed out so thoroughly in this committee, and passed by this House.

Mr. CONMEE. I think the remarks of the hon. member for Sault Ste. Marie are perhaps not altogether correct. As stated by the hon. member this clause is taken from the St. Lawrence Company Bill, but there it was in connection with the provisions of that Bill, but now it is proposed in connection with the provisions of another Bill, and has not the same effect. Certain portions of the clause have been struck out, and it is not in reality the clause that is in the St. Lawrence Power Bill. All the motion of my hon. friend does is to provide that in case an application is made the board shall consider it, and shall have the power that my hon. friend pointed out. They may fix the terms and prices. I do not see that the company is at all hurt by that. And some section of the community may be protected. I do not see any harm in the amendment at all. It seems to me to be in the right direction.

Mr. SEALEY. Under the provisions of the Railway Act the Railway Commission have not any jurisdiction over rates. This is merely to prevent discrimination in favour of large centres as against rural communities, and to provide that the prices fixed must be uniform. I think it is quite consistent with the general usage of the government and with the legislation of Canada.

Mr. GRAHAM. I am delighted to see so many hon. gentlemen having such implicit confidence in the Board of Railway Commissioners. The hon member for Lincoln (Mr. Lancaster) and I have been contending for the board in the Railway Committee for a long time. I am glad to see that hon. members think that there should be no restrictions and that the powers of the Railway Commissioners should be left unimpaired, and I agree generally with that. In dealing with the powers of the Trent Valley canal system which were of an intricate character, the House supported me on a clause which meant that if the parties agreed themselves on the price, no person should interfere, but if they failed to agree then the Board of Railway Commissioners were to decide. Having accepted that principle and asked the House to accept it in that Bill, I do not want to do anything else than abide by it.

Mr. CONMEE. The amendment does not touch that principle.

Mr. BOYCE I must protest against the continued effort of my hon. friend (Mr. Conmee) to force through this amendment, especially at this late hour of the session. For what purpose was the Bill referred to the Private Bills Committee and by the Private Bills Committee to a subcommittee? My hon. friend (Mr. Conmee) and the hon. member for Wentworth (Mr. Sealey) took up a great deal of the time of that committee in trying to get this amendment put in this Bill. It was fully discussed, and my hon. friend from Wentworth (Mr. Sealey) and the hon. member for Rainy River (Mr. Conmee) were apparently then satisfied. Why do they bring it up in the same shape at this stage of

the session? By this amendment we are tying the hands of the Railway Commission, which ought to be in the consideration of this case as free as air.

Mr. SEALEY. I am satisfied when the majority of the committee or the majority of this House decide. If the majority accepts or rejects an amendment we will accept or reject it. The subject of the amendment is to prevent discrimination and to guide the Railway Commission in the matter of rates. The government have a rate per mile for transportation on the railways, and it is uniform. But the government have not a fixed rate for power.

Mr. LANCASTER. The Railway Commission do not fix all railway rates uniformly. In certain localities they allow discrimination as compared with other localities. They do not have the same rates all over Canada per mile. You must take all the geographical and other conditions into consideration and if you have faith in the Board of Railway Commissioners at all, do not hamper their hands so that they cannot do justice all round.

Mr. SEALEY. Under the Railway Act the Railway Commission cannot possibly authorize a higher rate between Ottawa and Coteau than between Ottawa and Montreal. I simply want to prevent discrimination, and I think it is the duty of the committee to prevent it.

Amendment negatived.

Mr. CONMEE. Before you drop that clause perhaps the hon. member in charge of the Bill will give me a reply to the question I put some time ago. I suggest that the words 'dispute or difference' in the first line of section 9 be struck out and the following substituted therefor 'application for power as herein provided, or as the price to be paid.' I have already made some remarks as to that, and I think this amendment is necessary. I hope the hon. member (Mr. Perley) will accept it.

Mr. PERLEY. I am afraid I cannot accept the amendment suggested. No notice of it was given, and I would point out that it is only in cases of disagreement that the Railway Commission shall act. That is the intention of the clause as stated by the hon. minister (Mr. Graham).

Mr. CONMEE. It does not affect that clause at all.

Mr. PUGSLEY. May I ask the hon. member who is in charge of the Bill why some changes have been made from what purports to be a similar clause in the Bill of the St. Lawrence Power Transmission Company. There are one or two changes, and I was wondering whether they were there as results of printers' errors or were intentional. In the St. Lawrence Transmission Company Bill the words are 'the Board of Railway Commissioners shall fix the price' at which electrical energy is sold, while this section, though professing to follow the section in the St. Lawrence Transmission Bill, has been changed and the word 'may' appears instead of 'shall,' giving a discretionary power to the board.

Mr. LANCASTER. It means the same thing, does it not?

Mr. PUGSLEY. No. I do not see why the words have been changed.

Mr. LANCASTER. I say the change was a correct one, as when we are giving power to a court we always say 'may,' not 'shall.'

Mr. PUGSLEY. It is very curious that in one clause it is provided that the board shall fix the price at which the company may purchase electricity, and that in another it may fix the price at which it shall be sold.

Mr. LANCASTER. There cannot be a purchase without a sale.

Mr. PUGSLEY. A court would naturally ask itself why parliament used the word 'shall' in one case and not in the other.

Mr. R. L. BORDEN. There is no need to argue it, the promoter is willing to change it.

Mr. PERLEY. I am quite willing to change it.

Mr. PUGSLEY. If the word is to be changed, I think we might very well pass the section, because that point was very carefully considered in the case of the St. Lawrence Transmission Bill.

Mr. CONMEE. Has the minister (Mr. Pugsley) considered that point as to whether the word 'and' is necessary?

Mr. PUGSLEY. I do not see that that will make any difference. My suggestion is that 'may' be changed to 'shall,' so that it may be the same word in both cases.

Mr. LANCASTER. Of course, we cannot change the St. Lawrence Power Bill. But 'may' is the proper word to use. We do not issue a mandamus to a judge to direct him to do so and so.

Mr. DEPUTY SPEAKER. Is the committee agreed that 'may' be changed to 'shall'? No objection. It is unanimously agreed that the word be changed. Shall the section as amended stand part of the Bill? Carried.

On section 16, expropriation clause.

On subsection 5:

5. The land to be taken or used by the company without the consent of the proprietor, for the purposes of its transmission lines, shall not exceed such land as is necessary for the proper construction, operation and maintenance of the said transmission lines, and as shown on the plans to be approved as in this Act provided. Any easement that may be taken by the company shall be confined to the carrying of the said transmission lines across any highway or public place or across any river or stream; and, except in the cases aforesaid, the company in the taking of land shall not only pay the value of the land so taken but shall also pay due compensation to the owner for any damage which the taking of such land and the building of such transmission lines may cause to the remainder of the property or otherwise.

Mr. CONMEE. As I understand this Bill, it gives this company all the powers of expropriation that can be exercised by a railway corporation in regard to its right of way. The intention, of course, was to give the company these powers in so far as a transmission line was concerned, and in so far as a transmission line was concerned only. Under subsection (c) of section 8, the company may:

—acquire such lands, easements and privileges as are necessary for the purposes of its undertaking.

Take this in connection with subsection 5 of the clause we are now discussing. It was alleged by the hon. member (Mr. Perley) in charge of the Bill that this subsection was a limitation upon the powers which I have just read. It was intended to be so, but I do not think it really is such a limitation. At the time this subsection 5 of section 16 was agreed to, subsection (c) of section 8, which I have just read, had been struck out by the committee. I believe this subsection 5 of section 16 should read:

The land so used by the company without the consent of the proprietor shall be confined to the lands required for the purposes of its transmission line.

Mr. BOYCE. Has the hon. member (Mr. Conmee) given notice of that amendment?

Mr. CONMEE. I have not.

Mr. LENNOX. What is the use of taking up time?

Mr. CONMEE. Since I have been in this House, the hon. member (Mr. Lennox) has taken up much more time than I have.

Mr. LENNOX. I have not taken up the time trying to promote my own interest, at all events.

Mr. CONMEE. I think the hon. gentleman has done that at least as much as I have.

Mr. BOYCE. Was not this the hon. member's (Mr. Conmee's) own clause as put in by the sub-committee?

Mr. DEPUTY SPEAKER.

Mr. CONMEE. Quite correct. But it was put in at a time when the other clause was struck out. I point out that this clause will not have the effect it was intended to have unless it is limited, as I suggested. I am not going to take up time discussing it, nor am I going to move an amendment. If the committee choose to let the Bill go through in the form in which it is, it is not affording the protection to the general public which the clause was intended to afford.

Mr. DEPUTY SPEAKER. Shall section 16 stand part of the Bill? Carried.

On section 17,

Nothing in this Act shall be construed to empower the company to export electricity or electric or other power to the United States.

Mr. CONMEE. I desire to point out that this clause has not at all the effect it was understood to have. It was agreed in the subcommittee that a provision should be inserted by which this company should not be allowed to transmit power for exportation from Canada, and this clause was put in, apparently, with that object in view. But this will not prevent the exportation. For this reason: Under the other provisions of the Bill the company has the right to purchase, lease or hire power from any other company. It also has right to connect its lines with any other company either in the province of Quebec or the province of Ontario. That is, it may cross the Ottawa river to connect with Ontario lines. If the power thus transmitted in Ontario were exported to the United States, that would not be exportation of power by this company, the exportation would be carried on by some other company. If it is intended to carry out exactly what was agreed upon, that clause should read:

Nothing in this Act shall empower the company to transmit over its lines electricity or electrical or other power for export to the United States, and all electricity or electrical or other power transmitted by the company shall be wholly used in Canada and shall not be exported therefrom.

In my judgment, the only way to prevent this exportation is to provide, not that the company shall not export, but that the lines shall not be used for that purpose, no matter with what lines they may connect. We took up a good deal of time in the committee discussing the St. Lawrence power question, but here is a company that can supply any other company without any of the restrictions imposed upon the St. Lawrence company to prevent them transmitting power to the United States.

Mr. BOYCE. Is not this the same clause?

Mr. CONMEE. No

Mr. J. HAGGART. Can they transmit the power without leave from the government?

Mr. CONMEE. No, I suppose that the exportation Act would interpose and prevent. But hon. members opposite were not satisfied with that in the case of the St. Lawrence site.

Mr. PERLEY. Will the hon. member permit me to say a word? I am sure he does not wish to make a mis-statement. I desire to point out that this is exactly the clause from the St. Lawrence Bill. Here is section 12 of that Bill:

Nothing in this Act shall be construed to empower the company to export electricity or electric or other power to the United States.

That is the clause in the St. Lawrence Bill.

Mr. CONMEE. If that is the clause in the St. Lawrence Bill it is not a sufficient clause to protect public interest.

Mr. LANCASTER. Cannot the hon. gentleman trust the government to see, under the general Act, that the power is not exported if it is not right to be done?

Mr. CONMEE. I am quite willing to trust this government, we have an honest government to-day that will protect the public interest, but we don't know when we may have a bad government. Hon. gentlemen opposite might cross over to the treasury benches, and I want to protect the public interest now. I want to point out to the hon. gentlemen who have taken up so much time in claiming that they were labouring in the public interest in preventing the export of power, that they are by this Bill giving machinery by which this company can export power; and if hon. gentlemen are willing to sacrifice their principles for which they have contended so strenuously in regard to other Bills, it is their business. But I am pointing out to them where they will stand. The public will be able to judge whether hon. gentlemen were in earnest in their desire to protect the public interest when they took up the time of this House for days arguing against a principle which they are now accepting, simply because, as it would appear, one of their own colleagues has the Bill in charge.

Mr. BOYCE. I desire to ask my hon. friend whether this is the same clause as the one in the St. Lawrence Transmission Company's Bill? He said it was entirely different, when in point of fact they are exactly alike.

Mr. CONMEE. I don't want the hon. member to put these words in my mouth. I pointed out that you are taking a clause out of the St. Lawrence Bill and putting it into this Bill under different conditions.

Mr. BOYCE. I asked that question for this purpose: When this clause was under consideration in the Montreal Power Transmission Company Bill I moved an amendment to put it in the regular way on the order paper, and when that amendment was put one of the most vociferous 'no's' came from the hon. member for Rainy River. He has given us a lesson in consistency, and this is the exhibition of consistency which the hon. gentleman himself has just shown us.

Bill reported, read the third time and passed.

GUELPH JUNCTION RAILWAY COMPANY.

House in committee on Bill (No. 218) respecting the Guelph Junction Railway Company.—Mr. A. H. Clarke.

Mr. LANCASTER. I want to put myself briefly on record with regard to this Bill. I think this Bill should never have come before parliament at all. It is absolutely unconstitutional, it is confiscatory, it puts back civilization hundreds of years. It means that because a few stockholders in a railway company do not want to sell their stock to the city of Guelph which owns the rest of the stock of the railway, the city asks this parliament to direct them by force to sell the city the stock at a certain price, namely, $400 a share. I say we have no business to put ourselves in the position of interfering with such a matter at all. It is not like a matter of expropriation where a man's land can be taken to build a railroad. The city of Guelph can control this road, these are a minority of the stockholders. It is said on the one hand that they are trustees for the city of Guelph, and should hand over their stock; on the other hand it is said that they are not trustees, and the preamble of the Bill alleges that they are agents, which fact is disputed. And instead of the city going to the courts to get a declaration as to whether these men are agents and thereby bound to transfer that stock, or as to whether they are not, we are asked, in this twentieth century, to do what we should never have been asked to do, the suggestion should never have been made, and I cannot imagine that the people who are bringing this Bill forward really understand what it is they are asking us to do. The city of Guelph has a railway. It practically owns it all with the exception of a very few shares. There are some four of five other shareholders. It has turned out a good thing for the pro-

moters. These people have an investment that is worth a great premium to them. It happens that it has been a profitable investment or speculation. Suppose the converse were the case. If, as in many cases in this country, since we started to build railways, people had put their money into a railway and lost it, if the enterprise had been an absolute failure, could they come and ask the municipality which was going to get the benefit out of it, to take it off their hands, pay them a certain price for it and ask this parliament to fix that price? That is exactly what we are asked to do by this Bill. My first reason for opposing it is that we are not competent to judge the merits of this matter, if there are any merits to be decided as to whether these people are trustees or agents, and therefore in equity should hand over their stock

Mr. J. HAGGART. What interest have they in it?

Mr. LANCASTER. There are three or four of them who each own a share.

Mr. J. HAGGART. What is a share worth?

Mr. LANCASTER. They paid $100 each for them and the city of Guelph says: We will give you $100 and 6 per cent compounded, making a total of $400 for each share if you will sell us your stock. Parliament is asked to declare that these people must do so; first, that without their consent they must sell their stock, and secondly, that we shall fix the price of these shares. I ask hon. gentlemen if we are competent to decide any question that we are asked arbitrarily to act upon in regard to it. If these people are trustees or agents the courts of the land can so declare. It is fair to say so as not to mislead any gentleman in this House, that it was admitted by the promoters of this Bill that technically these people were not trustees and that there is an obstacle in the way of the courts so declaring. Where are we going to stop if we begin this thing? If you grant that a man is not a trustee, that you cannot succeed in court in proving that he is, that he is not obliged to transfer his stock to you, are we to be told by the city of Guelph or by some other municipality that because the city wants this to be done this House must enact that the property of this man must be expropriated. It means confiscation. Take the case where a man would go out and grub stake people, supply money and try to develop a coal mine. Suppose that he spends a thousand dollars in prospecting each mine, and one mine near a town or city which wants the coal turns out to be a paying concern. According to this Bill which we are asked to pass, in principle, we will be compelled to say: The public interest requires that you shall turn that coal mine over to the city. You have spent a lot of money in other parts of the country on what never turned out to be paying concerns, but this property has turned out well and we will give you what it has cost you to locate and develop it and 6 per cent interest compounded, and you must turn it over to the city which is nearest you and which wants that coal. I say that is confiscation. I say it is not civilization. This is not civilized legislation or legislation that is in accordance with British institutions or principles. If we open the door I do not know where it will end. I want to be quite understood as not saying that I think this is not a fair price. I am not competent to judge whether it is a fair price or not. I am not saying that I think they should have more, and I am not saying that they were the agents or trustees of the city of Guelph, and that the city should not pay them anything. I am not competent to judge that, and I do not think that there is any legal gentleman in this House who will say that he is. The courts of the land are there to say whether they are trustees. The city of Guelph can give evidence to show that they are and they can get the courts to issue a mandamus compelling this transfer without coming to parliament. Surely, it is a most unheard of proposition that this parliament must put itself in the position of saying, in the most socialistic way, that it shall determine what a certain man's property is worth, which he is not obliged to sell by the laws of the land, and that it shall so determine upon evidence, such as we have brought before us, which would not be admissable in a court of law. We are asked to say that if a man is getting a fair price for something that he owns, which he has acquired, which he has a right to speculate in if he wants to, he must transfer it, not for the public service of the Dominion, but for the benefit of a municipality. That, is a most unjust proposition. The city of Guelph practically owns this road, but there are these four shares which now are worth a great deal of money, and the city of Geulph jealously wants to have control of the whole property and not allow these stockholders to have any of it. In the matter of expropriating land, we have a general Act to prevent railway building from being obstructed and which makes provision for the expropriation of properties the value of which parliament does not even undertake to settle. Parliament would not dare to say: We shall compel you to sell your land at a certain price. We make provision, in order to get railways built, that men must not obstruct the building of these lines, but if land is taken for the purpose of the construction of a railway its value is fixed by arbitra-

tion. In the case under consideration we are not dealing with a railway that is to be built and no public interest requires expropriation at all; the railway is already constructed. The railway is owned by the city of Guelph except these few shares. The strongest argument which was made by the gentlemen representing the city of Guelph in the Railway Committee was that the ratepayers of Guelph were unanimous in this legislation.

Mr. J. HAGGART. Are the owners of the stock opposing it?

Mr. LANCASTER. Yes, of course they are opposing it. They opposed it in the Senate. It was argued that because six out of ten were willing the other four must be. Let me suppose that I go into some arrangement for the establishment of an athletic ground for my city. I contribute ten per cent and nine other gentlemen contribute ten per cent of the cost of the ground. It may turn out to be very valuable as a factory site afterwards and it may be that I am willing to give up my interest in the ground if I get my interest and $1,000 or whatever I put in, but am I to say that my other partners are obliged to be governed by the same rules of ethics and charity as those to which I apply to myself. Should we by statute say that because some of these gentlemen should differ in their ideas of charity and fairness, they all should be compelled to do what the rest of them are willing to do? Therefore the argument was presented, that because the ratepayers of the city of Guelph were unanimous, this Bill should pass, and the stock of these men should be taken away from them. Suppose the Grand Trunk or the Canadian Pacific railway company came here and said that the hon. member for any place you like has some stock in our railway; we do not want him to be a stockholder; we want to acquire his investment, and, in support of that application, suppose they should say that every shareholder of the Canadian Pacific railway or Grand Trunk railway wants us to do this and therefore you should do it. The ratepayers of the city of Guelph are simply the shareholders in this regard.

Mr. J. A. CURRIE. How much did the city of Guelph put in?

Mr. LANCASTER. According to the first statute of 1901, the city put in $20,000 capital stock.

Mr. GUTHRIE. $173,000 in bonds and $20,000 in stock.

Mr. LANCASTER. I care not how much or how little the city of Guelph invested, I say that on the merits of the thing parliament is asked to perpetrate an act of confiscation on the property which these men hold.

Mr. J. A. CURRIE. What proportion of the ownership do these men hold?

Mr. LANCASTER. I do not care; I say the principle of the thing is wrong. I say that it is not any better in principle than if the Bank of Montreal should come here and ask us to force a widow who had only three shares in the bank to sell them for a certain price. It makes no difference whether these men have a large or a small amount invested; they are entitled to do with their investment as they please, and this parliament has no right to deprive them of that control. I am told that this is a paying investment now, and naturally the city of Guelph wants to get it, and no doubt it will pay the city of Guelph to get these shares at $400 each, or this legislation would not be sought. It is true that these men only paid $100 each for these shares some years ago, and that six per cent interest compounded would make them worth $400 to-day, but my position is that whether the city of Guelph is liberal in this offer or not, these people have the right to hold these shares even if they were offered $20,000,000 each for them, if they do not want to sell them. In this legislation the city of Guelph asks this parliament to interfere and to arbitrarily dictate to these men that they shall accept a certain price for their property. It seems to me that even if this legislation be passed it is ultra vires of this parliament, but my main argument is that this legislation opens the door to the confiscation of private citizens' property if in the opinion of parliament they are offered fair compensation. I object to that confiscatory feature of the Bill. Now, let me make it quite clear to the Prime Minister: The city of Guelph is the majority stockholder in this railway, which is in operation. There is no difference between the city of Guelph coming here and asking these men to be compelled to surrender their holding than if some one should say: Lancaster, of St. Catharines, holds stock in the Bank of Montreal, which is now selling at $280 a share, and we will give him a little more than that, and ask parliament to say that he must deliver it up to us at that price. Unfortunately, I have no stock in the Bank of Montreal, but I give that as an illustration. If we do this, where are we going to end? We are simply allowing people, who seem to have had some influence to get the Bill through the Senate, to interfere with the rights of a man to do as he likes with his own property. Why should such a Bill as this pass at this stage of the session, and if it stopped to-day and does not pass, no one is going to be hurt, from the standpoint of the people of Canada? Let me point out to the Prime Minister that the city of Guelph has no municipal

rights in this connection, and that when the city of Guelph says, with the consent of its ratepayers, that it will go into the railroad business, in that quality the city of Guelph is just in the same position as the Canadian Pacific railway or the Grand Trunk railway. Would the Prime Minister for one minute allow these companies, or any other railway company, to say as is said here in the mischievous part of the section, that they are allowed to acquire the shares of the company's stock from certain persons owning them, at a certain price per share, and that it shall be the duty of such persons respectively to transfer their shares to the said corporation? I am quite sure that the Prime Minister would not endorse any such legislation as that in the case of the other railroad companies. The city of Guelph owns the majority of this stock. It is exactly in the same position as if a railway came here saying that they wanted to expropriate the investments of a certain number of minority shareholders by adding six per cent to the amount they paid for each share, and that parliament should drastically and confiscatorily and socialistically remove their rights. That is all that is in the Bill, and I protest against the principle.

Sir WILFRID LAURIER. As my hon. friend has appealed to me, I have no hesitation in giving him my opinion. I knew little of this legislation until this Bill was introduced the other day. I must say that to some extent I would agree with him, but I take exception to his statement that the principle of confiscation of which he speaks is to be found in it.

Mr. LANCASTER. The last clause of section 2.

Sir WILFRID LAURIER. My hon. friend knows that in these matters, municipal as well as national, the supreme law is the old Roman law, that is to say the interest of the state is the supreme law of the state. That applied to a city as well as to the nation itself. In this matter the city of Guelph has acquired a railway. It is a public utility which is to be operated by the city. I think that is a principle perhaps dearer to my hon. friend than to myself; at all events, it is an experiment that is to be made in Guelph. This is agreeable to the large majority of the ratepayers of Guelph. Thev find in their way three or four shareholders who do not want to part with their property. My hon. friend knows that it is one of the primary principles of the law in regard to railways that they have the right of expropriation. It is provided that if a railway is to be built anywhere it shall have the power to expropriate.

Mr. LANCASTER. That is in the interest of the people to get the railway built, but how are the people interested as to who owns the stock?

Sir WILFRID LAURIER. It is in the interest of the people to have the railway built. Now, the interest of the people is to have the railway administered, and they want to have it administered by the city of Guelph. That is the interest of the people, at all events that is the way the people of Guelph interpret their interest; they think it is proper for them to administer that railway. They have acted accordingly; they have passed the necessary legislation, but it is found that three or four shareholders are not willing to part with their stock. Therefore, again in the interest of the people of Guelph, they say these shareholders should be expropriated, and if the power of expropriation is fair in one case it seems to me it is as fair in the other case. The only principle at which we have to look is whether or not these men are to receive fair and legitimate compensation. If they receive legitimate compensation, the element of confiscation which is relied upon by my hon. friend does not exist. We have not in our laws a principle to determine what would be legitimate compensation in a case of this kind, as we have at the commencement of the railway for the expropriation of real estate, but the city of Guelph, as I understand, do not want to take away the property of the shareholders; they ask parliament for permission to expropriate it, and by this declare the amount of compensation to be given; the amount is $400 for one share of $100. Is that a legitimate compensation or not? My hon. friend says it is not.

Mr. LANCASTER. I say we are not competent to decide.

Sir WILFRID LAURIER. I say he has no means of knowing, and I have no means of knowing, but it strikes a man of common sense that all parties in Guelph, on both sides of politics, agree that this is a fair amount of compensation.

Mr. BOYCE. Is my hon. friend aware that these shares are earning dividends of about 90 per cent?

Sir WILFRID LAURIER. I am aware that it is not the case; I am aware that the dividend is 6 per cent, but I am told the earnings have been 90 per cent. That may be, I do not know as to that. I understand there is a liability to pay and the city of Guelph has operated the road for a long time at a loss, and I dare say if in 1901 the legislation now sought had been asked for it would have been obtained without difficulty. The property has appreciated to a large degree. You have here a whole community agreeing not to confiscate the property, not to take it away, but to give

these shareholders a fair amount of compensation. How are we to determine that amount? It seems to me that when all parties in the community agree that this is a fair amount of compensation—

Mr. LANCASTER. All parties interested are against the parties who object.

Sir WILFRID LAURIER. All parties in the city of Guelph have come to a conclusion to give that amount of money to the shareholders, $400 for $100; it seems to me to be a pretty steep price to pay. Under such circumstances I think the legislation is legitimate, and I do not see that there is this element of confiscation of which my hon. friend speaks.

Mr. LANCASTER. Does my hon. friend realize that instead of doing our duty as members for Canada, we are simply subordinating our judgment to that of the city of Guelph? I object to that, whether it be the city of Guelph, the city of St. Catherines, or any other city. In this case the city of Guelph are the people interested in freezing out the men who object.

Mr. SPROULE. The Prime Minister cannot be aware that the city of Guelph have leased this road for 99 years to the Canadian Pacific railway, and not the city of Guelph, but the Canadian Pacific railway are operating it and paying the city a rental for it, so it is not municipal ownership.

Mr. NORTHRUP. I cannot help thinking after hearing the right hon. gentleman that if he will condescend to give a few moment's consideration to the Bill he will entirely change the opinion he has expressed. The right hon. gentleman drew a parallel between an ordinary case of expropriation in the case of the construction of a railway, and the expropriation of these shares. Is there the slightest similarity in the world between the two propositions? We all know that originally railways had not the power of expropriation, and we who live along the line of the Grand Trunk railway, between Toronto and Montreal, know to our cost that they had not that power for they were compelled to erect stations at such inconvenient places that we have been subjected to great inconvenience ever since. Then the power of expropriation was given to them in their own interest, and in the public interest. In this particular case we find there is no cause of expropriation in the interests of the public. There is a railway which has two classes of shareholders. One class of shareholders deem themselves entitled to confiscate property of the other class who have as good a right to their property as the city, according to the evidence of the hon. member for South Wellington (Mr. Guthrie) in 1901. There was no pretension then that these gentlemen had not a perfect right to their shares. The hon. gentleman brought down an extraordinary measure in 1901, but he was very careful to point out that there was no compensation, these directors were to retain their shares, and they were given praise, because they had devoted their time to the working of this railway during the dark years when it did not pay, and as far as one could judge every one was filled with gratitude to the gentlemen who are to-day attacked. The wheel of time rolled on. This railway is being operated by the Canadian Pacific railway, and I venture to say that all under Heaven that Guelph has to do in connection with it is to pocket a certain amount of profits on a certain amount of stock. Can any one suggest a way in which a railway running past the city of Guelph, operated by the Canadian Pacific railway can help Guelph one particle more if the dividends and profits go into one pocket or the other? The operation of the road is exactly the same as was provided for in 1901. The hon. gentleman who fathers the Bill came here in 1901 and carefully——

Mr. GUTHRIE. I am not interested in the Bill if you refer to me.

Mr. NORTHRUP. I am not finding fault with that.

Mr. GUTHRIE. I am not fathering it, it is not my Bill.

Mr. NORTHRUP. It is not in the name of the hon. member, it is in the name of the hon. member for South Essex (Mr. A. H. Clarke), but the hon. gentleman appears from 'Hansard,' to have been really the father of the Bill in 1901, and so to-day in the passage of the Bill through committee the hon. gentleman is interested, and properly has taken an active part in pushing it.

Mr. GUTHRIE. I object to that, I have not taken an active part in pushing it.

Mr. NORTHRUP. We will not take up time discussing that.

Mr. GUTHRIE. Be sure of your facts before stating them.

Mr. NORTHRUP. In 1901 the member for Wellington, the same gentleman who represents that riding to-day, brought down a Bill the object of which was to do away with what they thought appeared to be an injustice, that the minority of the share-holders had a majority of the directors, so parliament made a provision by which the city of Guelph, having the majority of stock, should have a majority of directors, and they have had a majority of directors from that day to this. If

they had a majority of the directors of the board, in the city of Guelph, and in the city of Guelph they have the bulk of the stock, and the road is being operated by the Canadian Pacific Railway, how in the name of all that is reasonable can there be any benefit to the public except as a matter of dollars and cents, taking it from the pockets of one party and putting it into the pockets of another, if these shares are to be confiscated. What is the position? Did anybody ever hear of a railway company coming to this House, and asking for power to expropriate lands at a price to be fixed by the railway company? Was there ever any such thing heard of? It is a matter of indifference to me personally whether the shares of these gentlemen are to be expropriated or not. As a matter of fact I know only one of the ten gentlemen whose names are mentioned, but it is the principle that seems to me to be so important. Is the principle to be laid down that such legislation as this can be put through this House in its dying hours, when there is no time to consider it fairly? Is this House so anxious to pass confiscatory legislation, and to suspend the rules of the House to allow such legislation to go through that would not otherwise pass, because if the hon. gentleman (Mr. Guthrie) had not succeeded in getting the rules suspended we would not be considering it now? The same thing was done in 1901. I do not think anybody in the light of the experience of the ten years can say that there was any particular reason why the rules of this House should have been suspended in 1901 to pass the legislation that was passed then. In 1910 this House was told, as it is told to-day, that Guelph was wholly in favour of the legislation, and a petition was sent in under the seal of the town council, setting forth that the city of Guelph was in favour of the legislation, and yet at that very time a counter-petition was signed, and a letter appeared in the newspapers which was verified by one alderman and supported by another alderman, stating that although they had all agreed in the council, it was under misrepresentations. Still under those circumstances parliament suspended the rules and allowed that rather extraordinary legislation to pass. Now, in the year of grace, 1910, we have parliament doing the same thing again, and in the dying hours of the session. Why was it not brought up before? We have been sitting here now for six months, and it seems to me that there was no reason why it should not have been up before.

Mr. GUTHRIE. There were very good reasons. It was not thought that any legislation would be necessary until December. Negotiations took place and six of those holding stock agreed to accept $400, and it was expected that they would all accept it. It was then too late to introduce the Bill in this House, but it went through the usual course in the Senate, where it was thoroughly thrashed out, all parties being heard, and passed by a majority of four to one. It was not a party division for Senator Lougheed supported the Bill, while Sir Mackenzie Bowell opposed it and so on. There has been no unnecessary delay.

Mr. NORTHRUP. All those years have rolled by and the conditions are such that at the time my hon. friend's supporters wish legislation they find it too late to get it in the ordinary way through this House, and rather than wait another year they go to the other House, I am not blaming them for taking that course.

Mr. GUTHRIE. The reason that the legislation became necessary was that in last November, or December, the Guelph Junction Railway Company undertook to declare a dividend of six per cent on their stock, notwithstanding the fact that they owed the city of Guelph at that time $4,000 arrears of interest, and $60,000 odd of compound interest. They had no right to declare that dividend though the amount was small, and that was what brought the application to parliament.

Mr. NORTHRUP. It would seem that all this trouble has been raised and the suspension of the rules of parliament rendered necessary because three or four shareholders are liable to pay six per cent on $400 for one year. This is the immense constitutional principle that necessitates the suspension of the rules of this House. Personally I cannot see, if the city of Guelph had a majority of the directors on the board, and there are only three or four of those shareholders, why it should not have been possible to get a majority to give these parties six per cent. It is a very simple way of compelling railways to pay their debts before they pay dividends. I would ask the Minister of Railways if he has considered this point. It seems to me there is a great deal in it. Have we the right as a matter of law to confiscate stock in this way, because it amounts to confiscation? I quite understand that this parliament has the power to pass we shall say insurance laws and it has the powers to pass the necessary legislation to enable the company to carry out its duties. And there is no doubt that we have the power here to-day to pass any Act to enable this railway company to carry out its duties as a railway, but

the burden is on the gentleman who comes here and asks parliament to do something that is a gross interference with civil rights, to convince this House that the piece of legislation he is asking for is necessary in order to enable this railway company to carry out its work for the benefit of the people as a whole. Unless that can be shown, it seems to me that the local legislature and the local legislature alone could deal with those civil rights. Has this parliament the right to order the sale of those shares? If it has the right to order the sale it has the right to compel them to buy, and so it seems to me to be a clear case of interference with the provincial rights of which we have heard so much. We can pass a piece of legislation touching the insurance companies, giving them all the rights to do business, but the courts have decided that the local legislature can state how that business is to be carried on and can suggest conditions. Similarly, the local legislature having control over civil rights, and seeing that this Act has nothing to do with the operation of the railway but only with the division of the dividends or profits that come out of the railway, I think that we are interfereing with provincial rights, and that on that ground the Bill is objectionable.

Mr. M. CLARK. I spoke and voted against this measure in committee and a very few words will suffice for me to state the grounds here on which I did so, and on which I will do so again now. I agree word for word with the argument we have heard from the hon. member for Lincoln (Mr. Lancaster)), and I cannot say that that argument was at all shaken by what fell from my hon. friend the Prime Minister. He based his case so far as I could hear his remarks upon a quotation from Roman law. Well, so far as I am concerned the dictates of the ancient empire of Rome need a very considerable infusion of modern salt to go far in the British empire. And it does not appear to me that my right hon. friend himself was quite satisfied—having in himself the instincts of freedom at least as strong as any member of this House—because he went on immediately to change his ground by arguing that this was not a case of confiscation but a case of expropriation. Now, as I understand the rights of expropriation conferred by law, they are strictly limited, limited to the removal of difficulties which would otherwise be insuperable, to the running of a railway at all.

Mr. LANCASTER. In the public interest.

Mr. M. CLARK. In the public interest. But to take shares in a concern which is already running does not appeal to my mind as being on all fours with expropriation so defined. There is a question of trusteeship which was raised in committee, but which, I do not understand to have been raised here to-day. And I must say that on the question of trusteeship my mind was set perfectly at rest in committee by a quotation read from a speech by my hon. friend from South Wellington (Mr. Guthrie) in 1901. Lucid in its expression, unmistakeable in its meaning, that speech declared, if language can declare anything, that these men have the property not as trustees, but as absolute owners in fee simple. But, if they have not, if there be a question about this matter, the place to settle that question of trusteeship is in the courts of law, and not in parliament, and parliament ought not to act as a court of law on such a point. The question of trusteeship excluded, all that appeals to my mind is this: Has parliament the right to take away the property of these people against their will? Now, the primary function of parliament, the very basal and elementary function of government, that upon which our whole civilization rests is the protection of life and property. And let me say, Sir, that the discharge of that function is all the more important if the minority concerned be a small one. There are plenty to cry out for majorities—majorities can generally take very good care of themselves. It is only in the case of small minorities that the power of government need be exercised. I am not at all concerned at the smallness of the number of people affected. I recall that there were not a great many of the citizens of Great Britain, at the beginning of the Stuart wars, who were put in the pillory. But the fact that even a few British citizens had their persons put in the pillory led a freedom-loving people to establish the rights of the citizens, even though to do so it became necessary to deluge Great Britain in blood. And the right of property is only one which is less sacred than the right to life; it also is one of the fundamental functions of all government. Nor does the question of the amount of money involved appeal to me for a moment. If the amount were only ten cents, it would be just as important in the establishment of this principle. As the hon. member for Lincoln (Mr. Lancaster) has said, the question of the amount of money does not enter into the case, and it certainly does not enter into it in my mind. The question is whether the parliament of this country, so far from discharging its primary function of protecting the property of its people shall set an example to those who take away that property, and itself become the breaker of the law, and the disturber of the very foundations of our civilization. For, depend upon it, if this be done in the

small thing to-day it may be done in the bigger thing to-morrow. I shall give a vote, without a shadow of hesitation, in the interest of freedom, in the interest of the elementary rights of citizens of a free country, and a free empire, believing that for parliament to take away these shares—independently of all consideration of their number or their value—will be an act not of expropriation, but of confiscation.

Mr. BOYCE. I agree substantially with what has been said by my hon. friend from Red Deer (Mr. M. Clark). I must confess to some surprise at the manner in which the right hon. Prime Minister (Sir Wilfrid Laurier) views this question and the very unfortunate manner in which he put the case. If I read aright the political history of this country, and especially that with which my right friend has had to do as the leader of a great party, there is no man in Canadian public life who has shouted louder for provincial rights, for property rights and the protection of minorities, than the right hon. gentleman himself. There is no man who has tried harder to win the votes of the majority more by crying for the rights of the minority. It seems to me that the illustration which he used was a very unfortunate one for his own argument. Let me put a proposition which is applicable to the special case he submitted. He says that this is an absolutely straightforward transaction, that the city of Guelph owns this road, that the city of Guelph wants its industries built up and must have this road, and so he says they can expropriate these shares and take them away from the minority. But he has not shown that the minority stand in the way of the success of this enterprise. The road is built; as the hon. member for East Hastings (Mr. Northrup) has said, it is an established fact. And all the prosperity and the great revenue from its earnings of 90 per cent on the capital come to the city of Guelph. Can the fact that five shares are outstanding in the name of individuals who are undeniably entitled to them interfere in any way with the rights of the city of Guelph? I misunderstand the right of expropriation if the right hon. gentleman has stated it correctly. He states that there is a right of expropriation by convenience, and a right of expropriation by necessity. I would ask him again what benefit can there be to the public by the exercise of the right of eminent domain over five shares out of a total of 3,000 shares? My hon friend does not reply. Then, leaving aside that argument of the right hon. gentleman—which, in my humble opinion, is not of the soundest—let me see how far the rights of these people are recognized. This Bill does not recite at all that these shares are necessary for the city of Guelph or for the public. It does not proceed upon any such principle. It proceeds upon a false declaration, false by the records and statutes of this House. I cannot point out too vehemently that that declaration is absolutely false by the statute, because the declaration states that these men are trustees. They are not trustees, there is no argument that can make them trustees, trusteeship being a question of fact. There is absolutely no proof of trusteeship, and when, in the Railway Committee, the city solicitor of Guelph addressed that committee, he was asked why he didn't go to the court and prove that trusteeship, he said he would not go there because he could not prove it. Now, my right hon. friend says that that which cannot be proved to the satisfaction of a court shall be taken in parliament as a fact, and that private property shall be wrested from private individuals upon the assumption of that fact, without any public interest being served at all. The plea of public interest is exploded, it is a mere chimera, it is dissipated as the morning mists before the sun. It is simply a matter whether my right hon. friend is going to lend his prestige to the exigencies of taking away from a man a share which is very valuable to him, which he is equitably entitled to, simply because my right hon. friend thinks possibly there may be votes to gain or other objects to serve. That is absolutely all there is in this case. It may be well for the city of Guelph to say that the city desires to control that company absolutely. But why should they be permitted to do so against the legitimate rights of owners of shares in that railway? The question of trusteeship is the sole question.

Mr. LANCASTER. Does my hon. friend think that on that question parliament is competent to decide anything?

Mr. BOYCE. I do not think that can be contended for a moment. If there is a question, should not parliament say to these people, decide that question in the courts. What are the courts for? If the city of Guelph came to us and said: There is a question of trusteeship here, we have applied to the courts and the courts have said that by reason of a technical defect we cannot get the relief that we should have; then if they came back to parliament and asked for relief it might temporarily be granted. But without any investigation before the courts, without any trial, are we going to declare men to be trustees who are admitted here not to be trustees? Doubtless my right hon. friend cannot carry to his mind the history of this case, which was inquired into in 1901. My hon. friend from South Wellington (Mr. Guthrie) was here

in 1901, when the city of Guelph came here for some legislation. The question came up in regard to these shares, and when the House was in committee on the Bill, this is what the hon. member for Wellington said—I quote from page 1915 of the 'Hansard' of 1901:

No real injury is being done to anybody; no one is to be deprived of any property. The stock now held by the directors is to remain their stock.

And let me tell my right hon. friend that those directors are the same persons whose stock he says now must be taken away from them. That is the representation upon which statutory relief was granted, and which statutory relief itself, on the face of the statute, admits the bona fide ownership to be in these men.

The stock now held by the directors is to remain their stock; they are still all to be eligible as directors; but the anomaly of the present position is very apparent. By the original Act the city council is allowed three representatives on the board, the mayor and two others; the stockholders have five representatives on the board; and the anomaly of the situation is that two-thirds of the stock has a minority on the board and one-third of the stock, of which only ten per cent has been paid, has a majority on the board.

Could anything be more definite than that statement? If it is, let them quote it. The Hon. James Sutherland, then a member of this House, said:

It is true that some residents of the city, in whose interests especially this scheme is being promoted, became shareholders and paid into the treasury of the county $100 each.

The same men whose rights are now being disposed of. Then the question was asked, Why not take these shares, why not tender these men the full value of their shares, and the Minister of Public Works at that time, said:

The hon. gentleman propounds a theoretical question, but I will tell him the exact state of affairs and I will then ask him what he would do. He wants to know why a man should be forced to accept a low price for a valuable share. Of course, any legislation of that kind would be wrong.

Of course any legislation of that kind would be wrong.

But, in this case, it is well known in this House or out of it that there is no value in these shares.

In the debate my hon. friend from East Grey (Dr. Sproule), page 1923, said this:

Now, the proposal made by Colonel McRae, I think, was a reasonable one. He said: If these parties want to get our stock, let them pay us back our money, take the stock from us and release us from any further liability. But they did not choose to do that.

They refused to do it, and why? For the very reason stated, that the stock was not worth a dollar, as the Hon. James Sutherland said. I will not quote any further from that debate, but I want to show that for that legislation, for that Bill upon which that debate took place, there was a petition. That petition was dated on the 15th April, 1901, and it recited that the petitioners had mutually agreed that, subject to the approval of the Senate and House of Commons the amendment set forth in the schedule should be the amendment that should be enacted. Here is the Act of 1901, which was passed as a mutual recognition of the rights of property. The statute of 1901, chapter 64, section 3, provides that:

The directors of the company shall, upon the request of any of the present shareholders of the company holding ten shares of the capital stock of the company, and upon whose shares ten per cent only has been paid, issue a fully paid-up share for one hundred dollars to each of such shareholders holding ten shares as aforesaid, being for the aggregate amount paid upon his present shares——

That was the settlement.

—and shall pass a by-law or by-laws, which the said directors are hereby empowered to do, cancelling the subscription for and all liability upon the remaining nine shares held or subscribed for by any such shareholder or shareholders; and thereupon all liability of any such shareholders for the payment of the amount of the said remaining shares subscribed for or now held by them respectively, or any part thereof, shall cease and determine——

Here is the important part:

—and the word 'shareholder' in this section shall include as well any one or more persons holding shares in trust as those holding shares in their own right.

Now, the contention upon which this Bill proceeds is that there never has been and never could be any one holding shares in his own right. Well, by 'Hansard', by the statement of the minister, by the petition itself, by the Bill itself it was shown that these men held these shares in their own rights. I would ask the right hon. the first minister to reconsider the proposition that he has stated to this committee. He says: Why should not these people sell? The exigencies of the public demand it; they should be compelled to sell in the public interest. Why should they? If they should sell why should they accept the valuation which my hon. friend puts upon their stock? My hon. friend says that $400 is good value for their shares. I would ask my hon. friend if, with 90 per cent earned on the stock of this company, it would not make that stock more valuable than $400?

My hon. friend must see that whether it is $400 or $1,000 the value was not established and he does not suggest any method of ascertaining the value of the stock. I protest against this legislation for the reason that I have stated, and because the rights of those individuals have not been recognized. Some hon. gentleman has stated that a dividend has been declared upon this stock. My hon. friend from North Simcoe (Mr. Currie) says 'no', but I say 'yes'. My hon. friend, if he says 'no', does not know the facts. A dividend has been paid to these gentlemen on the stock.

Mr. J. A. CURRIE. I have a memorandum here, and I know that there is a year's interest due and that this company is away in arrears. How can any company pay dividends when it is in arrears?

Mr. BOYCE. I have stated a fact, it is a fact and the hon. member for South Wellington (Mr. Guthrie) will not deny it that 6 per cent was paid on the stock held by these gentlemen. That dividend was paid and no attempt has been made by the city of Guelph to limit the amount.

Mr. GUTHRIE. The dividend was paid but improperly paid and this Bill follows.

Mr. BOYCE. Does my hon. friend seek by this Bill to take these dividends back from them?

Mr. GUTHRIE. That is not what it means. We gave them that.

Mr. BOYCE. Why not apply to the courts? If we adopt this legislation we do so in derogation of well established principles and we give the majority of shareholders the right to extinguish the minority. The rights of eminent domain and of expropriation are absolutely foreign to this question. We are asked to pass this Bill by the right hon. gentleman (Sir Wilfrid Laurier) upon the absolute fiction that the preamble of this Bill is proved notwithstanding the fact that no court in the land would allow it to be proved.

Mr. EMMERSON. When this Bill was before the Railway Committee, I gave very close attention to the gentlemen who had the duty of presenting the case both on behalf of and against the Bill. After weighing what was said I concluded that this was a Bill that should not receive the support of that committee. I voted against the Bill and ordinarily, when any one of the Standing Committees has determined with respect to a particular Bill, I do not feel called upon to take any further part in it when it comes before the Committee of the Whole, because I recognize that the findings and recommendations of these committees should weigh with the House or with the Committee of the Whole. But this is not an ordinary Bill; it is extraordinary in its terms. When the matter was placed before the Railway Committee, it was claimed that the parties who held these five shares of stock were trustees on behalf of the city, and that therefore the city should be placed in a position to deal with it. But it was said that while these gentlemen were merely trustees and merely held this stock in the interest of the citizens the city of Guelph would be magnanimous enough to give them a compensation amounting to $400 per share. Now, I thought we were not clothed as a committee with power to adjudicate as to whether these gentlemen were trustees or whether they held the stock in their own right. I thought that the courts were the proper tribunal to determine the question as between the city of Guelph and these individual stockholders in connection with this company. But, if we were clothed with the power to determine that question we had, in so far as the evidence was concerned, the admission on behalf of the city of Guelph that the stock was held by these gentlemen in their own right, and that admission was made in 1901 when they sought legislation in connection with this very matter. If the facts as they existed before 1901 were presented to the committee there would be no difficulty, but when the matter is weighed in the light of the circumstances attending the passage of the legislation of 1901, no one can say that these men held their stock as trustees. The city of Guelph is estopped from saying these men did not hold the stock in their own right, because they treated with them as being the sole owners of that stock. That being so the very foundation for this Bill disappears.

Mr. J. HAGGART. What reason has the city of Guelph given for the position taken by it now?

Mr. EMMERSON. The Bill is based on the pretention that these men were trustees and they want power to confiscate—because that is the proper word to use—the stock, but they are willing to pay $400 per share. Why the city wants to do this has not been made clear to me.

Mr. LANCASTER. For the sake of the investment.

Mr. EMMERSON. That is merely conjecture, but at all events they have given no good reason why and how the interests of the city are interfered with by these gentlemen holding that stock. As the facts are, I cannot, and I do not think this parliament should attempt to interfere

with what is plainly and clearly a civil right of certain citizens. Why should we by federal legislation, seek to determine what are individual rights in property, when that duty is relegated to the courts of the country. The vote I gave in committee I will repeat here because I feel that a wrong is being done to these men and that it is an arbitrary exercise of the power of this parliament to divest them of their rights in their property. I recognize that the recommendation of a committee deserves great weight and were the circumstances of this case other than they are I would not have raised objection on this occasion.

Mr. SPROULE. I took some interest in this legislation in 1901 and I have refreshed my memory as to the explanations made in the House, especially by the hon. member for South Wellington. The desire of the city of Guelph in this matter at that time, is not the desire of the city of Guelph now. In 1901 the city desired to get the right to elect a majority of the directors because, while the city took $20,000 stock out of the total of $30,000 the city had only three directors and the holders of the balance of $10,000 of the stock had six directors, so that the tail was wagging the dog. There was no contention in 1901 that these stockholders were other than the absolute owners of their stock. In compliance with the request of the people of Guelph we amended the law to give the city of Guelph the right to elect five directors instead of three, to restrict the other holders of the stock to electing three directors instead of six, and we further gave the city the right to elect men who were not qualified as stockholders to be directors of the company at all, but who might be aldermen, or ratepayers duly qualified to be elected as aldermen, and we further provided that the mayor should be ex officio a director of the company. In this way the legislation enacted in 1901 gave the city of Guelph complete control. Then by clause 3, in that Bill we provided:

> The directors of the company shall, upon the request of any of the present shareholders of the company holding ten shares of the capital stock of the company, and upon whose shares ten per cent only has been paid——

That is these private stockholders, because while each man held $1,000 stock he only paid 10 per cent of it.

> —issue a fully paid-up share for one hundred dollars to each of such shareholders holding ten shares as aforesaid, being for the aggregate amount paid upon his present shares, and shall pass a by-law or by-laws, which the said directors are hereby empowered to do, cancelling the subscription for and all liability upon the remaining nine shares held or subscribed for by any such shareholder or shareholders; and thereupon all liability of any such shareholders for the payment of the amount of the said remaining shares subscribed for or now held by them respectively, or any part thereof, shall cease and determine; and the word 'shareholder' in this section shall include as well any one or more persons holding shares in trust as those holding shares in their own right.

They now come before the Railway Committee and declare that no one held shares in his own right and say that they relieved the shareholders of the liability which rested on them, because they were only holding one share each in trust for the city. The preamble of their Bill is amended to carry out that intention. What does the Bill say?

> That the corporation of the city of Guelph holds, itself or by trustees on its behalf, all the shares in the capital stock of the company except a few shares upon which five hundred dollars in all have been paid, which few shares were subscribed for by persons acting in that behalf as agents for the city.

And, therefore, holding it in trust, they put deliberately a falsehood in the preamble of the Bill to mislead either this House or the Railway Committee, and perhaps both, into the belief that these stockholders only held their shares in trust.

Mr. GUTHRIE. Might I correct the hon. gentleman. The clause that he refers to was not in the Bill as introduced, that put in by the Senate committee of its own motion, and no charge of misleading should be made in regard to it.

Mr. SPROULE. I am dealing with the preamble of the Bill.

Mr. GUTHRIE. The preamble was put in by the Senate Committee, it is not in the original Bill.

Mr. SPROULE. Somebody put it in there.

Mr. GUTHRIE. The Senate Committee did.

Mr. SPROULE. It is false on its face. Upon what evidence did the Senate put it in there?

Mr. GUTHRIE. The evidence that was put before the Railway Committee which passed it yesterday.

Mr. SPROULE. Yet the very statute we passed in 1901 declared that they shall receive paid up stock to the extent of $100 and continue to hold that in their own right. No claim was made that they were holding it as trustees in any sense of the word, and when they asked the city through Col. McRae that that $100 be paid back to them and they would abandon all the stock the city of Guelph refused the offer. They were not willing to take it then, it was not earning a dividend, but now when

it is earning a big dividend the city wants to take it from them. The present Bill says they are holding it as agents for the city. That I hold is absolutely incorrect. As to whether or not they were holding in their own right, I need not quote the words of the hon. member for South Wellington, who said that there was no dispute as to how the stock was then held, no one contended they did not hold it in their own right, and the only contention was that the city of Guelph wanted the majority of directors. The hon. member for Halton (Mr. Henderson) spoke at that time, and said:

The present mayor will not always be the mayor of the city of Guelph, and while the rights of the railway company may be safeguarded at the present time, there is no guarantee that the same safeguards would surround the future board. I look upon the treatment which these ten shareholders are to receive as altogether unprecedented in the history of legislation in this House.

That is the taking away their right as to having the number of directors on the board they were entitled to by virtue of their Act. Then Mr. McGowan, reperesenting an adjoining constituency, said:

I am thoroughly in sympathy with the opposition to this motion. These directors paid 10 per cent each on their $1,000, and the understanding was that they should have one paid-up share and be relieved from all further liability, but under this amendment they will still be liable for the balance of their stock.

And he opposed it on that ground. Several others spoke, among them Mr. Seymour Gourley, who took exactly the same ground that it was an injustice to them. I said with reference to it:

Now, the proposal made by Colonel McRae, I think, was a reasonable one. He said: If these parties want to get our stock, let them pay us back our money, take the stock from us and release us from any further liability. But they did not choose to do that; and will this House pass a law to compel men to abandon their rights and to give up their property without any consideration after they have made it valuable, when they are the only parties that have made a reasonable endeavour to give the city of Guelph the advantages of a railway that to-day is on a workable basis?

That was the whole contention then, but the whole contention to-day is a different one entirely. The contention to-day is: We will compel these people to sell their stock for what the people of Guelph wish to give them. I say, as the member for Red Deer (Mr. Clark) said, that there is no other word in the English language that will convey the meaning of that condition except the word confiscation. It is absolute confiscation, pure and simple. I have been in this House for a somewhat lengthy period, and I never knew in the Canadian parliament such a principle to be endorsed by us. I am not aware that the Canadian parliament affords in its history any example to show that we have ever done that before. Are we to depart from the well-understood, sound principles which every legislature in the civilized world follows to-day and confiscates people's property whether they will or will not give it up? In my judgment, we will be doing a great wrong if we do it. I was opposed to it then and I am opposed to it to-day, and if it is carried it will be carried by a majority of this House, but not with my sanction. I regard it as one of the greatest injustices we could possibly do to any individual, to take from him what belongs to him and give it to another without his having a voice or say as to how much he shall receive in return for it.

Mr. J. A. CURRIE. This question is one I think which should not be viewed from any partisan standpoint. It seems to me that the gentlemen who own this stock are getting a fair figure for it if they are getting $400—I wish I could get that for some stocks. There are only four of them, and as nearly as I can understand they are getting about $400 for each $100. There must be some ulterior motive that four men with $100 stock each in a concern of this kind can get so much opposition raised in this House. The question of confiscation is raised. There is confiscation in many cases, and it is always under different names. In case of war things are commandeered. In case of railways they are expropriated, and when the other fellow says he does not want to give up the stuff he says it is confiscation. The city of Guelph, as near as I can understand, put into this $173,000 good hard cash. These people were putting in something like $500.

The trouble, as nearly as I can make out is that these poor men want to share up to about 40 per cent, of the profits now that it has become a paying road. However, the question to me is this: In cases of this kind when a municipality desires to go into public ownership, and is prepared to pay 400 per cent for going into it, I am not going to object. It is not confiscation to take away from a man for $400 what he paid only $100 for. If they took the shares away for 40 cents I would say that was confiscating. We are having questions of principle discussed here every day. This is not a court of law, this is a place to which the people bring questions which they can settle in the law courts. It is true there is uncertainty as to whether there is a trusteeship here. The argument raised throughout by those supporting the Bill is that there is not trustee-

ship. I have seen advertisements and letters in the newspapers—unfortunately I have not them here—which say that whenever these directors went to the city of Guelph and asked them to effect a fresh bonus they always laid stress on the fact that they were simply holding the interest as good citizens, not as trustees for this stock. I hope the House will pass this measure.

Mr. J. D. REID. I oppose this Bill because I think it is very unfair. I understand that no evidence was brought before the committee which considered it to show that these persons were really trustees. The hon. gentleman who has just taken his seat (Mr. Currie) states that he saw letters in some newspapers, but if there was any evidence of that kind I think it would have been brought before the committee and considered.

Mr. J. A. CURRIE. I did not argue that they were trustees. If they were trustees the city could take the stock from them by law.

Mr. J. D. REID. They are either trustees or they own the stock outright. The hon. member (Mr. Currie) says they are not trustees, therefore they must have owned the stock outright, and got it legitimately in the first place. It is the principle I am objecting to, not the amount of money involved. I do not believe that the gentlemen who own this stock care one iota about the amount involved, but they invested their money in this years ago, and though the amount may have been very small, now that the road is likely to be a paying road, we are asked to vote them out of their stock. If we pass this Bill we will create a precedent which will recoil on us in years to come. In the Railway Committee when a Bill is brought up and some of us object to something in it, other members stand up and state that in a Bill passed a year ago, or two years ago, there was a clause in which such and such a company was granted a charter, and therefor, we are told, that is a sufficient reason why we should pass another Bill. This is getting to be a very common practice in the Railway Committee. I say it is wrong to allow anything to pass that we in our hearts do not believe to be right. It should be no trouble for the city of Guelph to get rid of these share-holders. If they claim they are trustees the laws of this country will protect their rights. If we pass this Bill it will form a precedent, and next year or the following year, or some other year we will have Bills of this kind coming up.

At six o'clock, Committee took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. J. D. REID. Mr. Chairman, when the House rose at six o'clock, I was pointing out the principle involved in this Bill, and had expressed my opposition to the measure on the ground of principle. The whole question is whether these present shareholders, at whom this Bill is aimed, are trustees or not. So far as I am concerned, I am ready to have that question decided by the courts. The courts of Ontario are open, and there need be no difficulty about the city of Guelph establishing its case if the facts are there to establish it. As I understand it, there were ten original shareholders in this company, six of whom have sold out voluntarily, taking the money they had paid in and a bonus in addition. But the other gentlemen do not wish to dispose of their stock, and for that reason the promoter of this Bill brings in this measure, I suppose, to force these gentlemen to sell. Mr. Chairman, that is a bad line for us to take. It sets a precedent which, in the future, may bring us trouble, for it will certainly be quoted to justify other Bills which this parliament ought not to pass. I understand that these stockholders are prepared to go before the courts, and if there is anything to prove that they are trustees, they are willing to give up their stock and lose what they have put into the railway. They simply ask for justice. I have no interest other than to see that right is done to the minority. I do not know any of these shareholders but one, but the rights of property ought to be protected by this House. I do not wish to say more about the Bill at the present time, but I sincerely hope the government will take a stand on this subject and not allow it to go down in history that in this parliament the majority of the members of this House were willing to take away rights that were granted to men in days gone by, rights which were recognized by the city of Guelph, and which are attacked in this parliament only now that the enterprise is prosperous.

Mr. GUTHRIE. I would like to say a word at this stage in regard to this Bill, for the purpose of explaining the real situation, as I think I am, perhaps, more familiar with it than many hon. members who have already spoken. I do not speak as the promoter of the Bill, because the Bill is not in my charge, but more as a citizen of Guelph, and one who has been pretty familiar with the history of the whole transaction. And I am satisfied that any one who considers all the facts will conclude that the four gentlemen who claim to be shareholders and who are dissenting from the general scheme of trans-

ferring their shares to the city are not being harshly dealt with, but very generously dealt with.

Now, this road had its inception in the year 1887 at the request, the particular request, of about a dozen leading men of the city of Guelph, all manufacturers and large shippers. Of these original promoters, two are stokcholders, Colonel McRae and Mr. Kloepfer. The two other stockholders, whose names have been used in this discussion, were not original promoters or original shareholders. In 1887, through the board of trade and their own efforts, they induced the ctiy of Guelph to go into the construction of seventeen miles of railway to give the city connection with the Canadian Pacific railway.

Mr. SPROULE. The hon. gentleman (Mr. Guthrie) says that two of these were not original stockholders. How did they become possessed of their stock?

Mr. GUTHRIE. One purchased the shares of a deceased stockholder, and the other acquired his otherwise. The city was reluctant, as cities are, to go into an undertaking of that magnitude, but through the efforts of these gentlemen in particular—and they worked hard—the city was induced to pass a by-law to finance this undertaking. The amount of stock in the road was $30,000. It was supposed that a bond issue of $155,000 would construct the road. The city passed the necessary by-law, and construction of the road began. The first thing that was necessary to do was to get a board of directors, and, under the Railway Act as it stood at that time, a director must have at least ten shares of stock in his own name. Ten gentlemen came forward and agreed to qualify as directors, and paid $100 apiece of their own money. So, each held ten shares with ten per cent paid and was still liable for calls amounting to $900. The road was constructed in the year 1888. After the construction it was found that there was an indebtedness on consturction of between $18,000 and $20,000. There was no money to pay it. The city had taken $20,000 of stock and paid it up, but the ten gentlemen who had qualified as directors did not pay up their stock. So there was nothing to pay the deficit. What were they to do? The creditors were clamouring for their money. These directors applied to the city of Guelph, saying, in effect: We do not own this stock in our own right, we are acting for you; we are stool-pigeons for the city of Guelph; this is a municipal scheme, not a private undertaking. And so they applied for relief from the indebtedness which they could have been called upon by the creditors to pay to the extent of $900 apiece. The city took that view of it. But I should mention that that was the city's view of it even before that time, because the city financed $155,000 of these bonds, and the mortgage deed was registered to secure the advance, and a special clause, clause No. 17, was inserted by the city that these stockholders should not be liable for the principal or interest, or arrears of interest on these bonds for any of their unpaid stock. That was before the indebtedness of about $19,000. On this indebtedness the city took the same position, and the city council said it would submit a by-law to the ratepayers to raise the money and relieve these directors of all payments.

Mr. LANCASTER. When was that?

Mr. GUTHRIE. It was started on 1st October, 1887, when the $155,000 was first financed. The city did submit the by-law. That submission was made in the summer of 1889. The first by-law submitted was defeated; or, rather not defeated; there was a majority in favour of it, but, under the municipal laws of Ontario, more than a majority was required, and the necessary number of votes were not polled. Mr. William Bell, the president of the railway company, wrote a letter to the citizens. I will read it in order to make the case clear. This is taken from the Guelph 'Herald,' the leading Conservative paper in the city. There is no politics in this question:

Letter to the editor:

Sir,—Citizens, please note that the directors or stockholders of the Guelph Junction Railway Company have no money interest in the railroad stock. They have already assigned to the city all their right, title and interest, and have handed over practically all the money they have paid on their stocks to the city for nothing whatever, and will not receive one cent of benefit from their stock whether they pay up in full or whether they pay only $100. The city owns everything and has all the earnings of the road to pay interest on its money advanced. The stockholders gave all these privileges and advantages to the city on the distinct understanding that they were to be relieved from all further liabilities on their stock. It was enormously for the benefit of the city that it should be done in this way. I hope the citizens will look on the matter in a just manner to the stockholders, who have given valuable time and means to build this road, and which will be and is of great benefit to the city.

(Signed) WM. BELL,
President Guelph Junction Ry. Co.

Mr. LANCASTER. Does the hon. gentleman say as a lawyer that that letter would be any evidence against these people?

Mr. GUTHRIE. That is the difficulty, in a court of justice technically that would be ruled out. The Bill was submitted and was defeated.

Mr. NORTHRUP. Was it true, as stated in that letter, that all these gentlemen had

made over their interests to the city of Guelph?

Mr. GUTHRIE. The transfer had not been made. But the day before the by-law was submitted, on the 17th July, the following statement appeared in both the city newspapers:—

Guelph, 17th July, 1889.

To His Worship the Mayor of Guelph:

Dear Sir,—We understand that some persons object to the $18,000 by-law to be voted on to-morrow, upon the ground that the loan of the money to the Guelph Junction Railway Company will enable the stockholders to obtain the benefit of their stock without really paying for it.

This is not the case, and it was never supposed that the stock held by the undersigned would be of any value to them individually.

As the loan of the money will enable the undertaking of the company to be completed, to show our good faith in this, we now offer and agree with you on behalf of the city that, upon the loan of $18,000 being made, we will surrender or assign our stock, and all benefits which may be derived from it, including the payments which have been made by us, to the city or to any persons designated by the city, or to hold the stock in trust for the city, as the council may deem advisable, the city assuming our position with regard to the same.

Mr. SPROULE. Was not that the one that was not signed by four of them?

Mr. GUTHRIE. It is not signed by John and Charles Crowe because they were not stockholders. It is signed by the following gentlemen: Geo. Sleeman, John M. Bond, J. B. Armstrong, Charles Raymond, Charles Davidson, D. Guthrie, executor for estate the late John Hogg, D. McRae, C. Kleopfer, W. Bell, T. Gowdy. It is dated 17th July, 1889. Now it came to my notice on Thursday or Friday last, that one gentleman. Colonel McRae, is now inclined to say that he never signed it. Well, all I can say is that this is the first I ever heard of his taking such a position. I know that he never repudiated it until then. It has been before the people, published in the newspapers, and in 1901 was read before the Railway Committee of this House. Then I remember perfectly well hearing Colonel McRae say that he did not deny signing it, but he said if he signed it it was never carried out, because the city did not pass the by-law. Well, the city did not pass the by-law the following day, but a few months afterwards, in the January elections following, the city did pass the by-law by the necessary majority of the electors, and the money was handed over. That was in 1889, and the men who exerted themselves to pass the by-law were these ten gentlemen that subscribed the money to have it passed. Among the letters I have in my hand is a letter from Colonel McRae, sending his cheque for his share of the expenses in carrying the by-law. The amount of the cheque is not stated, but other cheques were produced showing that the amount was $25 per head for each of these ten men. The money was handed over, and the question then arose as to whether if the $18,000 of new bonds to pay the indebtedness should become in arrear, whether these ten individuals could still be called upon for the other $900 unpaid upon stock; they were released from the first issue of the bonds. An agreement was then signed by the city of Guelph and the Guelph Junction railway, dated the 12th of March, 1890, providing expressly that in respect of this $18,000 loan, if the principal or interest remained unpaid, the directors, or the ten gentlemen holding stock, would not be called on for any payment on account thereof. That was in the year 1890. Now for some reason that agreement was lost, it only turned up in January last. It was not drawn by the solicitor of the city of Guelph, or by the solicitor of the company, but by the secretary of the Guelph Junction railway, and although it was properly signed, I have no doubt that if its existence had been known in 1901 there would have been no application to parliament at that time. However, it turned up last January, and that relieves them again from all their liabilties. Now the road continued, it was built and operated, and a lease for 99 years was taken by the Canadian Pacific railway. The directors have nothing to do with it. The money was handed over to the city, either quarterly or half yearly, the amount was small, the interest ran largely in arrear, and in the year 1901 the city desired to have a larger representation on the board. While it had $20,000 of paid up stock and $173,000 of bonds, it had a minority on the board, and they sought legislation. Now, let me point out what was asked of this House. The Bill passed this House, but it did not pass the Senate, the Senate as then composed was not favourable to it, and when I spoke in this House, I spoke in regard to the Bill which was then introduced, and what I said then was true, and it is true now. But even if my statement was inaccurate then, it could not affect the status of those parties. If they were agents of the city, if they were trustees of the city, if they were acting on behalf of the city, any statement of mine could not have changed their status, and did not change it. But what I said then, was that the shares which they had would remain just in the same position. The Bill passed this House and went to the Senate, but did not pass there. Then an arrangement was made and an agreement come to which resulted in the Act as it stands to-day being passed. I do not see anything inconsistent in the language of that Act with the proposal made to-day. I know section 3 of the Act of 1901

contains a provision whereby parties who desire to transfer their stock might do so, and give the city power to acquire it, but the municipality cannot acquire unpaid stock, without special legislative authority. Now it does speak of private stockholders and of trustees; the reason was that certain of the original stockholders were deceased, and they were represented by executors and trustees, but the private stockholders remained in the same position as they did in 1887 when they subscribed their stock. At that time there was an arrears of interest on the bonds of between $60,000 and $70,000, the stock was worth nothing. Time went on, and the Canadian Pacific railway extended the road from Guelph to Goderich.

Mr. SPROULE. What did the directors agree to do?

Mr. GUTHRIE. This is what section 3 says:—

> The directors of the company shall, upon the request of any of the present shareholders of the company holding ten shares of the capital stock of the company, and upon whose shares ten per cent only has been paid, issue a fully paid-up share for one hundred dollars to each of such shareholders.

Now there is not a single man who has made a request yet. They have had an opportunity, but they have not made a request. But nothing in that Act has changed the status of the company, or of the individuals, in regard to that stock. In the last two or three years the road has paid a handsome return to the city by reason of the extension of the road from Guelph to Goderich. The Guelph Junction Railway Company cannot contract any debt. That is in its agreement with the Canadian Pacific railway. They have absolutely nothing to do at that board but meet two or three times a year, receive the Canadian Pacific Railway cheque, and hand it over to the city of Guelph. It is absolutely a municipal institution now. The city of Guelph has gone into municipal ownership to a greater extent than any other city in Canada. It owns its own radial railway, its gas and electric plant and every other public utility and this is one of them. To-day the city claims absolute ownership. When the question of the dividend which was paid on this stock last year was brought to the attention of the city, people began to inquire what right these people had to dividends, and then for the first time the question was raised as to the rights of these individuals to receive a dividend of 6 per cent on their stock at a time when there was $4,000 of interest due. There is over $10,000 due now, but I understand that there is money enough in the bank to meet it, and there is an accumulation of compound interest of between $60,000 and $70,000 which the city, by this Bill, desires to turn into stock, and which it does not expect to get on this road. Whether that dividend should have been paid may be a question, but having been paid, as the matter is only a small one—$60 all told on the ten shares—it was obvious that it would not be worth the city's while to contest it in the courts. But as soon as the question was raised all the original stockholders, save two, came forward and agreed to the city's request, saying: We were trustees, we were simply representing the city and we are willing to hand over our stock and take what is fair. The city gave them compound interest since 1887 down to the present day, and it must be remembered that it is only within the last three years that the road has been earning money. In no event are these gentlemen being harshly dealt with.

Mr. LANCASTER. Does the hon. gentleman think that we ought to decide that question in this parliament?

Mr. GUTHRIE. I think we should or I would not support the Bill. I think these gentlemen were more than generously dealt with.

Mr. BOYCE. If these men are trustees for the city, why did not the city go to the courts and get them to declare that they are?

Mr. GUTHRIE. There may be some technical objections to the evidence that they have to put before a court of law, and another difficulty might arise in that the judge might say that a municipal corporation has no power to receive those shares or no power to get unpaid stock.

Mr. BOYCE. Does the hon. gentleman say that if the courts would not do it we should do it?

Mr. GUTHRIE. I say that these men are the trustees and agents of the city. The Bill did not contain that statement in the preamble when introduced, but the evidence submitted to the Senate Committee convinced the Senate Committee that that was the fact, and the Bill was thereupon amended and that statement was placed in the preamble. The sum payable when the Bill was introduced, was merely $100, the amount of the stock, but the Senate Committee thought that as these other shareholders had received 6 per cent compound interest it would be fair to put these men on the same level, and they made it $400.

Mr. SPROULE. What about the people who were the innocent purchasers of the stock?

Mr. GUTHRIE. If the stock was at any time impressed with a trust it would be still impressed with that trust and the

present holders would be as much trustees as the original holders were.

Mr. SPROULE. They paid their money for it.

Mr. GUTHRIE. They paid $125 a share; $100 was advanced in the first place and $25 was advanced by each individual to help to carry the by-law. Now, the city is willing to pay $400. This is the high court of parliament; why go to a court of justice? We have to judge of these things on their merits without the same strictness of proof that is required in a court of law. No favours have been shown in this Bill. The hon. member for East Hastings (Mr. Northrup) seemed to think that this Bill was being crowded through the House. It was introduced a long time ago in the Senate and it has come in the regular course from the Senate to this House.

Mr. NORTHRUP. Is it not being considered now by a suspension of the rule?

Mr. GUTHRIE. It is just in the same position as fifteen other private Bills. The rules were not suspended for this Bill on any occasion so far as I know. The motion was made by my right hon. friend the Prime Minister to suspend the rules for all private Bills and there are fifteen in the same position.

Mr. BOYCE. My hon. friend is mistaken. This Bill got its first and second readings on the same night.

Mr. GUTHRIE. I was not here at that time and I do not know. The Bill is properly before the House and before the committee, and judging it merely as an individual, and, perhaps also as a citizen of Guelph, I may say that my conviction is that these men are being well and fairly treated and properly dealt with. Let any hon. gentleman put the test to himself. Did these men originally go into this business as an investment or for the benefit of the city of Guelph? Did they go into it as a speculative investment or from a policy of pro bono public? Did they expect a money return or did they give their money to the city of Guelph to enable the city to carry out this proposition? We all know how these things are done in municipalities. Men get together, they join hands, they give in a certain amount and they do not hope for a financial return. For these reasons, I would ask the committee to pass the Bill.

Mr. LANCASTER. I am bound to say that the hon. member for South Wellington (Mr. Guthrie) has confirmed, if any confirmation were necessary, the position that several hon. gentlemen in this House have taken this afternoon. He has shown the utter wrong of this House attempting to decide a question that ought to be decided by a court of justice. So enthusiastic is he in perpetrating that wrong on the country that he admits that the evidence that he was using would not be admissible in a court of justice. The hon. gentleman has so far forgotten the principles which are involved and the unfairness of this House being called upon to confiscate people's property, that he says that this is the high court of parliament, that it is higher than any other court, and that we should attempt to influence members of this House by evidence which he admits would not be admissible in any court of justice in support of his contention that this Bill should pass. The hon. gentleman has shown that for twenty years these people went on dealing, that for twenty years the city of Guelph was perfectly content that these people should carry the load whatever it was and it was not until this became a profitable stock that the city of Guelph wanted to confiscate the property. The principle that is involved is confirmed by the argument of the hon. member for South Wellington. He asks us at the end of his remarks to put ourselves in the position of these men. He says: Put the test to yourselves and say what was their object in going into this transaction. I do not care what their object was. If I answered what I thought their object was, I would say that the idea was to help the city of Guelph to get the railway. They succeeded in that, they lent their names, and the city of Guelph, through its representatives in this House, is asking us to admit that Guelph has perpetrated a fraud upon parliament by putting up men of straw instead of bona fide men under their own names.

The laws of the Dominion require that men shall be interested actually in their own name, in stock, when they become incorporated as a company, and the city of Guelph is asking us to confiscate the property of these people upon the fradulent excuse that a fraud was perpetrated on parliament at the time they were incorporated, as these men were not bona fide interested in the company. Well, the city of Guelph served its purpose by representing them to parliament as bona fide, and having obtained the railway, this is now advanced as an argument why the stock should be taken away from them. I say to hon. gentlemen who are not lawyers that that would at once put the city of Guelph out of court on the principle that he who comes into court asking equity must come with clean hands. No judge of common law or equity as we have it in Ontario would listen for a moment to any application to confiscate a property where the applicant had to admit that he had perpetrated a fraud on parliament in getting these people into the position complained

of. We must assume that these men were in good faith, and that they were then, and have been for twenty years past bona fide stockholders in this company. In section 4 of the Bill of 1901 the city of Guelph holds up these men as being owners of fully paid up shares, and in that legislation the city of Guelph never dreamed of suggesting that they had the right to that stock except by voluntary purchase and sale. And yet, the hon. gentleman (Mr. Guthrie) asks us on inadmissible evidence to confiscate the rights of these people, and to declare that the Act of 1901 is nonsense. It is a simple case of some people who have the majority stock in a company grasping at a monopoly by driving people out of their investment which they have a right to enjoy. The statute passed at the instance of the city of Guelph in 1901 makes it an absolute injustice outside of the question of the constitutionality of the matter, for us to pass this Bill.

Mr. BOYCE. Do I understand that the city of Guelph holds all the stock of this company with the exception of these four shares, and that this railroad is paying handsomely?

Mr. GUTHRIE. I think the return to the city last year was about $26,000 on its stock and bonds.

Mr. BOYCE. Then it follows that the acquisition of these four shares is not absolutely essential to the city carrying on the business of the company?

Mr. GUTHRIE. Yes, to become sole owner of the road.

Mr. BOYCE. But these shares are not necessary to constitute a board of directors or to carry on business?

Mr. LANCASTER. Not at all.

Section 1 agreed to.

On section 2,

Mr. LANCASTER. I have not given notice of an amendment to this section, and therefore, I suppose I cannot move one, but I would suggest that the following words be stricken from the Bill:

> And it shall be the duty of such persons, respectively, to transfer their shares to the said corporation accordingly.

That is the most vicious piece of legislation it is possible to conceive. If these words were out of the Bill there would be less vice in it, and if the hon. gentleman wants legislation that is not going to furnish a precedent for the most outrageous confiscation of property he should strike them out.

Section 2 agreed to.

Bill reported.

Mr. LANCASTER.

Mr. GUTHRIE moved the third reading of the Bill.

Mr. LANCASTER. I think this is too important a Bill to be advanced two stages in one day.

Mr. SPEAKER. Receiving the report of the committee is not a stage.

Mr. LANCASTER. Having gone into committee only to-day I do not think we can advance the third reading, but I leave it to your judgment.

Mr. SPEAKER. There cannot be more than one reading in the same day, but I am informed that the report from the committee is not a stage.

Mr. LANCASTER. If you rule that this is not a second stage, I am bound by your ruling, but it struck me the other way.

House divided on motion for third reading.

YEAS

Messieurs

Allard,	McMillan,
Allen,	Marcile (Bagot),
Aylesworth,	Martin (Montreal,
Béland,	Ste. Mary's),
Borden	Molloy,
(Sir Frederick),	Murphy,
Boyer,	Nantel,
Bureau,	Nesbitt,
Campbell,	Neely,
Carvell,	Oliver,
Cash,	Owen,
Chew,	Paquet,
Congdon,	Pardee,
Conmee,	Paterson,
Crothers,	Perley,
Currie (Simcoe),	Pickup,
Demers,	Proulx,
Dubeau,	Pugsley,
Ecrément,	Rankin,
Fielding,	Reid (Restigouche),
Fowke,	Richards,
Gauvreau,	Rivet,
Geoffrion,	Robb,
German,	Roy (Dorchester),
Gervais,	Roy (Montmagny),
Graham,	Russell,
Guthrie,	Savoie,
Haggart (Winnipeg),	Sealey,
Harty,	Séguin,
Lachance,	Sharpe (Lisgar),
Lafortune,	Sharpe (Ontario),
Lanctot (Laprairie-	Smith (Nanaimo),
Napierville),	Smyth,
Lanctot (Richelieu),	Sperry,
Lapointe,	Stewart,
Laurier (Sir Wilfrid),	Talbot,
Lavergne,	Thornton,
Lemieux,	Tobin,
Loggie,	Todd,
Lovell,	Tolmie,
Low,	Turcotte (Nicolet),
Macdonald,	Turcotte
MacNutt,	(Quebec County),
McAllister,	Turgeon,
McCoig,	Turriff,
McColl,	Warburton,

McGiverin, Wilson (Laval).—91.
McKenzie.

NAYS

Messieurs

Best, Lennox,
Blondin, McIntyre,
Boyce, Marshall,
Clark (Red Deer), Northrup,
Daniel, Reid (Grenville),
Doherty, Roche,
Edwards, Smith (Middlesex),
Elson, Sproule,
Emmerson, Taylor (Leeds),
Henderson, Thoburn,
Hughes, Wilson (Lennox &
Kidd, Addington),
Lake, Worthington.—26.
Lancaster,

Motion agreed to, and Bill read the third time, and passed.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill (No. 213) respecting the Brandon, Saskatchewan and Hudson Bay Railway Company.—Mr. Sifton.

Bill (No. 214) respecting the Alberta and British Columbia Railway Company.—Mr. Herron.

Bill (No. 203) respecting the Essex Terminal Railway Company.—Mr. Clarke (Essex).

Bill (No. 215) to incorporate the Buctouche Railway and Transportation Company.—Mr. Carvell.

Bill (No. 211) to incorporate the Pioneers Loan Company.—Mr. Turriff.

Bill (No. 216) respecting the British Northwestern Fire Insurance Company.—Mr. Haggart (Winnipeg).

Bill (No. 219) to incorporate the Alberta, Peace River and Eastern Railway Company.—Mr. Martin (Regina).

Bill (No. 220) to incorporate the Federation of Chambers of Commerce of the province of Quebec.—Mr. Rivet.

Bill (No. 221) for the relief of James Alexander Hurst Forster.—Mr. Martin (Regina).

Bill (No. 222) for the relief of Emily Maud Nicoll.—Mr. Osler.

Bill (No. 223) for the relief of Edna Shibley De Mar.—Mr. Barker.

Bill (No. 224) for the relief of Clifford Buell Lillie.—Mr. Clarke (Essex).

Bill (No. 225) for the relief of Rowland James Botterill.—Mr. German.

ST. LAWRENCE POWER TRANSMISSION COMPANY.

Mr. PARDEE moved concurrence in the amendments made by the Senate to Bill (No. 115) to incorporate the St. Lawrence Power Transmission Company, Limited.

Mr. SPROULE. In this connection, I desire to draw attention to rule (No. 113), which is as follows:

> When any private Bill is returned from the Senate with amendments, the same not being merely verbal nor unimportant, such amendments are, previous to the second reading, referred to the Standing Committee to which such Bill was originally referred.

Two amendments have been made by the Senate to this Bill. The first strikes out the words:

> The works authorized by this Act are declared to be for the general advantage of Canada.

That is certainly more than a verbal amendment.

The second amendment is that section 11 is amended by adding the words 'for the purposes of its transmission line only.' Both of these are more than verbal amendments.

Mr. PARDEE. Both of these amendments were made by consent. The clause declaring the works to be for the general advantage of Canada was stricken out because they thought that sufficient advertising had not been done, and it was limited to the municipalities in which advertising had been done. As to the second amendment that it should be for the purposes of the transmission line only, I take it that no one would have any objection to that, because the object was to have it only a transmission line. Therefore, the views of the opponents of the Bill have been met in these amendments. So, I cannot see how any one could be prejudiced by allowing the Bill to go through this stage. The Bill is even more curtailed than when it left the House, so I do not see how any opponent of it can object on that ground.

Mr. J. D. REID. I have an amendment I wish to move to this Bill. Hon. members will note that clause 17 provides:

> This Act shall come into force on a day to be named by proclamation of the Governor in Council.

The promoters of this Bill at the time they were putting it through were very anxious to furnish power at once to Brockville and Prescott. They claimed that they were getting a contract for power to Brockville immediately the line could be built. I know that power can be supplied to Prescott and Brockville by other companies, and that this will be done unless this company go on with the work at once. But with such a clause as this in the Bill, they may not go on with the line at an early day. I would suggest, and I hope

it will meet with the approval of the House, that a clause something like this be substituted:

If the construction of the transmission line is not commenced, and 15 per cent of the amount of capital is not expended thereon within six months of the passing of this Act, or if the line is not finished and put in operation to Brockville within two years of the passing of this Act the powers conferred upon the company by parliament shall cease and be null and void as respects so much of the line as remains uncompleted.

I take that from the Railway Act. The object of this clause in the Railway Act, of course, is to make parties who take out charters go on with the construction of the railway. But for such a provision, charters would be held up to the disadvantage of the community. We have not had anything of this kind in the power Bills so far, but I do not think it is unreasonable that we should commence now, for the power is to be supplied to these municipalities in the interests of the public. If this is the proper time——

Sir WILFRID LAURIER. Here is what Bourinot says on the point. The question is on amendments made by the Senate:

When amendments made by one House to a Bill from the other House are received back and are under consideration, it is not regular to discuss the Bill itself, or its principle, or the policy of the government thereon, but the debate must be confined to the amendments.

Mr. SPROULE. That is not the point I raised.

Mr. SPEAKER. No, but I am calling the attention of the hon. member (Mr. J. D. Reid) who seeks to propose an amendment.

Mr. J. D. REID. Do I understand, Mr. Speaker, that it will not be in order for me to propose an amendment on the third reading?

Mr. SPEAKER. We are now considering the amendments made by the Senate, and the only amendment that can be made now is what is called a consequential amendment, following the amendment made by the Senate. The amendments being important, I think I would have to send the Bill back to committee, unless it were the sense of the House to dispose of them now. Otherwise the rule will have to be insisted on.

Mr. GRAHAM. The question is one of a technical nature. As a matter of fact, that clause about its being to the general advantage to Canada appeared to all parties unnecessary in the Bill. In that sense it is an unimportant amendment; in this Bill it is not at all necessary under the circumstances. Rule 113 says:—

When any private Bill is returned from the Senate with amendments, the same not being merely verbal or unimportant, such amendments are, previous to the second reading, referred to the Standing Committee to which such Bill was originally referred.

The question is: Is this amendment important? Ordinarily if there were a great deal of debate on that point, and if this House took the view that it was not important, and the promoters insisted that it was all important, and the Senate threw it out, then I think it would become important. It was agreed to by all parties as unnecessary, and in that sense, I do not think it could be considered of any importance whatever.

Mr. LANCASTER. The trouble is this, that if we are to have jurisdiction in these matters, it seems to me that there should be a section to that effect. I do not agree with the Minister of Railways, that in this particular case, it is unimportant. Because it seems to me that if we did not have that statement in this Bill, we have no right to pass this legislation. There is nothing in the British North America Act which says that a province cannot incorporate a power company like this. Part of this works could be done in one province and the other part of it could be done in another province; I mean to say there is no reason why a power company could not operate under a provincial charter. I cannot agree with the Minister of Railways, that this is an unimportant matter, because it is a kind of legislation that I think we have no jurisdiction over.

Mr. S. SHARPE. Before the amendments are considered, I would like to have an answer to a question on the order paper.

Mr. SPEAKER. Will the hon. gentleman confine himself to the point of order?

Mr. S. SHARPE. I have nothing to say on the point of order.

Mr. SPEAKER. I have no option in the matter, if it appears to come under rule 113, which has just been read. In my view, the amendments are important. The first amendment strikes out the clause which says that this work is for the general advantage of Canada, and the second amendment limits the power of the company over the transmission line. Both, of course, are more than mere verbal amendments, they are both important amendments, and unless the sense of the House is otherwise, I will have to send the Bill back to the committee.

Mr. GRAHAM. Does it go back to Private Bills Committee without any motion?

Mr. SPEAKER. I understand it does.

CENTRAL CANADA MANUFACTURERS MUTUAL FIRE INSURANCE COMPANY.

Order called for consideration of amendments made by the Senate to Bill (No. 123) respecting the Central Canada Manufacturers Mutual Fire Insurance Company.

Mr. FIELDING. I do not know whether these amendments may be regarded as important. But apart from that, I ought to inform the House, that I have received a number of telegrams from insurance companies, which have expressed a desire that these Bills should be referred back to the Committee on Banking and Commerce. I think the parties who sent the telegrams had the impression that by so referring the Bills back the clauses might be reconsidered. I have had to point out to them that that is not the operation of the rule. But if the Bill be referred back, I take it for granted the committee will confine their consideration entirely to the amendments. I only wish to state this in fairness to the House, so that if anybody is interested in pressing the matter further, they may do so. The question is whether these amendments are merely verbal or important. The hon. member who is in charge of the Bill is not present. My purpose in rising, is to inform the House that I have had that communication from a number of gentlemen outside, who wanted to have the whole question opened up again before the Committee on Banking and Commerce.

Mr. CAMPBELL. I take the same objection to this Bill as was taken to the last, under rule 113.

Mr. SPEAKER. I think these amendments are important; the clause in subsection 2 of section 1 is important, and there is another amendment at the end of the Bill, which I think is important.

Mr. NESBITT. I submit that the amendments are of infinitesimal importance.

Mr. CAMPBELL. I persist in my objection.

Sir WILFRID LAURIER. Could these Bills be referred to the committee without any motion at all? I think there must be a motion to refer to same committee.

Order allowed to stand.

Mr. R. L. BORDEN. It seems to me that in connection with these amendments a different procedure ought to be adopted. I am not finding any fault with the present practice in one sense as it may be the established practice, but I would think that the proper course ought to be that the Speaker and the officers of the House should take into consideration the question as to whether or not these amendments are important. Then, instead of wasting time by having them put on the order paper, and waiting three, four or five days, they should be sent to the committee at once. I see no advantage whatever in putting them on the order paper having them wait for a week, and then sending them to the committee. When they are brought to the attention of the Speaker, and he decides that they must go to the committee they should go to the committee as a matter of course under rule 113. Rule 113 says that they shall go if the amendments are important, and the speaker has authority to declare as to that. After he declares as to that, what is the object of keeping them on the order paper for four or five days?

Sir WILFRID LAURIER. I am not quite sure whether that point has to be decided by the Speaker; I think it is rather by the House. The object of the rule seems to be that when a Bill comes back with amendments they are to be referred to the committee. It is for the House to determine whether they are trivial or not, and that can only be done by looking at them. In reference to this matter it is stated by my hon. friend from West Lambton (Mr. Pardee) that the amendments are unimportant. When that particular condition presents itself how is one to determine that? Nobody can determine that unless he looks at the Bill.

Mr. R. L. BORDEN. I have exactly the same view as my right hon. friend, but it seems to me that the Speaker must decide. Otherwise there would require to be a motion put to the House as to whether or not the amendments are important. The House can only decide that by motion, and the motion must be carried. However, perhaps you can accomplish the same result in another way by moving that it go to the committee. In matters of this kind the Speaker ought to be the person to decide in the first instance. It may be that there should be an appeal from him, but I think it would be much more convenient if such matters were left for him to decide.

QUESTIONS.

18TH REGIMENT.

Mr. GIRARD:

1. Does the Minister of Militia know that Lieutenant-Colonel Savard, of the 18th regiment, is said to have retained from Captain Réné Talbot since 1907 a sum of $8.70 for the carriage of dress from Lake St. John to Chicoutimi?

2. Does the Minister of Militia intend to oblige the said Savard to pay without delay?

3. Does the government intend to make an immediate inquiry to ascertain the amount collected by Lieutenant-Colonel Savard, of the 18th regiment, for the sale of old uniforms, of which mention is made at page 6954 of 'Hansard' of the 11th of April instant?

4. Will the Minister of Militia, in making this inquiry, ascertain the use that has been made of this money?

Sir FREDERICK BORDEN. I shall at once make the inquiries suggested by these two questions.

ST. LAWRENCE POWER COMPANY

Mr. S. SHARPE:

1. Has the St. Lawrence Power Company complied with section 13 of the Act of Incorporation, 1901?

2. Has the government investigated the facts in regard to this question?

3. If so, in what way and what conclusion has the government reached?

4. If not, does the government purpose instituting any investigation with the view of ascertaining whether the powers of the company under the Act of 1901 have become null and void?

5. Does the government entertain the view that the amendments inserted in the St. Lawrence Power Transmission Company's Bill dealing with the St. Lawrence Power Company, created by the Act of 1901, cannot possibly control or affect the company under the Act of 1901?

6. Does any of the amendments inserted in the St. Lawrence Power Transmission Bill, in the opinion of the government, have the effect of reviving any of the powers of the St. Lawrence Power Company under the Act of 1901, which may have become null and void by reason of the said company not complying with the provisions of said Act?

7. Was it the intention of the government or the honourable member who had charge of the Bill, by any of the amendments, to revive said rights?

8. If the said company have forfeited any of the rights, is it the intention of the government to claim the benefit of such forfeiture?

Mr. PUGSLEY:

1, 2, 3 and 4. By order in council passed on the 16th May, 1904, and being within three years of the passing of the Act incorporating the St. Lawrence Power Company, the Governor in Council approved of a deed of assignment from Mr. M. P. Davis, and the Quebec Bank to the St. Lawrence Power Company, of the property and premises demised to Mr. M. P. Davis, by the Crown by lease dated 25th June, 1896, together with the water-power, buildings, machinery and all right, title and interest of Mr. M. P. Davis, and the Quebec Bank in the premises; and also of plans and specifications for the head race, tail race, power house, foundations and buildings for water-power development at the site mentioned in the said lease. As the properties thus approved of are capable of producing upwards of 1,000 horse-power, it would seem as if the company had complied with the requirements of section 13 of the said Act. There has, however, been no approval by the Governor in Council of plans for further water-power development by the construction of a dam in the St. Lawrence, and it is not deemed necessary to make any further investigation as to the matters inquired of by questions 1, 2, 3 and 4, by reason of the fact that not only has the government assured parliament that no such plans will be approved of without the previous authority of parliament, but also because it is expressly provided in the Bill for the incorporation of the St. Lawrence Power Transmission Company, Limited, that no further works for the development of power shall be constructed by the St. Lawrence Power Company in the St. Lawrence river without the authority of parliament thereto being first obtained.

5. No. It entertains exactly the opposite view.

6. No.

7. No, as to the government, and I believe that the member in charge of the Bill had no such intention, as neither the Bill itself as originally introduced nor any of the amendments have or profess to have such an effect.

8. Answered by reply to questions 1, 2, 3 and 4.

WELLAND CANAL.

Mr. STAPLES:

1. Does the Welland canal run through lot No. 50, in the township of Thorold, county of Welland, province of Ontario?

2. If so, how many acres of land have been taken out of said lot for canal purposes?

3. Who made the purchase and from whom was the land purchased?

4. Who was the owner of the land when the purchase was made, and what was the purchase price of same?

5. Has the purchase price been paid, if so to whom, if not, why not?

Mr. GRAHAM:

1. The Welland canal, both old and new, runs through lot No. 50, in the township of Thorold.

2. 81 acres have been taken out of the said lot for canal purposes.

3 and 4. George Marlatt, to the Welland Canal Company, November 21, 1826, 2 parcels, 1st part of lot No. 50. 2nd. Chiefly part of lot No. 50, with a small portion of lot No. 32, consideration sixty pounds.

William Marlatt to the Queen, March 5, 1850, part of lot No. 50 on the east side of the old canal, consideration sixty-four pounds.

Ephraim Hopkins to the Queen, October 30, 1855, part of lot 50 on the west side of the old canal, consideration sixty-four pounds, one shilling and threepence.

Thomas McLean to the Queen, May 7, 1879, part of lot 50 and part of lot 73, amount paid for deed of land, $8,526.

N. F. Hazel quit claim to the Queen, June 26, 1879, for $1; this covers the land bought from Thos. McLean.

Trustees school section No. 2, Thorold, to the Queen, March 11, 1879, part of lots 49 and 50, south of Marlatts' or Beaverdams road, amount paid, $1,350, for which department holds deed.

Department of Public Works to Eph. Hopkins, December 29, 1855, part of lot 50, west of the old canal, containing 3 roods and 12 perches, consideration, 10 pounds, 6 shillings and 3 pence.

5. Answered by Nos. 3 and 4, as this is all the information that can be obtained in this department.

GOVERNMENT ELEVATOR, PORT COLBORNE.

Mr. FOSTER:

What lands, if any, were taken for right of way for the railway connecting the government elevator with the Grand Trunk railway at Port Colborne, from whom taken and at what cost for each lot?

Mr. GRAHAM:

From C. D. Winn. Part of lot No. 29, in the 1st concession of the township of Humberstone, county of Welland, comprising lots Nos. 18, 19 and 20 and part of lots 21, 22 and 23 on the south side of Park street, and lot No. 18 and parts of lots 19, 20 and 21 on the north side of Clarence street, as laid down on map of part of the village of Port Colborne made by John DeCew, P.L.S., for L. G. Carter, registered in the registry office for the county of Welland, on April 26, 1876, containing 1·46 acres. Mr. Garner valued these lots at $4,550, and I value them at $3,000.

From A. Vandevere. Part of lot No. 29, in the 1st concession of the township of Humberstone, county of Welland, comprising lot No. 18 on the south side of Clarence street. Cost, $2,000. Containing ·24 acres.

From Mrs. Ellen E. Carter, Dr. O. W. Fares and D. McGillivray, joint owners. Part of lot No. 29 in the 1st concession of the township of Humberstone, county of Welland, comprising part of block 'B,' as laid down on Carter's plan of part of the village of Port Colborne, registered in the registry office for the county of Welland, on September 27, 1860, with a strip of land adjoining, lying to the north of said block 'B,' 66 feet in width and 927 feet 6 inches in length, containing 1·63 acres. Valuation, $2,000.

From Duncan Armstrong. Part of lot No. 29, in the 1st concession of the township of Humberstone, county of Welland, comprising lot No. 1 on the north side of Ash street, in the village of Port Colborne, containing ·25 acres. Cost, $350.

From Jane Peterson. Part of lot No. 29, in the 1st concession of the township of Humberstone, county of Welland, comprising lot No. 1 on the south side of Ash street, in the village of Port Colborne, containing ·25 acres. Cost, $1,600.

From Sylvester Manning. Part of lot 29, in the 1st concession of the township of Humberstone, county of Welland, being part of block 'A,' as laid down on the plan of part of the village of Port Colborne made by John DeCew, P.L.S., registered in the registry office for the county of Welland, on December 30, 1865. Containing ·11 acres. Valuation, $125.

From H. Leslie. Part of lot No. 29, in the 1st concession of the township of Humberstone, county of Welland, comprising part of lot No. 1 on the north side of Sugar Loaf street, as laid down on the plan of the part of the village of Port Colborne, made by John DeCew, P.L.S., registered in the registry office for the county of Welland, on December 30, 1865. Containing ·043 acres. Cost, $325.

From Mrs. Mary Pringle. Part of lot No. 29, in the 1st concession of the township of Humberstone, county of Welland, comprising part of lot No. 1 on the north side of Sugar Loaf street, as laid down on the plan of part of the village of Port Colborne, made by John DeCew, P.L.S., registered in the registry office for the county of Welland, on December 30, 1865. Containing ·75 acres. Valuation, $1,800.

From W. D. Carter. Part of lot 29, in the 1st concession of the township of Humberstone, county of Welland, comprising the rear portion of lot No. 2, north of Sugar Loaf street, containing ·126 acres. Valuation, $125.

From D. W. Carter. Part of lot No. 28, in the 1st concession of the township of Humberstone, county of Welland, comprising lots Nos. 12 and 13 on the south side of Sugar Loaf street, together with that part of the graveyard lot lying in the rear and to the south of said lots, as laid down on Merritt's plan of part of the village of Port Colborne. Containing 1·23 acres. Valued by Mr. Garner at $2,500, and by myself at $1,000.

OTTAWA IMPROVEMENT COMMISSION.

Mr. FOSTER:

1. What has been the amount expended by the Ottawa Improvement Commission each year since its establishment, under the heads of construction and maintenance respectively?

2. From what sources have they received the money so expended and what is the amount of bonds issued?

3. What estimate is made by the commission for construction yet proposed to be undertaken?

4. Has the government set any limit to the total expenditure for construction? If so, what?

Hon. W. S. FIELDING:

1. Expenditures for fiscal year:

Year.	Construction.	Maintenance.	Other Expenditures.	Purchase Property.	Reduction of Debentures.	Total.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
1900	28,773 02	.....	432 62	.....	.....	29,205 64
1901	85,482 81	.....	4,356 41	1,550 64	.....	91,389 86
1902	59,989 10	372 17	755 03	800 00	.....	61,916 30
1903	51,088 04	3,312 69	451 82	5,420 73	.....	60,273 28
1904	71,847 52	7,656 84	5,810 30	.....	10,000 00	95,314 66
1905	126,057 10	15,343 65	4,669 08	20,273 36	11,455 00	177,978 19
1906	74,829 27	16,422 91	2,941 93	.....	21,455 00	115,649 11
1907	49,998 84	14,135 42	1,531 27	1,214 73	21,455 00	88,335 26
1908	37,392 23	14,862 28	1,453 07	.....	21,455 00	75,162 58
1909	23,467 72	10,902 89	1,538 72	.....	21,455 00	57,364 33
1910	36,824 75	28,872 16	2,188 54	.....	21,455 00	89,340 45
Total	645,750 40	111,181 01	26,128 79	29,259 46	128,730 00	941,749 66

No. 2.

Government grant	$ 645,000 00
Government, part of proceeds sale of a portion of Major's Hill park	31,000 00
Sale of debentures, (proceeds of sale of 16 debentures of $21,455 each)	270,373 84
Interest	1,330 31
Miscellaneous	8,740 54
	$ 956,444 69

No. 3.

Driveway in Major's Hill park, estimated cost	$ 7,000 00
Driveway, Baird street to Nepean Point, estimated cost	64,000 00
Construction of roadway extending from western extremity of Dow's Lake causeway through Experimental Farm, thence northwardly to islands in the Ottawa river	92,000 00
Continuation of roadway from Clemow avenue to Dow's Lake causeway, via Concession and Ryan streets	7,800 00
Construction of roadway with boulevard, etc., from Hemlock lake, near Rockliffe, to Dufferin road via Mariposa avenue and Lisgar road	36,000 00
Construction of driveway from west side of Dow's lake to Hog's Back and return on south side of Rideau canal to Ottawa East bridge and improvements on government reserve on north side of Rideau river in vicinity of Hog's Back	50,000 00

No. 4. The limit, so far as the government is concerned, is the amount authorized by the several Acts, and the resolutions now before the House.

THE FRENCH TREATY.

Mr. FOSTER:

1. What minimum duties as existing in the French tariff in force at the conclusion of the trade treaty with Canada have been raised by the latest enacted French tariff and to what extent in each case?

2. Does the lately concluded trade arrangements between France and the United States give to the United States products the same or better treatment by France as compared with Canadian exports to France?

3. Does the German government grant to South Africa, Australia and New Zealand the benefit of her conventional tariff on a wider range of articles than she does to Canada?

Mr. FIELDING. The following is a statement showing the changes in the French tariff on articles included in the convention between Canada and France called 'The French Treaty of 1907':

1.

No. in New Tariff.	Classification under New Tariff.	Former Rates of Duty.		New Rates of Duty.	
		General Tariff.	Minimum Tariff.	General Tariff.	Minimum Tariff.
		fr. c.	fr. c.	fr. c.	fr. c
1	Stallions, geldings and mares—				
	Of 5 years and over.....each	200 00	150 00	225 00	150 00
14	Poultry.....	20 00	.....	30 00	20 00
17	Ham, boned and rolled, cooked hams.....	50 00	30 00	60 00	40 00
	Meats, salted—				
	Pork (ham, bacon, &c.).....	50 00	30 00	50 00	35 00
	Beef and other.....	50 00	30 00	50 00	35 00
Ex 18	Poultry, dead	20 00	.....	30 00	20 00
19	Meat, preserved in tins.....	20 00	15 00	23 00	20 00
30	Animal fat, other than fish oils—				
	Lard	40 00	25 00	40 00	30 00
36	Cheese—				
	Fine (affine), soft.....	35 00	15 00	35 00	20 00
38	Honey—				
	Natural, pure	15 00	10 00	30 00	20 00
	Fish.				
45	Products of foreign fisheries :—				
	Fish—Fresh :—				
	Fresh water :—				
	Salmonoid family :—				
	Trout..	15 00	10 00	40 00	25 00
	Other.....			50 00	10 00
	Other kinds :—				
	Pike, carp, tench and eels	10 00	5 00	12 00	8 00
	Farinaceous Foods.				
80	Pulse :—				
	Other :—				
	In the grain.....	3 00	.....	5 00	3 00
	Husked...	6 00	.....	9 00	6 00
	In meal :—				
	Raw	6 00	.....	9 00	6 00
	Cooked	8 00	.....	12 00	8 00
83	Potatoes :—				
	Imported from March 1 to June 1	3 00	0 40	6 00	3 00
	Imported during other periods			3 00	0 40
	Fruits and Seeds.				
Ex. 84	Table fruits : –				
	Fresh :—				
	Table apples..	5 00	2 00	5 00	2 50
	Table pears.....	5 00	2 00	5 00	3 00
86	Candied or preserved :—				
	In spirits.....	100 00	80 00	120 00	80 00
	Other :—				
	Not specified	10 00	8 00	15 00	8 00
	Other :				
	Not specified.....	10 00	8 00	15 00	8 00
89	Seeds for sewing—				
	Lucerne, minette, clover..	30 00	25 00	40 00	25 00
	Beetroot : Decorticated.....	30 00	30 00	60 00	45 00
	Not decorticated.....	30 00	30 00	45 00	30 00
	Other.....	3 00	3 00	4 50	3 00

No. in New Tariff.	Classification under New Tariff.	Former Rates of Duty.		New Rates of Duty.	
		General Tariff.	Minimum Tariff.	General Tariff.	Minimum Tariff.
	Fruit and Seeds—Con.	fr. c. per 100 kilogs.	fr. c. per 100 kilogs.	fr. c. per 100 kilogs.	fr. c. per 100 kilogs.
	Woods.				
136 bis.	Straw or wool of wood—				
	Not dyed	0 75	0 50	1 50	1 00
	Dyed	As undyed straw, &c., increased by 20 per cent.		1 80	1 20
	Various Products and Waste Substances.				
158	Vegetables—				
	Fresh—				
	Cucumbers and French beans	15 00	6 00	20 00	12 00
	Tomatoes and melons	15 00	6 00	20 00	12 00
	Spinach and asparagus	15 00	6 00	20 00	12 00
	Green peas	15 00	6 00	20 00	12 00
	Salted or pickled	15 00	12 00	18 00	12 00
	Preserved	20 00	16 00	24 00	16 00
	Dried			30 00	20 00
	Marble, Stones, Earths, &c., &c.				
185	Cement—				
	Slow	0 75	0 50	0 90	0 60
	Quick	0 50	0 25	0 60	0 40
	Metals.				
205	Foundry pig and forge pig, &c	2 00	1 50	2 25	1 50
	Spiegle iron, &c	2 00	1 50	3 00	2 00
205	Ferro-manganese, &c	4 75 2 00	3 50 1 50	5 25	3 50
	Ferro-silicon, &c	4 75	3 50	7 50	5 00
	Ferro-chromium, &c	4 75	3 50	12 00	8 00
	Ferro titanium, &c	*	*	30 00	20 00
	Ferro-molybdenum, &c	4 75	3 50	30 00	20 00
	Ferro-tungsten, &c	4 75	3 50	30 00	20 00
	Ferro-vanadium, &c	5 p.c. ad val.	5 p.c. ad. val.	7½ p.c. ad. v.	5 p.c. ad. v.
206	Iron and steel, crude, in ingots	5 00 6 00	4 50 5 00	6 75	4 50
207	Iron or steel, rolled or forged, &c	6 00	5 00	7 50	5 00
207 bis	Iron or steel, rolled or forged, &c	7 00	6 00	9 75	6 50
210	Flat sheet and plate iron or steel	†	†	†	†
213	Rails of iron or ordinary steel	7 00	6 00	9 00	6 00
	Rails of special steel, &c			15 00	10 00
221	Copper—				
	Rolled or hammered, in bars, &c	13 00	10 00	14 00 15 00	9 00 10 00
	" " in plates, &c	13 00	10 00	18 00	12 00
	" less than 1-10 inch	13 00	10 00	23 00	15 00
	Gilt or silvered, in lumps or ingots, hammered, drawn, rolled or spun on thread or on silk, bronze powder	130 00	100 00	150 00	100 00
	Nickel—				
	Pure, hammered, in bars, rolled	13 00	10 00	15 00	10 00
225	Pure in wire—				
	Of 1 mm. or more in thickness	13 00	10 00	23 00	15 00
	Of less than 1 mm. in thickness			27 00	18 00

* Not specified. † Slight changes in both general and minimum tariffs.

Mr. FIELDING.

No. in New Tariff.	Classification under New Tariff.	Former Rate of Duty.		New Rate of Duty.	
		General Tariff.	Minimum Tariff.	General Tariff.	Minimum Tariff.
	Metals—Con.	fr. c. per 100 kilogs.	fr. c. per 100 kilogs.	fr. c, per 100 kilogs.	fr. c. per 100 kilogs.
	Nickel—*Con.*				
	Alloyed with copper, with or without zinc—				
	In ingots or crude lumps	10 00	7 50	12 00	7 50
	Hammered, rolled	23 00	17 50	26 00	17 50
	Wire—				
	Of 1 mm. or more in thickness	23 00	17 50	27 00	18 00
	Of less than 1 mm. in thickness			30 00	20 00
	MANUFACTURES.				
	Chemical Products.				
238 bis.	Extracts of gallnutts, of sumac, of chestnut wood, and other tannic juices, liquid or solid, extracted from plants	5 00	3 00	4 50	3 00
	Extracts of quebracho—				
	Solid	5 00	3 00	8 00	5 50
	Liquid	5 00	3 00	5 00	3 50
282	Chemical products not specified (duties to be fixed by the Advisory Committee of Arts and Manufactures according to the quantity of alcohol entering into their composition in no case can the duty be less than)—				
	With alcoholic basis	5 per cent. ad valorem.	5 per cent. ad valorem.	7½ per cent. ad valorem.	5 per cent. ad valorem.
	Other	5 per cent. ad valorem.	5 per cent. ad valorem.	7½ per cent. ad volorem.	5 per cent. ad valorem.
	Glass and Crystal.				
361	Incandescent electric lamps—				
	With carbon filaments, with mountings	400 00	350 00	525 00	350 00
	With metal filaments, with mountings	400 00	350 00	750 00	500 00
	Without mountings	800 00	700 00	1,050 00	700 00
	Yarns.				
	Yarns of linen, hemp, ramie, pure, not glazed, measuring to the kilogramme in single yarn—				
363	Single—				
	Unbleached—				
	In skeins—				
	(Slight changes in both general and minimum tariffs.)				
363 bis.	Twisted or partly twisted—				
	Unbleached—				
	In skeins—				
	(Considerable advance in the general, slight increase in minimum tariff.)				
	Paper and manufactures of.				
461	Paper of all kinds—				
	Other than the paper called fancy paper—				
	Machine-made, weighing above 30 grammes, per square metre	13 00	10 00	15 00	10 00
	Machine-made, weighing 30 grammes or less, per square metre			23 00	15 00
	Cigarette paper—				
	On reels, 35 millimetres wide or less	13 00	10 00	30 00	20 00
	In books	15 00	12 00	37 00	25 00
	Form or handmade, &c.	13 00	10 00	23 00	15 00

No. in New Tariff.	Classification under New Tariff.	Former Rates of Duty.		New Rates of Duty.	
		General Tariff.	Minimum Tariff.	General Tariff.	Minimum Tariff.
		fr. c. per 100 kilogs.	fr. c. per 100 kilogs.	fr. c. per 100 kilogs.	fr. c. per 100 kilogs.
	Paper of all kinds—*Con.*				
	Sulphurized or like sulphurized	25 00	20 00	30 00	20 00
	Paper called fancy paper—				
	Couched in white or colour, &c	36 00	30 00	45 00	30 00
	Covered partially with metal, &c	72 00	60 00	90 00	60 00
	Coloured and cut up into bands for shelves. (Dutiable as fancy paper according to kind)			60 00	45 00
	Cardboard—				
462	In sheets or plates—				
	Rough	13 00	10 00	15 00	10 00
	Called fancy, &c.	13 00	10 00	24 00	16 00
462bis	Milled, &c	12 00	9 00	14 00	9 00
463	Cut, grooved, or shaped, rough	19 00	16 00	24 00	16 00
	Ditto, called fancy, with reliefs			33 00	22 00
464ter	Boards ornamented with paintings, &c	90 00	70 00	105 00	70 00
	Hides, Skins and Peltries prepared.				
476	Skins and hides prepared—				
	Curried—				
	Calf skins waxed, &c	40 00	25 00	75 00	50 00
476	Curried—				
	Calf and other small skins, &c.—				
	Cow and other large hides, &c	70 00	50 00	80 00	50 00
	Skins, &c.	70 00	45 00	80 00	45 00
	Skins	As vegetable tanned. (See above).		As vegetable tanned hides, according to kind, increased by— 50 per cent.	35 per cent.
	Other—			As vegetable tanned hides, according to kind, increased by— 40 per cent.	25 per cent.
	Chamois—dressed or parchment, &c	74 00	60 00	90 00	60 00
	Hongroye and other, &c	60 00	40 00	75 00	40 00
478	Straps for sabots, soles, &c	62 00 / 80 00	50 00	80 00	50 00
479	Uppers for top boots, for boots, &c.—				
	Of varnished leather	175 00	125 00	190 00	125 00
	Of varnished leather	275 00	175 00	265 00	175 00
480	Top boots (bottes)—	Per pair.		Per pair.	
	With leather soles, nailed, or wooden soles.	2 50	2 00	3 00	2 00
	With leather soles sewn on		2 00	5 00	3 00
481	Boots or half boots—				
	Of woollen, cotton or hemp tissue, with leather soles	2 50	1 50	1 50	1 00
	Of woollen, cotton or hemp tissue, &c, &c.				
	Of coloured goat, kid or imitation, &c	2 50	1 50	3 00	2 00
482	Low shoes—				
	Of woollen, cotton or hemp tissue, without fancy trimmings, &c., &c	1 00	0 75	0 75	0 50
	Of woollen, cotton or hemp tissue with fancy trimmings, &c., &c	1 00	0 75	1 25	0 75
	Of coloured goat, kid, or imitation, &c	1 00	0 75	1 50	1 00
483	Footwear for children, with leather soles less than 17 centimetres in length—				
	Wholly or partly of leather	Per 100 kilogs. 120 00	80 00	0 75	0 50
	Other			0 25	0 15
484	Gloves:				
	Of fur with or without parts of leather:—			Per doz. pairs.	
	Common	200 00	160 00	8 00	4 00
	Fine	650 00	500 00	16 00	8 00

No. in New Tariff.	Classification under New Tariff.	Former Rates of Duty.		New Rates of Duty.	
		General Tariff.	Minimum Tariff.	General Tariff.	Minimum Tariff.
		fr. c. per 100 kilogs.	fr. c. per 100 kilogs.	fr. c. per 100 kilogs.	fr. c. per 100 kilogs.
	Hides, Skins and Peltries prepared.—Con.				
	With gauntlets or wrists of tissue or fur:—				
	The gauntlets or wrists not exceeding 8 cm. in greatest depth	Not specified.		4 00	2 00
	With gauntlets or wrists exceeding 8 cm.			6 00	3 00
	Others	Slight increase in both Tariffs.		General and Minimum	
488	Transmission belts, bands, &c., &c.—				
	Alumina tanned or vegetable tanned, curried or not, &c., &c.	100 00	60 00	100 00	65 00
	Mineral tanned, other than alumina tanned	70 00	40 00	Duty as above, increased by 40 per cent.	Duty as above, increased by 25 per cent.
490	Trunks—				
	Of wood or pasteboard covered, &c., &c.	74 00	60 00	105 00	70 00
	Peltries—				
494	Worked or made up—				
	Common	200 00	160 00	300 00	200 00
	Other	650 00	500 00	750 00	500 00
	Manufactures of Metal.				
512	Traction engines and rolling engines, steam, petrol, benzine, spirit, &c.	20 00	15 00	23 00	15 00
	Locomotives—				
	Narrow gauge	24 00	18 00	27 00	18 00
	Ordinary gauge—				
	With two cylinders	20 00	15 00	23 00	15 00
	Other			35 00	23 00
513	Tenders for steam locomotives—				
	Ordinary gauge	15 00	10 00	18 00	12 00
	Narrow gauge	18 00	12 00		
522	Agricultural machines (motors not included)—				
	Mowers, reapers, combined reapers and binders, &c., &c.	15 00	9 00	15 00	12 00
	Other			23 00	15 00
525 ter.	Typewriters, without nickeled parts, &c.	75 00	60 00	.....	
	50 kilogs or more	.....	.....	300 00	200 00
	Less than 50 kilogs	.....	.....	450 00	300 00
526	Recipients, &c., &c.—				
	Of 5 millimeters and above	12 00	8 00	14 00	9 00
	Of 1 to 5 millimeters	12 00	8 00	17 00	11 00
534	Springs of steel for carriages, &c., &c., polished (as "detached parts of machines, of steel")	.....	.....	37 50	25 00
537	Tools, &c., &c. (general and minimum tariffs both increased slightly).				
552	Railway chairs, paving plates, &c., &c	3 00	2 50	5 00	2 75
557	Stoves, fire-places, &c., &c.	5 00	4 00	9 00	6 00
	Same articles, not polished	12 00	8 00	14 00	9 00
557	Pots and other articles not included under the above classes	5 00	4 00	6 00	4 00
558	Iron-work for carriages, &c., &c., weighing—				
	15 kilogs, or more	12 00	8 00	18 00	12 00
	Less than 15 kilogs,	15 00	10 00	23 00	15 00
567	Tubes of iron or steel (slight advance in general, no change in minimum tariff).				
576	Lead pipe and manufactures of lead of all kinds, weighing—				
	50 grms, and more per piece	8 00	6 50	10 00	6 50
	Less than 50 grms. and more than 20 grms. per piece			13 50	9 00
	20 grms. per piece			21 00	14 00

No. in New Tariff.	Classification under New Tariff.	Former Rates of Duty.		New Rates of Duty.	
		General Tariff.	Minimum Tariff.	General Tariff.	Minimum Tariff.
	Manufactures of Metal—Con.	fr. c. per 110 kilogs.	fr. c. per 100 kilogs.	fr. c. per 100 kilogs.	fr. c. per 100 kilogs.
	Manufactures of lead, &c., &c.	8 00	6 50	27 00	18 00
576	Small shot	8 00	6 50	12 00	8 00
	Furniture.				
590	Furniture (advance in both tariffs).				
	Articles of Wood.				
600	Wood, planed, grooved, &c., &c.				
	Of oak or hard wood	6 00	5 00	7 50	5 00
	Of fir wood or soft wood	5 00	3 50	5 25	3 50
601	Doors, windows, venetian blinds, &c., &c—				
	Of hard wood, &c., &c	25 00	20 00	30 00	20 00
	Of soft wood	15 00	12 50	19 00	12 50
	Painted, &c., &c	As above.		45 00	30 00
	Carved, &c	Dutiable under No. 594.		75 00	50 00
602	Vats and tubs, &c., &c	Not specified.		10 00	7 50
602	Rims of bet wood, &c., &c	15 00	12 50	38 00	25 00
603	Wood, squared for shuttles, &c., &c.	30 00	20 00	Dutiable under No. 125 or No. 138, according to kind.	
603	Handles for agricultural implements, &c., &c.	Free.	Free.	Half the duty on turner's wares.	
	Musical Instruments.				
604	Musical instruments:				
	Pianos—				
	Upright ....Each	60 00	50 00	150 00	100 00
	Grand, up to 2.25 in length "	85 00	75 00	225 00	150 00
	" 2.25 m. long or more "			340 00	225 00
	Organs, harmoniums, &c., &c. (Item changed in both General and Minimum Tariffs.)			Per 100 kilogs	
605	Accessories and detachad parts, &c., &c. (Items changed in both General and Minimum Tariffs.)				
	Miscellaneous Manufactures.				
614	Carriages:				
	Carriages for roads, not to run on rails, carts for trade, agricultural purposes, &c., carriages to run on rails, tramway cars, bodies or parts of bodies for tramcars. (General advance in General Tariff, slight advance in Minimum.)				
620	Indiarubber and guttapercha manufactures:				
	Sheets, &c., &c.	60 00	40 00	30 00	20 00
	Threads, &c., &c			9 00	Free.
	3 m or less in thickness, &c.	60 00	40 00		
	Other			30 00	20 00
	Elastic tissues, &c., &c.	250 00	200 00	300 00	200 00
620	Manufactures of amianthe or asbestos:—				
	Paper or cardboard:				
	In sheets, &c.	70 00	50 00	38 00	25 00
	Shaped, &c., &c	70 00	50 00	75 00	50 00
	Threads and cords, &c., &c			90 00	60 00
	Plaits, tissues, &c., &c	91 00 / 70 00	70 00 / 50 00		
	Lace of amianthe. (Pays duty as cotton lace.)			105 00	75 00

2. Our treaty with France does not entitle us to the French minimum tariff on everything, neither does France receive our intermediate tariff on everything. We are entitled to the French minimum tariff on a list of articles which practically covers everything of importance that Canada has been exporting. On all these products we continue to receive the most-favoured-nation treatment and the United States receives no advantage over us.

There are no available public documents setting forth the exact arrangement recently made between France and the United States. But press statements informally issued by the United States State Department are to the effect that France, to obtain the American minimum tariff, granted the French minimum rates on products covering 96 per cent of the United States exports to France. Canada to obtain the same consideration from the United States made a reduction in her general tariff on articles representing less than three per cent of American exports to Canada.

3. The German government grants to the countries named the full conventional tariff in return for the granting by those countries of their lowest tariff rate to foreign countries.

Canada does not grant to Germany the lowest rates which are granted to other foreign countries, and consequently cannot claim the full German conventional tariff. But Canada receives from Germany the conventional tariff on a list of articles which it is believed, cover all the important articles of Canadian export.

STENOGRAPHERS FOR COMMITTEES.

Mr. TOLMIE:

1. How many meetings of Select Standing Committees and Special Committees have been held during the present session of parliament?

2. Has it been found necessary to employ outside assistance to take the notes of evidence in any of the committees? If so, why?

3. In how many committees, and how often, has an extra staff of stenographers been required, and what has been the total cost of such assistance?

Sir WILFRID LAURIER:

1. The number of meetings of select standing committees during the present session, up to April 30, has been 141; special committees 122.

2. It has been necessary to employ outside assistance to take the notes of evidence in some of the committees.

The necessity arose by reason of the fact that more than two of the committees were sitting at the same time, and consequently the present staff of two reporters was unable to keep up with the work.

3. Extra stenographers have been employed in connection with eight different committees and at 76 meetings of the same.

The amount paid for such assistance to date is $2,549.83, and there remains unpaid about $400.

MR. ALFRED DELAUCETTE.

Mr. GIRARD:

Has the Minister of Justice proceeded against a Mr. Alfred Delaucette, of Roberval? If so, why and at whose request?

Hon. A. B. AYLESWORTH:

Proceedings were taken against Mr. A. Delaucette, one of the sureties of Mr. T. A. Donahue, some time Indian agent at Pointe Bleue, Que., under instructions from the Department of Indian Affairs and at the request of that department.

MR. ARTHUR DU TREMBLAY.

Mr. GIRARD:

Has the Minister of Justice proceeded against a Mr. Arthur du Tremblay, of Roberval? If not, why?

Mr. AYLESWORTH:

Proceedings were not taken against Mr. A. du Tremblay, because he agreed to pay to the Department of Indian Affairs one-half of the amount due, in respect of which he was a surety.

WEIGHT OF ROSS RIFLE.

Mr. TALBOT:

1. Has the attention of the government been called to a leading article in the Montreal 'Daily Star' of April 26, 1910, in which comment is made upon an extract from the report of the inspector general of the militia for 1909, in which that officer remarks unfavourably upon the weight of the latest pattern of the Ross rifle, as making it unsuitable for adoption for active service?

2. What are the weights of the different patterns of Ross rifle as compared with those of British service rifles?

Sir FREDERICK BORDEN:

1. Yes. The exact words used by General Lake were: 'The latest pattern of Ross rifle has been well reported on. It is an excellent target weapon, but the increased accuracy has been obtained at the cost of rather more than a pound of extra weight, which is a drawback from the service point of view.'

Sir P. Lake informs me that the words 'a pound of extra weight' were used in comparing the weight of the latest pattern Ross rifle, Mark II**, with that of the previous pattern, Mark II. with Mark III. sight, which rifle he had discussed in the corresponding paragraph (paragraph 62) of his report for 1908, and not in reference to

any British rifle, of which the weights vary widely. The Lee-Enfield at present in use weighs 9 pounds 4 ounces, or exactly 4 ounces less than the Ross Mark II.**, whilst the Lee-Metford Mark I.* and II. weighs precisely the same as the Ross. It will be observed that he considered the extra weight 'a drawback' only, and did not say it rendered the rifle unsuitable for active service. He is not of that opinion.

2. All rifles vary slightly in weight; the following are average weights:

Ross rifle, Marks I. and II., average weight 8 pounds 4 ounces.

Ross rifle, Mark II.**, average weight 9 pounds 8 ounces.

British rifles—

Lee-Metford, Mark I.* and II., average weight 9 pounds 8 ounces.

Lee-Metford, Mark II.*, average weight 9 pounds 4 ounces.

Lee-Enfield, Mark I. and I.*, average weight 9 pounds 4 ounces.

Lee-Enfield, Converted Mark I.*, average weight 9 pounds 5 ounces.

Short Lee-Enfield, Mark I., average weight 8 pounds 2½ ounces.

Short Lee-Enfield, Mark I.*, average 8 pounds 7 ounces.

Short Lee-Enfield, Mark III., average weight 8 pounds 10½ ounces.

Short Lee-Enfield, Converted Mark II., average weight 8 pounds 2½ ounces.

Short Lee-Enfield, converted Mark II.*, average weight 8 pounds 7 ounces.

Short Lee-Enfield, converted Mark IV., average weight 8 pounds 14½ ounces.

Rifles of other countries—

Germany, weight 9 pounds.

Russia, weight 9 pounds 12½ ounces.

France, weight 9 pounds 3½ ounces.

Austria, weight 8 pounds 5½ ounces.

Belgium, weight 9 pounds 14 ounces.

Italy, weight 9 pounds 9 ounces.

Holland, weight 9 pounds 11 ounces.

From British text book of small arms for the year 1909.

THIRD READINGS.

Bill (No. 226) to authorize the granting of subsidies in aid of the construction of lines of railway therein mentioned.—Mr. Graham.

Bill (No. 227) to incorporate the Canadian Northern Alberta Railway Company, and to aid in the construction of its railway.—Mr. Graham.

CANADIAN ASSOCIATED PRESS.

House went into committee to consider the following proposed resolution:

Resolved, that it is expedient to continue for a further period the granting of aid towards the maintenance of an independent and efficient service of telegraphic news from Great Britain for publication in the Canadian press, and that for such purpose it is expedient to provide for the payment of the following sums:—

A sum not exceeding $12,000 for the twelve months terminating June 30, 1911;

A sum not exceeding $10,000 for the twelve months terminating June 30, 1912;

A sum not exceeding $8,000 for the twelve months terminating June 30, 1913;

A sum not exceeding $6,000 for the twelve months terminating June 30, 1914;

And a sum not exceeding $5,000 for the twelve months terminating June 30, 1915.

Mr. FIELDING. Some years ago the attention of parliament was drawn to the fact that the cable news which came to us from Great Britain was at that time almost entirely prepared for the journals of the neighbouring republic and had very little regard for the news in which Canada was concerned. The desirability of reform in that respect was generally recognized, and with the general consent of the House an arrangement was come to with the leading Canadian newspapers whereby we should give them an annual subsidy to assist them in obtaining a better cable service, on the basis of contributing dollar for dollar with them for that purpose. That is to say, for every dollar which they paid for cable rates we should contribute a dollar to assist them, with a certain limitation as to the maximum sum. That arrangement ran for some years and is about to expire. We hope the time will come, and that before long, when our Canadian newspapers will be strong enough to perform this service of themselves. However, they have represented that it is very desirable we should give them some further aid, and after consideration we have concluded to ask the House to agree to the resolution which is now presented, which proposes to give them for five years the following sums: $12,000 for the first year, $10,000 for the second year, $8,000 for the third year, $6,000 for the fourth year and $5,000 for the fifth year. When these subsidies were originally granted we certainly had the hope that the service would gradually become self-supporting. However, it is represented to us that if the subsidy were dropped the service, which, take it all in all, has been a very useful one, might be affected, and as the object in view is one which I am sure will commend itself to the consideration of the House generally, we have concluded to ask the House to give this further aid. The arrangement is made with a combination of journals known as the Canadian Associated Press. A number of the leading journals of Canada, irrespective of politics, agreed to form an association for that purpose. They arranged for the receiving of the cables, and they in turn distributed them to other journals through-

out Canada which might be willing to receive them. At one time there was some criticism as to the efficiency of the service, and occasional suggestions have been made that the government should interfere with a view to affecting the class of information to be furnished. We have always had a very decided opinion that the government should not interfere in the matter at all. We said to the newspaper proprietors that if they can agree among themselves to establish an organization for the purpose, taking all responsibility of management, we would be very glad to help them, but the government had no desire to have anything to do with the management or control of the service. Although there is occasional criticism, and I will not say the service has always been satisfactory, it has been the means of giving to Canada a very useful class of information which probably we could not have received but for the making of this arrangement. I am very glad to present the matter to the House with the view of giving the newspapers this further assistance for the period of five years.

The correspondence I have on the subject comes from Mr. J. Ross Robertson of the Toronto 'Telegram,' who is the gentleman most keenly interested in the matter, and has been from the beginning. He has addressed to me a letter setting forth what he believes to be evidence of the efficiency of the service. I would be very happy to read it.

Mr. SPROULE. It might be well to give us the benefit of it.

Mr. FIELDING. I may say that there had been an earlier arrangement, and that the contract which is about to expire was a supplementary contract. Mr. Robertson's letter is as follows:

Toronto, March 3, 1910.

Hon. W. S. Fielding, M.P.,
Minister of Finance,
Ottawa, Can.

Dear Sir,—As the time is approaching when the present arrangement between the Canadian Associated Press and the government expires, I am instructed to lay before you the application of the association for a renewal of the subsidy for a further term.

The present arrangement with the government was for a period of two years, which term expires on the 30th June, 1910. Under the agreement, the government paid one-half of the outlay of the association up to $12,000 per annum, and the association paid the other half.

Of the amount granted the association, namely $24,000 for the two years, it is estimated the association will have earned about $19,000, or in other words, it will have spent an equal sum from it own resources on the cable service received by its members.

Increase in Membership.

The association has endeavoured to widen its membership and its efforts in this regard, have resulted in two evening papers in Hamilton, Ont., and two in the maritime provinces, the 'St. John Telegraph' and the 'Evening Times,' now taking the service.

Western Canada, a greater field has been opened up by reason of the Western Associated Press taking the full Canadian Associated Press services and through its membership, distributing the news to some fifteen papers located between Winnipeg and Vancouver, so that the people of the west have now the advantage of reading empire news from a British source—a complete and impartial service furnished by news gatherers who know the wants of the Canadian reading public.

The Works of the Past Two Years.

Permit me to call your attention to the extensive news field that has been covered by the association. It has handled trade, market, cattle and produce reports which have earned for it the commendation of the classes of men directly interested in the trade, as well as of retail men who are served by the wholesalers.

Further, we cover all news appearing in the British press affecting any of the colonies, every discussion in the British parliament on Canadian affairs, the opinions of the British press on colonial subjects and reports of all Canadian cases coming before the Judicial Committee of the Privy Council, and its decisions. These have all been promptly cabled to Canada. The important matter of the Canadian cattle embargo received special attention during the discussions in the British parliament.

As one example of the good work done in Privy Council cases, it gave a great deal of satisfaction to the Canadian press and people that the Dominion Steel judgment which was of vital interest to the Canadian commercial world, was cabled almost in full by our service.

Other features of our service are also worthy of note.

The visits of our Canadian ministers in England in matters of business connected with Canada, have been chronicled, and when news offered it has been cabled. Negotiations in support of cable and postal reductions were also specially followed. Cables covering the successful visit of the Finance Minister in placing Canadian loans on the London market and his visit to France, and the resultant Franco-Canadian Treaty, with the press and ministerial opinions, were covered at considerable length. Not only has Canadian news orginating in England been dealt with, but Australian, New Zealand and South African news items, such as parliamentary debates and press comments on general colonial subjects connected with tariffs and other imperial affairs. The proceedings of the Imperial Press Conference in London were cabled in extenso and the views on imperial matters of the visiting colonials were recorded at a cost of about $1,200. The Imperial Defence Conference also received due attention at a cost of about $800.

The recent British elections were covered in a manner never before attempted by a cable service. The press of Canada has paid the highest compliment to the Canadian Associated Press for the complete manner in which the returns of the British elections were given to

the Canadian people. The importance of the recent elections to Canada and the empire, fully merited the cost incurred. The service was simply perfect. It is worthy of remark that in the cabling of these returns the names of each parliamentary constituency and the contesting candidates and the number of votes polled by each candidate, were cabled. Further, condensations of all the speeches by both party leaders were sent daily during the progress of events. On this important subject the Canadian Associated Press gave about 30,000 words at a cost of $3,000. There were about 1,500 despatches, all of which were received without an error.

The West Indies Commission was also dealt with in a satisfactory manner, reports of the proceedings being sent daily from London. The German-Canadian Treaty was also covered with the British and German press views from day to day.

British parliamentary debates in the prepresent parliamentary crisis are also being furnished daily while press comments on the situation are given by our service, which is practically the only service on this continent keeping fully in touch with the British political situation.

In the realm of sport the Canadian Associated Press furnishes an efficient service. Such sporting events of national interest as the Olympic games were cabled fully and to the great satisfaction of the Canadian public. Football, cricket and such leading athletic events have also been cabled promptly. This service includes recording the result of all important races run in Great Britain.

The annual Bisley report is one of the features of the Canadian Associated Press service. This important national meeting is covered in a manner most gratifying to the Canadian public, and at considerable cost. The Canadian Associated Press is the only cable service covering the complete scores at Bisley.

Our service has been free of criticism during the last two years. Its cables are carefully edited and its London office uses excellent judgment in the selection of news to be forwarded. The members of the association have in their newspapers and in personal letters to the president, congratulated the management on the excellence of the services furnished.

There is one important point in connection with the Canadian Associated Press service which I desire to emphasize in this letter. It is this—our service practically goes to about thirty papers in Canada, that is, fifteen who are members of the association and about fifteen who are served by the Western Associated Press.

All these papers received the despatches daily. But there are a large number of dailies that do not take our service, but who use our despatches after our publication—not only dailies but a large number of weeklies. Some time ago an examination of the daily and weekly papers received in the head office at Toronto, revealed the fact that no less than sixty dailies and two hundred and fifty weeklies, non-members, were using the despatches of the Canadian Associated Press. Many of these dailies are not financially able to pay for the service. The point is that the Canadian Associated Press service has a much greater constituency outside of its membership than it has within, so that indirectly the association serves a large proportion of the daily and weekly press of the Dominion, in fact, it reaches nearly all the newspaper readers of the Dominion.

The present income from membership and aid from the government is only sufficient to provide a daily average cable service of about 570 words.

To have a more extended service, that is, a general news service which would cover the same field as the American Associated Press, would involve three or four times the expenditure.

This suggested service could not be entertained while cable rates for press messages are at 10 cents a word. But, if the day ever arrives when the cable rate will be cut to six cents a word or less, a fairly good general service could be maintained for about double the present expenditure. The service would be a handpicked one which would give the largest amount of value for the verbiage received. In fact, by a close skeletonizing of the despatches, a good general service could be guaranteed. I merely mention the foregoing to show the possibilities of future service.

The present subsidy of $12,000 a year is for two years, expiring as before stated, on 30th June, 1910.

The association asks that the subsidy be renewed for five years instead of two. The difficulty is that for a short period there is an uncertainty in the basis of rates we are able to quote. The withdrawal of government aid would make cable news a nonopoly of the richer members of the association and crowd out the smaller newspapers. The grant for two years does not give the necessary stability to our financial arrangements, and this prevents us attracting new members by offering them rates based on the certainty of a government grant for five years. In this event our income would be more settled. The smaller papers could be assured of a continued cable service and thus be delivered from the fear of being driven out by a greatly increased assessment.

I might point out that as a result of the government grant the farmers of this country, from the Atlantic to the Pacific, are served with the latest prices as to cattle, cheese, butter, bacon and other such commodities, including a weekly return of the hogs killed in Denmark and Ireland, which latter information is important to bacon producers of this country—so that virtually every newspaper reader in Canada is supplied with market reports that would never reach him if the government grant were withdrawn and cable news became the monopoly of a few papers rich enough to stand the heavy expense.

The government grant has enabled the Canadian Associated Press to create a national news service. Its enterprises during the recent British elections enabled newspaper readers of Canada to know how the political fight was going from day to day. Had they had to depend on the American news service, which cares nothing about British elections or the variety of news interesting and valuable to Canada, their information would have been meagre.

In obedience to the instructions of the as-

sociation, I have submitted a set of facts which the association offers as ample justification of its request for a continuance of the government grant for the next five years.

If you require further information, the association will be glad to furnish such, either in the form of a letter or at an interview if you should grant us an opportunity of presenting our case verbally.

Your truly,

J. ROSS ROBERTSON,
President Canadian Associated Press.

Mr. HUGHES. That is a very long letter that the minister has read. Mention is made half a dozen times of the 15 papers which take this service and yet the name of none of the papers is mentioned. I would like to know what papers take the service.

Mr. FIELDING. They have not given me a list of the papers, but I know as a matter of fact that what are considered to be leading dailies generally of Toronto and Montreal receive it, and it has been stated that a couple of St. John papers are now taking it. Then there are two Hamilton papers, I think, and the 'Globe,' the 'Mail,' the 'Telegram,' and the 'Star,' and I think I am right in saying the Montreal 'Gazette.' There are others that I cannot for the moment think of, but the recognized leading papers in our larger cities receive the service and they in turn distribute it to a number of smaller papers.

Mr. R. L. BORDEN. What is the amount of the present grant?

Mr. FIELDING. The original grant was $15,000 for several years and then it was reduced point by point to $12,000, which is the amount of the present grant. We are now proposing to give that amount for 5 years. It will be on a sliding scale beginning at $12,000 and reduced in time to $5,000.

Mr. R. L. BORDEN. Is it expected that the service will be self-sustaining?

Mr. FIELDING. They do not say so, but we do not encourage them to think that we will go on paying this forever. We hope that as the papers grow in strength and resources the service will become self-sustaining, but I would not like to guarantee that they will not come back for a renewal.

Mr. HUGHES. I have before me the Montreal daily 'Herald' of Monday, 18th April, to an item in which I would like to call the minister's attention. There is no harm in considering how things are going on elsewhere and possibly some steps may be taken to improve the service to Canada. I heartily approve of the plan of publishing items from the other British colonies and from the motherland and giving them prominence in the papers of this country. These items are much better than the sensational items that have appeared in our papers in the past:

Imperial News Service.—The Empire Press Union has been informed that as a development of a suggestion made by the Eastern and Eastern Extension Telegraph Companies at the interview between the Hon. Harry Lawson, M.P., chairman of the Cable Rates Committee of the late Imperial Press Conference, and Sir John Denison-Pender, K.C.M.G., on the 9th June last, negotiations have since taken place with Reuter's Telegram Company, with a view to largely increasing the supply of news of the empire to India, Australasia and South Africa.

The Eastern Telegraph Company has agreed to transmit a very largely increased service of British imperial news for distribution to the press of the above British possessions.

It is an essential part of the arrangement that this increased service, amounting in some cases to fifty per cent, shall be distributed without extra charge to newspapers in the colonies and India. This special news has been available from the 4th April, and is being distributed in South Africa, and it is hoped that arrangements will shortly be concluded with the governments of India and Australasia, whereby these countries may have the benefit of the increased service; also that later on the same news will be distributed in the Straits Settlements and Hong Kong.

Canada has not benefited by this arrangement, no better terms from press messages being obtainable from the cable companies.

Now, has the minister or any one on behalf of the government taken any steps with the view of getting the cable companies to give more favourable rates to this organization of ours?

Mr. FIELDING. We have been endeavouring to bring about reduced cable rates generally, but not particularly for this service. As my hon. friend knows the whole subject has been engaging the attention of the Postmaster General with the view of a cable reduction generally.

Mr. HUGHES. That is a reduction of the general business rate?

Mr. FIELDING. It would naturally follow that if they reduced the business rate, they would reduce the rate for this kind of service. There is something to be said also in favour of the Marconi system which, according to a recent announcement, is able to take business. I do not know what progress it is making; we all know that while it made some progress it was not able to handle all the news, but if we are able to succeed with the Marconi system, perhaps that will grant some relief. However the subject has been engaging the attention of the Postmaster General rather than of myself.

Resolution reported, read the second time and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 228) concerning the maintenance of an independent and efficient service of telegraphic news from Great Britain for publication in the Canadian press.

Motion agreed to and Bill read the first and second times and House went into committee thereon.

Mr. R. L. BORDEN. Is there an extra copy of the Bill?

Mr. FIELDING. The Bill is in print, but has not yet been distributed. It is a mere repetition of the words in the printed resolution. If there be any objection, I cannot press it.

Mr. R. L. BORDEN. No objection.

Bill reported.

Mr. FIELDING moved third reading of the Bill.

Mr. R. L. BORDEN. I presume that this Bill follows the provisions of the existing statute.

Mr. FIELDING. Yes, we hold to the same system.

Motion agreed to, and Bill read the third time and passed.

SUBSIDIES TO DRY-DOCKS.

Mr. FIELDING moved that the House go into committee to consider a certain proposed resolution respecting subsidies to dry-docks. He said: There are several dry-docks in Canada which have been built and owned by the Canadian government. They are not in any way affected by the resolutions which are now in your hands. There are other dry-docks which have been built by private corporations with the assistance of government subsidies. We have had on our statute-book for some years legislation designed to encourage the building of dry-docks and several docks have been so built. The law has been changed from time to time to meet the changing conditions of the country. As it stands now, the Governor in Council is authorized to grant a subsidy of three per cent per annum for a period of twenty years for the construction of an approved dry-dock not exceeding in cost $1,500,000. With the ever-increasing size of steamships, larger docks become necessary, and the need of these docks is emphasized at present in connection with the naval movement. Of course, it is recognized that new dry-docks are necessary for the ships of our own navy and for receiving and repairing any ships of the British navy which may be employed on our coasts. We propose to readjust our dry-dock legislation and make it conform to modern requirements. We propose to divide our dry-docks into three classes. One which, for convenience, is called the third class is recognized by the terms of the existing law, that is, for what may be called a smaller or moderate size dock, we retain the present arrangement of a subsidy for twenty years of three per cent with a maximum cost of $1,500,000. Then, we have a larger size, called a second-class dock. In that case, the subsidy is for a period of twenty-five years, and the rate of interest three and a half per cent instead of three per cent, and the maximum cost $2,500,000. Then, we have a larger class, which we call a first-class dock for general and naval purposes. In that case, we still retain the rate of three and half per cent, but provide that it shall be for a period of thirty-five years, and that the maximum shall be $4,000,000. This first-class dock for general and naval purposes, we provide, must be at the making of any contract under this Act, capable of receiving for purposes of repair the largest ship in the British navy, and, necessarily, as that will involve a very large outlay, we have thought it well to be generous and liberal with our subsidy.

Mr. HUGHES. They still might not be able to receive the largest ships in the British mercantile fleet, because these are much larger than battleships.

Mr. FIELDING. Much longer.

Mr. HUGHES. And wider.

Mr. FIELDING. Not always. But the hon. member will see that under these resolutions we make alternative provision for fixed or floating docks. In the case of a floating dock, you can receive a vessel much longer than the dock itself, but you cannot do the same in a fixed dock. But I am told that the existing dock in Halifax will take any ship in the Canadian trade, and, indeed, I believe it will take in what is ordinarily called a Dreadnought. But they are building a larger class of ship, called, I believe, for want of a better name, super-Dreadnought, and I believe that, neither the Halifax dock nor any other dock in Canada could receive such a vessel. There are rival views as to the usefulness of the fixed or masonry dock and the floating dock. It is one of these questions on which engineers have different opinions. Perhaps the proper view is that in some localities the masonry dock is best while other localities can be served by the floating dock which will cost less money. In the resolution we are making provision for either as may be deemed best. Then, we are making provision for the enlargement of any existing dock, so that, if the pro-

prietors of any present dock wish to avail themselves of this present subsidy and provide a larger dock the scheme will admit of their doing so. What we provide for in that case is that we may take the value of any existing dock, so far as it is useful for the purpose of enlargement, and include it in the cost of the new undertaking under which the subsidy provided by these resolutions may be paid. But as these docks have already received subsidies, we provide that what they have received shall be deducted, so that the effect will be that an existing dock may be rebuilt under the new scheme, but deducting any subsidies already paid. I think it will be found that this is a fair and reasonable arrangement. The matter is one of considerable detail, but I think I have said all that is necessary to indicate the general character of the proposed scheme.

Mr. R. L. BORDEN. The minister has spoken of a first, second and third class.

Mr. FIELDING. The first-class is a dock, which, while it is designed for general purposes, is also designed particularly to meet the case of a navy, and will have a maximum cost of $4,000,000; the subsidy will be three and a half per cent for 35 years. For the second or medium class of dock, the subsidy will be three and a half per cent for 25 years, with a maximum outlay of $2,500,000. For the third-class, which is the class established by the existing law, the subsidy will be three per cent for 20 years, with a maximum of $1,500,000.

Mr. R. L. BORDEN. What is the reason for discrimination in the length of time over which the guarantee extends?

Mr. FIELDING. In the case of the larger docks such as required for a navy, or in any case where the outlay will be considerable and the risk very great, we are inclined to think that unless we increase the subsidy these docks will not be constructed. The smaller dock will find considerable to do in commercial business, but the larger dock will have to depend to a considerable extent on naval business.

Mr. R. L. BORDEN. The subsidy is an absolute one, irrespective altogether of earnings.

Mr. FIELDING. Yes, the earnings go to the company.

Mr. R. L. BORDEN. I suppose that matter has been carefully considered. But the conditions of this country at the end of 25 years might be such as to enable one of these docks to earn a very handsome return on the investment, apart altogether from the subsidy. I merely make that suggestion, which possibly might point to a different method of subsidizing. I do not pretend to have considered the subject carefully, but it struck me that such a contingency ought to be taken into consideration.

Mr. FIELDING. The point is worthy of consideration. Experience has shown that these docks are not successful as purely commercial ventures. In Halifax there is an excellent dock, aided both by the Dominion government and by the city of Halifax, and although the aid at the time was supposed to be liberal, I am advised that it has not proven to be a profitable undertaking. Experience shows that these dry docks as a rule are not very profitable ventures, and unless they are liberally aided by government grants they will not be constructed at all.

Mr. R. L. BORDEN. In the construction of the largest size docks proposed, has the government taken into consideration the possibilities of an increase in the size of shipping during the next quarter of a century?

Mr. FIELDING. To a certain extent we have. The docks proposed here are larger than we would make for present day purposes; but we are considering the future.

Mr. J. A. CURRIE. What is the size?

Mr. FIELDING. The minimum length of a first-class dock must be 900 feet at least; that is much larger than any docks we have hitherto built, and larger than any ships we have to-day in the Canadian trade.

Mr. J. A. CURRIE. There are ships on the Great Lakes over 700 feet long.

Mr. CROSBY. I suppose the valuation of the whole dock will be taken into account in fixing the cost, less the $200,000 which is paid by the Dominion government as a subsidy?

Mr. FIELDING. Yes, not necessarily the total cost of the existing dock, but so far as it might have a value in the enlargement. So far as that dock would be useful when enlarged, the old work would count in the same way as the new; and then they would receive the full amount of the subsidy, if it is a first-class dock, for 35 years, subject to the deductions, distributed over the period, of the amount that is already received.

Mr. CROSBY. There would be some method of valuing the dock as it stands at present, and then the three and a half per cent on the present value, with the value of the further construction to extend it to 900 feet, and they would get the subsidy of three and a half per cent for thirty-five years, the present valuation of the dock being taken into account.

Mr. FIELDING. Well, that is in a measure correct. But it would not be the exact present value of the dock, but the value of so much of the dock as will be useful for the purpose of reconstruction. So far as the work is useful for a new dock, it will be treated in the same manner as a new dock, and the subsidy will be paid on the whole, less the deductions I have mentioned.

Mr. CROSBY. The breaking up, and opening up of the old dock as a matter of fact would increase the value. Like a ship in distress, she is not as valuable as she is before she meets with her trouble. The breaking up of the dock for the purpose of extending it would increase the value of that dock.

Mr. FIELDING. It might be something less than the original cost. There would be a possibility of that being the case.

Mr. CROSBY. There would be some method or means of getting a fair valuation, so that the persons extending the dock would have an opportunity of getting a fair return, as if they were constructing a new dock.

Mr. J. A. CURRIE. What width is it proposed to have these docks that are 900 feet long, and what depth?

Mr. FIELDING. If my hon. friend will look at the resolution, section 3, he will find that dry-docks of the first-class are to have a clear length on bottom of 900 feet, a clear width of entrance 100 feet, and a depth at high water of 35 feet.

Mr. J. A. CURRIE. Does the hon. gentleman propose to build floating docks, or to have them built in this country? I think that this idea of a floating dock is altogether foolish for a country such as Canada, which is a civilized country. It is all right for the British admiralty to build floating docks and send them off to the Bermudas or the Falkland islands, but for a country like Canada to build a dry-dock is to my mind extremely foolish. What is supposed to be included in the word 'dry-docks?' Does it just comprise a hole in the ground with gates, or are there any other works attached to it?

Mr. FIELDING. The several works for the repair of vessels described as repair works, but construction works or ship-building works would probably not be deemed to be a dry-dock. A dry-dock with capacity to deal with ships as described here would be entitled to come under the operation of this Act. With regard to floating docks it is only another case of doctors differing. Some gentlemen, professing to be well informed in such matters, tell me that it is the most foolish thing in the world to build a masonry dock.

Mr. CROSBY.

Mr. J. A. CURRIE. They tell you that in Scotland, where they want to build floating docks, haul them across here and make a big profit.

Mr. FIELDING. People are always ready to attribute improper motives.

Mr. J. A. CURRIE. I am not attributing improper motives.

Mr. FIELDING. I do not mean the hon. gentleman, but I refer to those who make that suggestion. The floating dry-dock men say that the contractors who want to build masonry works always say that that is the only kind of dry-dock to build. On the other hand, reputable engineers say that floating docks are excellent for the purpose. Therefore, we propose to pay our money and take our choice.

Mr. J. A. CURRIE. The hon. gentleman is following a policy which is at least fifty years old in regard to these docks. The floating dock is all right enough for the purpose of repairs, but the hon. gentleman must know that a dry-dock is now used for more purposes than the mere repairing of a ship. In fact, owing to the change in the character of the docks in the United States, with the exception of two or three old ones on the Atlantic coast, ships are now built at the slips at the sides of the docks, and they are launched sideways. It is only at a few places in the old country, and at one or two places on the Atlantic coast in the United States that they continue to launch ships endways. To give the House an idea of the advantage of building a ship alongside of the dry-dock, I may say that when a ship is built to be launched by the stern or the head, in every measurement that is taken on that vessel from the plumb line, there has to be an allowance made. The doors have all to be hung on a slant, while when a ship is built alongside of the dry-dock and dropped in squarley, it is possible to plumb and true up everything about it by gravity. These are modern conditions, and for that reason I say that when this government are paying out money for dry-docks, it must be prepared to have modern slips such as they have in Germany and the United States, where they can build warships if they want to at the side of the dock and launch them into the dock sideways. The plant that has to be used at a dry-dock is the same as that used for ship-building. There is no need of having two yards, because the one can be used for two purposes. The amount that is proposed to be voted for this purpose is excessive; $4,000,000 is a tremendous amount of money to pay simply for a dry-dock. I feel satisfied, from my own knowledge and experience, that you can build three dry-docks of masonry work for that amount of money.

Mr. FIELDING. I doubt that.

Mr. J. A. CURRIE. I know what it costs, and my hon. friend does not know anything about it. I have seen tenders giving the actual cost of the work. Two docks I know, have been built, one 500 feet and the other 450 feet long, and the two were not worth a million dollars.

Mr. DANIEL. What depth?

Mr. J. A. CURRIE. 25 feet.

Mr. DANIEL. These are 35 feet.

Mr. J. A. CURRIE. It does not matter; it is only so many more cubic feet of material. I think the sum is excessive, and I think that if the minister allows floating docks to be built in the old country and be brought over here, he is going to spend a lot of money to very little purpose.

Mr. FIELDING. The dock can only be subsidized for the amount that it costs, and $4,000,000 is the maximum cost. We will only pay the subsidy on the proved cost. As to what my hon. friend has said with regard to floating docks, I do not presume to know anything about this matter myself, but engineers who profess to be authorities do not agree with the opinion which the hon. gentleman has expressed.

Mr. J. A. CURRIE. Who is your authority?

Mr. FIELDING. Messrs. Vickers Sons & Maxim, one of the most eminent firms of shipbuilders in the world, and they are proposing to build a floating dock in Montreal. I do not know whether they will do it or not.

Mr. BOYCE. Did not the British admiralty float a dock out to Bermuda?

Mr. FIELDING. Yes, and the American authorities built one and took it to the Philippines. The dock that was taken to Bermuda in 1868 was broken up forty years afterwads. One of the difficulties we find is in obtaining definite information as to the life of a floating dock, and when the Bill comes before this House I propose to make an amendment with which I will not trouble the committee at present. We get conflicting opinions as to the life of such a dock. If we were satisfied that the life of a particular dry-dock is not great we would have to provide something in the nature of a sinking fund, but there is a fair amount of engineering authority which states that with proper management a floating dry-dock will last for seventy years. That matter is one that must have careful investigation. But my hon. friend makes a mistake if he thinks that this floating dock is a foolish thing.

Mr. J. A. CURRIE. I did not say that it was a foolish thing. Floating docks are all right in their place. If you are going to establish a dry-dock in a barbarous country or far away from civilization and mechanics such as in Manila or the Bermudas or at a point from which you may expect to move it again and take it to some other place, then, of course, the floating dry-dock is the proper thing to have. It would be a good plan no doubt to have a floating dry dock or two so that you could haul them around amongst the doubtful constituencies at election time. But, as far as the actual work of a dry-dock is concerned it should be at a fixed place where the cars could go alongside with material. Material now is very heavy and there must be an opportunity for taking the cars alongside of the dock.

Mr. BLAIN. What proportion of this amount is traceable to the establishment of a Canadian navy?

Mr. FIELDING. I think that the larger dock or what I might call the first-class dock may be regarded as being attributable in some degree to the naval movement. The construction of a large dry-dock suitable for the largest vessels of the British navy would be regarded as desirable no doubt from the point of view of the naval question. While I do not say that we would not have desired such a large dock without it, I do say that the naval movement has given additional reason why we should have large docks.

Mr. BOYCE I would like to ask the minister how this enactment will apply to applications for subsidies under the old regulations?

Mr. FIELDING. Of course the rate of subsidy for the smaller class of dock or a dock of the minimum cost would remain the same.

Mr. BOYCE. The second class?

Mr. FIELDING. The second class is a new class. A new application may be made, or if the dock has been constructed of a smaller class and they wish to enlarge it we will have power under this Act to permit them to do so.

Mr. BOYCE Assuming that the plans and specifications and all the obligations under the old law are complied with and the dock conforms to the second class, would that application be dealt with as an application for a subsidy under this or under the old Act?

Mr. FIELDING. Would that be an application to enlarge?

Mr. BOYCE. No, an application for a dock that was going to be built.

Mr. FIELDING. I would not like to answer that question.

Mr. BOYCE. About a year ago an application was made for a dry-dock subsidy, and the town of Sault Ste. Marie has passed a by-law granting certain aid. I understand that all the details under the old Act have been complied with. Are they entitled to the increased subsidy?

Mr. PUGSLEY. The plans and specifications have not yet been approved.

Mr. FIELDING. I understand their project is not large enough to come within the second-class, but I know very little about it.

Mr. BOYCE. It is a 650 feet dock.

Mr. PUGSLEY. Is it 25 feet on the sill?

Mr. FIELDING. It has to comply with all the conditions.

Mr. PERLEY. Can the government authorize an unlimited number of docks under this resolution?

Mr. FIELDING. They could do so at any time for the last 25 years.

Mr. R. L. BORDEN. What expert advice has the government had on the important question of properly framing these conditions set out in clauses 1, 2 and 3?

Mr. FIELDING. We naturally turned to the engineers of the Public Works Department, and to some extent of the Marine Department, and we have had occasion to make some inquiry of the admiralty. From these various sources we have been able to define the details.

Mr. BOYCE. The Minister of Public Works with some gusto stated that the plans for the Sault Ste. Marie dry-dock had not yet been approved by the department. I have several times asked in the House as to this matter, and it was always going to be attended to. Will the minister let us know now what the difficulty is. At the same time, and through the same solicitor a similar application was made for a subsidy by a Port Arthur firm which the hon. member for Thunder Bay (Mr. Conmee) was advocating, and the Minister of Public Works went up to turn the first sod of that dock. That application went through with flying colours, and people do suspect that the minister with certain other gentlemen is discriminating against the Sault Ste. Marie dry-dock, and in favour of the Port Arthur dry-dock by reason of certain political influences. There does seem to be a grain of truth in this. Will the minister explain if he can why the Sault Ste. Marie dry-dock specifications have not been approved while the Port Arthur dry-dock, the application for which was made at the same time, has already received a large subsidy, larger than was contemplated by the minister.

Mr. PUGSLEY. Would my hon. friend be good enough to tell me who it is that has stated that the minister has been influenced by political considerations?

Mr. BOYCE. I did not say the minister had been influenced; I say it is reported that political considerations have had weight.

Mr. PUGSLEY. Reported by whom?

Mr. BOYCE. It is reported generally, and it has been conveyed to me as gossip and rumour.

Mr. PUGSLEY. My hon. friend should not take street gossip as the foundation for assertions in this House. Any delay which has occurred is a result of the action of the company itself. The company submitted certain plans and specifications, and they afterwards desired I should not act upon these plans, because they wished to make an alteration, and that alteration has not yet been submitted to me for consideration.

Mr. LENNOX. What are those floating docks constructed of?

Mr. FIELDING. Formerly of iron, and now of steel.

Mr. LENNOX. What would it cost to tow a floating dock from the old country to Canada?

Mr. FIELDING. We have estimates of the relative cost of masonry docks and floating docks, and the cost of the floating dock would naturally include delivery in Canada at the point at which it was to be erected.

Mr. LENNOX. I should think it would be a costly undertaking to tow a floating dock across the Atlantic, and there should be some estimate.

Mr. FIELDING. I am told that in the modern method of construction it is built in sections, brought out as ordinary freight and set up at the place it is to be established at. The old idea of towing may not have to be carried out, but before we make a contract all that will have to be looked into.

Mr. J. A. CURRIE. Is it the policy of the government to decide where a dry-dock will be established, and where there is necessity for it, or are these docks to be erected in any old place at all where some Tom, Dick or Harry, may want to establish one?

Mr. FIELDING. The location has to be approved by the government on the report

of the Minister of Public Works. Any body has the right to go into the construction of a dry-dock, but he cannot get a subsidy until he has had the application approved and entered into the contract.

Motion agreed to, resolution considered in committee, reported, read the second time, and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 229) to encourage the construction of Dry-docks.

Motion agreed to and Bill read the first time.

OTTAWA IMPROVEMENT COMMISSION.

House went into committee to consider the following proposed resolution:

1. Resolved, that it is expedient to provide that the Minister of Finance be authorized to pay out of the consolidated revenue fund of Canada, for the purposes hereinafter referred to, in addition to the sums authorized to be paid under the provisions of chapter 10 of the Acts of 1899, an Act respecting the city of Ottawa, and amending Act, chapter 45 of the Acts of 1903, the sum of forty thousand dollars annually, for a period of ten years from the first day of July, 1909, making a total annual payment during said period of one hundred thousand dollars; such additional sums to be paid into a chartered bank to be designated by the minister, to the credit of the Ottawa Improvement Commission, and to be by the commission expended for all or any of the purposes for which the commission is authorized by section 7 of said chapter 10, to expend sums placed at its credit.

2. That the Minister of Finance be authorized to pay out of the consolidated revenue fund to the corporation of the city of Ottawa, as a contribution to the maintenance of the fire protection service of the corporation, the sum of fifteen thousand dollars annually for a period of ten years from the first day of July, 1909, the first of such payments to be made as soon as may be after the passing of any Act founded on these resolutions, and the remaining nine annual payments to be payable in advance during the month of July in each year, the last payment to be made in the month of July, 1918.—Mr. Fielding.

Mr. FIELDING. It will be remembered that a few years ago parliament took the view that the national capital of Canada had a special claim upon us for consideration, and that not merely for the pleasing of the citizens of Ottawa, but as a matter of pride in the national capital, the government should contribute an annual sum for the improvement of the city. A body known as the Ottawa Improvement Commission was appointed and the government granted the sum of $60,000 per annum to the city of Ottawa, or rather to the Ottawa Improvement Commission. Arrangements were made whereby the city of Ottawa was represented on the commission, but the control was largely in the hands of the government through its commissioners. The commission did very excellent work, and I think it will be admitted that within the space of a very few years a great improvement has been made. I think the success of the commission in beautifying the national capital has probably commended their work to the consideration of the House, and will render the House well disposed towards the extension of the aid which it is now proposed to grant. The sum we have hitherto granted is $60,000 per annum. It is only fair to say that in reality that was an additional grant of $45,000, because prior to that time we had been paying $15,000 to the city for fire protection and water. It is proposed now, in addition to the $60,000 which we have been paying them, to add a sum of $40,000, making a grant of $100,000 per annum to be paid to the commission, and we also propose to pay the city $15,000 as we paid in former years for the fire and water service. The arrangements of the past have been pretty well understood. The operations, I think, have, on the whole, proved satisfactory and I am hopeful that the proposal to give this further aid for the beautifying of the national capital, will commend itself to the judgment of the House.

Mr. CROSBY. I have no desire to offer any opposition, but in the city of Halifax we have a large amount of Dominion government property, somewhere between $5,000,000 and $8,000,000 worth, and I think it would be nothing but fair under the conditions that a grant of some kind should be made to the city of Halifax in connection with the keeping up and improving of streets there, the police, fire protection, and services of that kind. The Finance Minister is aware that a great portion of our very best water front is taken up now by the Dominion government and is exempt from taxation. This property was formerly owned by the imperial government, but it has now been handed over to the Canadian government, and I really think Halifax is entitled to some consideration on that account. The Finance Minister, knowing the situation as well as I do, will certainly sympathize with that request. We have a large street mileage, and do a great deal to keep up the streets, sidewalks, etc., and everything of that kind is done without assistance from the government, as they are exempt from taxation of all kinds, even for fire purposes. The city is well governed, and well prepared to give every accommodation to people there and this government should certainly give some assistance.

Mr. FIELDING. An appeal for the city of Halifax naturally enlists my sympathy. We are doing this for Ottawa not merely to please our good friends the citizens of

Ottawa but because Ottawa is our national capital. Once we depart from that principle and grant assistance to Halifax then a dozen other cities will claim like assistance.

Mr. CROSBY. There is no other like Halifax.

Mr. FIELDING. To use a slang expression, there are others; it is not the only pebble on the beach. We can justify to a moderate extent a generous grant for the beautifying of the national capital because it is the capital, but once we get away from that principle and undertake to deal with other cities my hon. friend from Victoria and Haliburton (Mr. Hughes) will discover that he has a claim for some city up in his constituency which he would assure us was as important as Halifax. Of course he would be wrong, but he would urge it. I do not want to express any opinion that would govern us in the future, but so far as I can see the reason we give for a grant to Ottawa would not apply to any other city in the Dominion. It is because Ottawa is the capital that we give the grant. Just at present Halifax is not the capital—it may become so at some future time.

Mr. HUGHES. I have never asked for any favour for my county, but the argument advanced for an expenditure of money here is not alone that it is the capital but because the civil service and the government buildings and many government institutions and persons are exempt from taxation here and the city has to maintain the usual civic services. If the government has property in Halifax which is a burden to the taxpayers in that city and does not contribute any taxation, the electors of Victoria and Haliburton will be only too ready to say that the government should do something as an equivalent to their taxes.

Mr. FIELDING. We have it in all parts of Canada.

Mr. CROSBY. Will the hon. gentleman tell me another city in Canada, outside of Ottawa, that has $8,000,000 worth of government property? Will he name one with $4,000,000?

Mr. FIELDING. I hope my hon. friend will not claim that Halifax has too much Dominion property. I have sometimes tried to get more for it.

Mr. CROSBY. The hon. gentleman did not do it, it was imperial property and the imperial government handed it over. If this government had to purchase it I am inclined to think we would not have got so much. The hon. gentleman has said that there are other cities that have the same claim.

Mr. FIELDING. I said they would urge that they had.

Mr. CROSBY. That is a mistake. I ask him to name another city that has $4,000,000 worth. This government did not pay for the property I spoke of. We have an armoury there that cost $300,000 to $400,000. It was not constructed by this government. I do not know anything that was built by them, except one elevator, towards which we had to contribute $55,000. The city had to come up here and offer $55,000 before they could get the government to stir the Conservative government. They gave us an elevator, but that grain elevator was burned down and the present government offered to put up another one for $55,000. It might as well not have been built for it has never been much good to us. In fact I intended to ask the government to give us back our $55,000 because they got it under false pretences. It was understood that the railway company was going to put a terminus there but they have not done so. If there are any other cities in the Dominion that have the same claim as Halifax, I am sure the people of Halifax will be delighted to contribute as they have contributed in the past to other enterprises in Canada. We do not come here begging for anything. My hon. friend, the Finance Minister, said there were hundreds of other cities who have got as much right to consideration as Ottawa.

Mr. FIELDING. I said they think they have, not that they had.

Mr. CROSBY. I am not asking what other cities think, I am asking the Finance Minister if he thinks that we have a claim to some consideration or not?

Mr. FIELDING. I think this is a good Bill.

Mr. CROSBY. Yes, it is a good Bill to build up Ottawa. You started with $60,000, and goodness knows where you are going to stop. Next year you may be asking for $200,000. I am not complaining of Ottawa getting anything. It seems to be getting everything, and in a short time there will be no other place except Ottawa where we will be able to spend a cent. I claim that Halifax is entitled to some consideration. The property is there, we give you every convenience, we have a well governed city, and we invite any of you to come down there and see us. We would like to see the Prime Minister there. The people would be very kind to him if he came, notwithstanding that on many things they might not agree with him. But they are a kind hearted people and will give him a good reception. We also give you good streets, good sidewalks, a good police force, every thing in fact that we can have in a well governed city.

Sir WILFRID LAURIER. Everything good except the representation.

Mr. CROSBY. Now, if my hon. friend the Prime Minister thinks this claim is not good representation, I will tell the people when I go back what he says, and I am afraid his reception will not be quite so good as if he had never said it. I hope I am making a fair claim, and that if the Minister of Finance is not in sympathy with it, that the Prime Minister will be, because he has been in Halifax many times, and I hope he will be there again.

Sir WILFRID LAURIER. Hear, hear.

Mr. CROSBY. I could describe the property, but I do not want to take up the time of the House. I could show you that we have a property worth over $8,000,000, and, therefore, I think we are entitled to some consideration.

Mr. LENNOX. I would like to call the attention of the Finance Minister to a certain circumstance which has come under my observation. I presume this grant includes the driveway east of Rockcliffe and extending in the direction of the rifle range, does it not?

Mr. FIELDING. Yes, that is part of the work.

Mr. LENNOX. Well, I have observed that there is a retaining wall some little distance beyond Rockcliffe, and that it has been built of wood, a good deal of which is decayed. Now, it does not seem to me that that is a judicious expenditure of money. Stone is in abundance down there, and I think that when work of that kind is being executed it ought to be executed in a permanent way so that it will not require to be rebuilt in a short time. Building with wood is in itself a pretty expensive matter. I have noticed that several of the logs used in building the wall are partly decayed, and they must have been in that condition when they were put in.

Sir WILFRID LAURIER. Was that wood put in by the commission?

Mr. LENNOX. The walls would be built, I presume, by the Improvement Commission.

Sir WILFRID LAURIER. I do not think so.

Mr. LENNOX. I am referring to the driveway extending along the shore to the rifle ranges. Certainly the road has been built recently by the Improvement Commission and I venture to say that anybody who will take the pains to look at that retaining wall will see that the timber could not have been in proper condition when it was put in. More than that, I submit that it is not a judicious expenditure of money to build it of wood at all. I think that whatever we are doing in the way of improvement ought to be of a permanent character, something that will not require to be renewed in a few years.

Mr. FIELDING. I will see that the suggestion of my hon. friend (Mr. Lennox) is called to the attention of the commissioners. I am inclined to agree with him in what he has said and I shall see that it receives attention.

Mr. R. L. BORDEN. I went over that portion of the road with a member of the commission who pointed out to me the work that the commission had done in that particular place to prevent the sliding away of the bank into the river. It had been done by a system of drainage and not by a system of putting in timber. If I remember correctly, he said that before the commission took charge of the road, there had been some work done in the way my hon. friend (Mr. Lennox) mentions, but if I am correct, he told me that they had not done work of that kind, having confined their efforts to a system of drainage which he said had been very successful, as the landslides which had occurred in the past had been almost entirely, if not altogether prevented. I think on the whole, the work of the commission has been very good.

Sir WILFRID LAURIER. Hear, hear.

Mr. R. L. BORDEN. That is so far as my observation goes, I do not profess to be very competent to judge. I say, however, that they have not been altogether successful in their ideas of landscape gardening. To take Strathcona park for example, I think there is too much concrete in sight there, and too many little scattered bushes instead of the system that is usually followed in landscape gardening, of massing large clumps of shrubs together in an artistic way. Any one who happens to look at Strathcona park will see little shrubs not gathered together in clumps, but dotted all over the place, presenting what does not seem to me to be as good an appearance as it might otherwise be. I think it might be a judicious expenditure for the commission to get sometimes the services of an expert landscape gardener in doing work of that kind. So far as the structural part is concerned, the commission has so far as I know, and so far as I am able to judge done very excellent work in a very inexpensive way.

Mr. LENNOX. The matter I refer to is this. When you go a short distance up from the grandstand at Rockcliffe where the cars stop in the early part of the season, and diverge from the old road and get onto the new driveway, you see a part that is kept from sliding away by a system of logs in line with the roadway and with cross logs to hold them together. These logs of decayed wood have evidently been put

there for the purpose of keeping the earth from sliding down into the river. That, I would assume was part of the driveway, and that I would assume, I do not think there is much doubt about it, would be built by the Improvement Commission. I submit it was an injudicious expenditure of money. I do not propose to press that further to-night, but before leaving the subject, I would point out, as further evidence, that surmounting that retaining wall is a metal guard rail, to my mind, of a very suitable character, and all a part of the same scheme as I understand. But, unless there was very great haste required to make that connection, I do not understand the reason for making that of timber. As I have said, there is ample rock, and the tendency now is to build such constructions of concrete.

Mr. R. L. BORDEN. It was only an impression on my part that another system had been adopted. It may be, as the hon. member has said, that this is the work of the commission, but I know that at some portion of that road it was pointed out to me that the prevention of landslides had been accomplished—or an attempt had been made to accomplish it—by means of a system of drainage. I remember the point to which my hon. friend refers. It would seem from his statement that it is the work of the commission.

Mr. JAMESON. How much has been paid out to the Ottawa Improvement Commission? Also I would like to know whether there is a maximum amount fixed beyond which the government will not pay. Also, has the government had under consideration the creation of Ottawa into a federal district, and the disfranchisement of public servants? There is an opinion in certain parts of the country that it would be well to follow the American example and that our capital should be a federal district, and should be represented by the Prime Minister from time to time.

Mr. FIELDING. The sums expended by the Ottawa Improvement Commission from the beginning of their operations down to the end of last year—calendar year, I take it—were as follows:

Construction..	$645,750 00
Maintenance..	111,181 01
Other expenditures..	26,128 79
Purchase of property.. ..	29,259 46
Redemption of debentures.	128,730 00
	$941,049 26
Total (including redemption of debentures)..	941,749 00

These are figures which the hon. member will find in 'Hansard', more in detail, as I gave them at an earlier stage in answer to a question. With regard to making a federal district of Ottawa, that has occasionally occupied our attention, but I am bound to say that the idea has not found general favour. There is a point of marked difference between Washington and Ottawa which adds to the difficulty of such a plan. Washington is a residential city simply, but Ottawa is and, while we have the magnificent power available near the city, must continue to be, an industrial centre, and such a city is rather unwilling to give up its franchise. The idea has occasionally engaged our attention, but it would be incorrect to say that our very grave attention has been given to it. I do not think that the citizens of Ottawa would view it with favour. However, the idea is well worth considering.

Mr. JAMESON. The hon. gentleman (Mr. Fielding) has not stated whether there is a maximum sum up to which the government intend to pay?

Mr. FIELDING. No, the Ottawa Commission have, from time to time, made plans of their own, but we have only approved of them so far as our appropriations would enable us to do so. The only limitation the government has fixed is that provided by the Acts hitherto passed and this resolution. If the commissioners have schemes involving the expenditure of more money, they must come to this parliament and receive approval at a later stage.

Mr. HUGHES. In regard to beautifying the capital, I am sure the Prime Minister has noted some of the industrial establishments of the city belching forth a great deal of smoke and a great deal of useful fuel, which is very bad for the clothes-lines all over the city. Has he ever suggested to the Improvement Commission the advisability of having smoke consumers placed on these tall chimneys in the vicinity of the Chaudière and elsewhere? In England, as the First Minister knows, there is no such thing as one of these chimneys to be seen in any part of the country.

Mr. FIELDING. I do not think the Ottawa Improvement Commission have control over either the tall chimneys or the clothes-lines. With the immense power available in the Ottawa river and its tributaries, I should think its use would probably diminish the evil to which the hon. member has called attention. It should not be so serious in the future as in the past, and the clothes-lines will have a better chance.

Resolution reported, read the second time and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 230) respecting the city of Ottawa.

Motion agreed to, and Bill read the first time.

BOUNTIES ON IRON AND STEEL.

Mr. FIELDING moved that the House go into committee on certain proposed resolutions respecting bounties. He said: The Act respecting the granting of bounties on iron and steel, as respects the greater part of the bounties, that is to say, those that are paid on pig iron, puddled bars and steel ingots, will expire on the 31st of December next, and the parties interested have had ample notice, therefore, of the time when these bounties will cease to be payable. But there is one item of the steel bounties not limited in time, and that is the bounty paid on the manufacture of rods. We have thought it desirable therefore, to introduce an Act to repeal that particular bounty, but, as there has been no previous notice we propose that the bounty should cease on 1st of July, 1911, thus giving them six months notice beyond the time when the other bounties will expire.

Mr. J. A. CURRIE. Will the hon. minister please explain the last clause?

Mr. FIELDING. The bounties are only payable on rods manufactured for the purpose of being manufactured into wire. All bounties cease on 30th of June except that, if they have actually made and sold rods prior to that date payment may be made after 30th of June. That is the effect of the arrangement.

Motion agreed to, and resolution was considered in committee, reported, read the second time and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 231) respecting bounties on iron and steel made in Canada.

Motion agreed to, and Bill read the first time.

WAY AND MEANS—TRADE RELATIONS WITH THE UNITED STATES.

House resumed adjourned debate on the proposed motion of Mr. Fielding: 'That Mr. Speaker do now leave the Chair for the House to go into Committee of Ways and Means.

Mr. FIELDING. This is a motion for Committee of Ways and Means for the purpose of moving the resolution to be found on page 753 of the Votes and Proceedings respecting tariff reductions. In committee I shall move the resolution.

Mr. R. L. BORDEN. I wanted to say a few words on this motion; I did not know the minister was going on.

Mr. FIELDING. If the hon. gentleman prefers to postpone it, I have no objection.

Mr. R. L. BORDEN. I do not wish to speak at great length. I would go on with it now, except that I have not my papers here.

Mr. FIELDING. Then we will take it up at some time to-morrow. I withdraw my motion.

WATER AND WATER-POWER IN RAILWAY BELT, BRITISH COLUMBIA.

House again in committee on Bill (No. 187) to confirm and declare the rights of the Crown with respect to water and water-power, and relating to the diversion, acquisition and use of water in the railway belt in British Columbia.

On section 3,

Mr. OLIVER. I move the amendment of which notice has been given to strike out section 3 as it stands at the present time, and substitute the following:

This Act applies to all lands within the railway belt in the province of British Columbia as herein defined: Provided that nothing in this Act shall be construed to affect any riparian rights or rights to water in or appurtenant to those lands described in section 11 of the terms of union between the Dominion of Canada and British Columbia as held under pre-emption rights or by Crown grant, or to affect any riparian rights or rights to water in or appurtenant to lands which having been heretofore granted by the Crown in the right of Canada are not now vested in the said Crown.

Mr. LANCASTER. I would like to know what those rights are that are reserved.

Mr. OLIVER. They cover all existing riparian rights, and the reservation that is expressed here is for the purpose of leaving at the disposition of the Crown all such rights as are not thereby included, it being the policy to deal with water rights separate from land rights, to divide water rights from the land rights. That is the purpose.

Mr. J. A. CURRIE. This Bill was before the House the other night. Has the minister thought over any of the amendments suggested at that time, and does he propose bringing any of them forward?

Mr. OLIVER. The amendment now under consideration was proposed when the Bill was up for consideration previously, and it was placed on the 'Hansard' so that members of the House would have an opportunity of considering it. I have no doubt it has been fully considered, and perhaps it will not be necessary to discuss it at great length.

Mr. GUTHRIE. I am one of those who took exception to the latter portion of clause 4. I think that the proposed amendment to clause 3 will meet my objection, my objection being that the Bill sought to take away common law rights of riparian proprietors. I think this amendment properly protects those rights. But section 4 will have to be amended.

Mr. LANCASTER. I do not understand why this legislation should be rushed through now. There must be something behind all this that is not disclosed. Here is a case pending in the Privy Council to decide what the rights of these people are as between the province and the Dominion. It has been decided by the Exchequer Court, decided by the Supreme Court, and leave of appeal granted the other day by the Privy Council in England where it will be decided in a few months more. Why in the world at this stage of the session is this Bill to be rushed through? It makes one very suspicious. I can't see how the public needs require any such Bill as this to be passed at this time. The Dominion government own some land out there, they do not own all the land in the railway belt, as was clearly proved on the discussion two or three days ago. They only own some land that has not been sold, and the Dominion has no right to say anything about these water-rights on land that has been alienated. Why should this Bill be pressed to make a disposition of those disputed rights while the other suit is pending? It is a strange position for the government to take. I am not satisfied until I hear some more reasons. There must be, according to the common expression, a nigger in the wood pile somewhere. This is not legislation that appeals to me as being at all necessary. Somebody or other wants to get an advantage of somebody else, and the government, in my opinion, is trying to help somebody to get the advantage ahead of the decision of the Privy Council. If that is an unfounded suspicion, it can be removed by a frank and clear statement of the reason of this legislation other than appears on the face of it. The government must know it. We have a right to the information without being called upon to make charges against any minister of the Crown. It is not necessary for me to say that, because I have no charge to lay, I shall not get the information I am entitled to. But I suspect, and have cause to suspect, by the character of this legislation, by the facts disclosed, by the judgment of the Exchequer Court which was read the other night, that there is some ulterior motive in this legislation, and I am not prepared without further information to vote for this Bill; on the contrary, it seems to me that we would be justified in vigorously opposing it, even for days, if necessary. It is not quite fair to the opposition or to the people of the country for a contentious piece of legislation like this to be brought in when hon. gentlemen have begun packing their trunks, and getting ready for prorogation. This is not the way to get prorogation. This is the most contentious legislation that could be brought in involving as it does a question of provincial rights, and trying to anticipate the decision of the courts of justice. I am bound to protest against the government arranging a day for prorogation, and then rushing in legislation of this kind, and expecting it to go through, because the members want to get home on a certain day. I am prepared to unpack my trunk and to send word to people with whom I have made engagements telling them that the public business requires me to stay longer rather than submit to legislation of this character. I cannot see how this government needs this legislation before next session. I have had no reason given to me why any such legislation should be brought forward at this stage of the session. It would be much more intelligent legislation if we should pass it after the Privy Council has decided what the rights of the parties are in the case that is now pending for decision. I would urge the Minister of the Interior to say if on reflection it is not a reasonable proposition that was made by the hon. member for South Wellington (Mr. Guthrie), that this legislation should stand over until next session when we would be able to consider it in a more satisfactory way, assuring the minister, as I do, that I will assist him in passing legislation which would properly deal with the question. It need not be a party question, but it makes it a party question when it is brought in as it has been in the last few days of the session, and when the day of prorogation has been agreed upon. I would appeal to the minister to allow this to stand until next session.

Mr. OLIVER. If it were a fact that this legislation had been brought in at such a date as my hon. friend has hinted at I would think that it would be very unfortunate. But there are times when there is urgency and when it is necessary to bring in legislation at a very late date.

Mr. LANCASTER. What is the urgency?

Mr. OLIVER. It is not the case that this legislation was brought in at any such date as my hon. friend has suggested.

Mr. LANCASTER. When was the Bill read the second time?

Mr. OLIVER. More than two weeks ago; I think three weeks ago. It was on the order paper, printed and in the hands of members for a considerable time. It has been the subject of consideration for two or three weeks, and the statement of my hon. friend is not fair in suggesting that there is any attempt to force an unconsidered Bill through the House or in suggesting that there is a reason for suspecion that there is an ulterior motive in connection with this Bill. The purpose of the Bill has been explained before, and there is no reason why it should not be explain-

ed again if it is necessary, but I beg to assure my hon. friend that there is urgency for the passage of this Bill for the protection of large and material interests. There is nothing concealed in the Bill, and there is no intention of using the Bill to the advantage of one interest or another. It is a common interest that requires protection, and it is the duty of parliament to protect that interest. The government, being aware of that fact, asks parliament to give the necessary authority by means of this legislation. As to whether it is necessary to pass this legislation, the jurisdiction which has heretofore been exercised by the province of British Columbia in regard to the water rights in the railway belt has been declared by the Exchequer Court, a decision which has been sustained by the Supreme Court, to be vested in the Dominion of Canada; in other words the water rights which have been granted by British Columbia, have, under that decision, no legal standing at the present time. These water rights involve value to the extent of thousands and perhaps hundreds of thousands of dollars, and I submit that it is not proper to leave these rights unprotected by proper authority. We ask parliament to pass this legislation so that the rights which are now in question as the result of the decision of the Exchequer and Supreme Courts may be confirmed and maintained. That, it seems to me, is a matter of urgency and necessity. There is no infringement of provincial or any other rights and there is no advantage to be gained by one right over another.

Mr. LANCASTER. What would be the great calamity if we did not pass this Bill until next session?

Mr. OLIVER. As I understand the matter, the man who holds a water right under a grant from British Columbia, if that right is questioned either by force or by law, is not in a position to maintain his right It has no legal standing, I think my hon. friend will agree that that is a very serious position to leave a very large and important matter in.

Mr. GUTHRIE. It has stood that way for a year now.

Mr. OLIVER. The fact that it has stood that way for a considerable length of time is all the greater reason why it should not stand any longer. It leaves the man who has a serious interest in the country at the mercy of the pirate, and as far as I have any responsibility in regard to the administration of the legislation of this country that is a condition that is certainly abhorrent to me and it is my business to protect that interest.

Mr. LANCASTER. Has it not occurred to the hon. gentleman that the Privy Council may decide that he is the pirate?

Mr. OLIVER. Not at all.

Mr. LANCASTER. Because it is the question who is the pirate, who owns the boat, that has to be decided by the Privy Council. That case is before the courts and we are anticipating the decision. The hon. gentleman may find that he is the pirate in this question by reason of the passing of this Bill.

Mr. OLIVER. That is not dealing with the point at all. The question that is before the Privy Council is a question between the government of Canada and the government of British Columbia. The question I was alluding to was the question as between the legitimate property owner and the pirate who may attack his private ownership.

Mr. LANCASTER. You are going to undertake to say which is which, and you have no right to do that.

Mr. OLIVER. Not at all. There is no need of any such thing. The Supreme Court has declared that the jurisdiction rests upon the Dominion government. Then, I say that that decision having been rendered, if a man's property is unduly exposed to piratical attack because of the lack of any action on the part of this parliament, this parliament is responsible.

Mr. LANCASTER. If the Supreme Court were the court of final resort the hon. gentleman would be quite right, but what I say is that the minister by letting the Bill stand will have the advantage of the decision instead of looking upon this Bill as giving a decision. But what makes me suspicious is that the decision quoted by the hon. gentleman is under review and is not jurisprudence until the highest court pronounces upon it.

Mr. CONGDON. There is another reason which requires this Bill to become law immediately. In British Columbia more than in the eastern provinces, the value of water rights is appreciated; a value not merely for power purposes, but also for irrigation purposes, and this plan is nothing but an endeavour with respect to the land belonging to the federal government, to make the same divorce between water rights and realty as is made in the British Columbia Act of 1892 in respect to the same things. I wish to point out to my hon. friend (Mr. Lancaster), who thinks there is no reason for immediate action, that it is most undesirable that homesteaders should be permitted to go in there and initiate what will lead to a homesteader obtaining the same rights they would in other parts of Canada, and not having the water rights separated, as is usually done in British Columbia. If you leave the law as at present, the moment any one homesteads, when he makes

good his claim for the homestead he is entitled to a grant, not reserving any of these water rights as is sought by this Act. Sections 4 and 5 of this Act practically accomplish this when they prevent the grant which is made in the ordinary way to a homesteader or to any one who buys land, carrying the water rights. He must apply for these water rights and get them by virtue of this Act, adopting under the federal authority exactly the law which prevails in British Columbia in this respect.

Mr. LANCASTER. The Supreme Court and the Exchequer Court have decided that this right of the Dominion government ceases as soon as the lands are granted to the settler. The hon. gentleman, therefore, is under a misapprehension when he says that the settlers get no water rights. When the land passes over to the settlers, it may be that the province has the right to butt in, but what right has the Dominion government to interfere if it belongs to the province? That is why I think there is an Ethiopian in the lumber pile. The Minister of the Interior has no right with regard to these lands at all so far as they have been granted to settlers, and the rights of the settlers will be interfered with by this legislation. Although the decision of the Supreme Court and the Exchequer Court is favourable to the Dominion government to the extent that it declares that the Dominion government has control over its own land, yet so far as the lands that pass to the settlers are concerned, the decision is that the Dominion government has ceased to have any jurisdiction or control over them and that they belong to the province. There is an undue rush to pass this legislation, and I cannot see what the reason for it is.

Mr. CONGDON. I must have been very confused in my statement, because my hon. friend took from it the very opposite meaning to that which I intended. This Act does not interfere with any homesteader who has now acquired his rights. It is merely providing that if to-morrow, after this Act is passed, a homesteader comes in to take up land, he takes it without taking water rights, and if he or any one else wants the water rights, he must get them by specific grant. Sections 4 and 5 are identical with the sections in chapter 47 of the British Columbia Act.

Mr. LANCASTER. British Columbia has the authority to say what shall be done directly the lands are alienated.

Mr. CONGDON. My hon. friend is under a misapprehension with regard to that, because, both by common law and statute law, this parliament alone can legislate with regard to Dominion property. The only thing done by the transfer from British Columbia to the federal government was to transfer the administration; the title still remains in His Majesty. Before the transfer the administration was exercised by British Columbia, and now it is exercised by the federal parliament. The moment that became federal property under the first clause of the section of the British North America Act it was made subject to the legislation of this parliament, and surely this parliament alone can legislate with regard to it.

Mr. J. A. CURRIE. Have any rights been cancelled by order in council within the last six or nine months since this fight has been on?

Mr. OLIVER. There have been no water rights cancelled; there is no intention to cancel any water rights. The intention of this Bill is to authorize the government to confirm water rights which have been granted by the provincial government.

Mr. J. A. CURRIE. Have any water rights been granted by the Dominion government which were claimed by parties under a previous order in council of this government or the government of British Columbia?

Mr. OLIVER. There have been no water rights granted by this government, because this government had no legislation under which water rights could be granted. It is now asking for legislation that would enable it to give grants for water rights.

Mr. J. A. CURRIE. Have any lands, or water rights, which are in dispute, and which this legislation would heal, been applied for by any company or party?

Mr. OLIVER. There are many applications for land in British Columbia, but there are no applications for land that have anything to do with this Bill so far as I am aware. This is a Bill dealing with water rights and not with land, and it is for the purpose of enabling the government to segregate the water rights from the land rights so that there may be an administration of water rights separate from land rights so far as these water rights have not yet passed into private hands. There is the other authority that is asked for to give the sanction of such right as the Dominion has to the water grants which have been given by the province of British Columbia, which water grants at present are without legal sanction owing to the decision of the Exchequer Court and the Supreme Court, but to which, under that decision, this parliament may give its sanction so long as that decision remains unreversed. We think it is desirable that that should be done. That is the purpose of the Bill.

the hon. member for South Wellington (Mr. Guthrie) has taken some interest in the case of a water-power, near the city of New Westminster. A company had a grant of water from the province of British Columbia, or from this government, it neglected to secure a title by having a survey made, and a short time ago another corporation stepped in and obtained an order in council from this government dividing those water-rights with them. I would like to know if that is correct, because it would be interesting to know what particular rights this Bill is going to adjust.

Mr. GUTHRIE. I went into that case when the Bill was up before, but I am assured by the minister that the clause will be inserted protecting all rights in litigation.

Mr. J. A. CURRIE. Why not tell us about the case?

Mr. GUTHRIE. You can read about it in Thursday's 'Hansard.' I understand that such a clause is to be inserted. My difficulty with the Bill is to understand just what it does mean, and having heard the minister on two occasions and had conversations with him, I must confess that I know about as little about it now as when I first read it. If what the minister says is his real desire, is merely, in the first place, to declare that these water-rights are vested in the Dominion of Canada, I do not see any objection to that being added by a very simple clause. If it does no good it can do no harm; if the Judicial Committee decides they are not vested in Canada it is invalid, and if the Judicial Committee decides they are vested, this Act cannot grant any greater vesting than now exists.

Mr. J. A. CURRIE. Why make the declaration?

Mr. GUTHRIE. I cannot see that it does any good. The minister says he wants to confirm all existing rights. That can be done by a very simple clause. It is not done, I submit, by clause 4. What right does he propose to confirm? I understood that on a former occasion he proposed to grant confirmation to all rights hitherto granted by the province of British Columbia and all rights granted by this government, a general confirmation, I have since understood from him that he does not propose to grant confirmation to rights which have only been granted by the province of British Columbia, and have not so far been confirmed by this government. There are many rights to water in that province which depend on what they call water records in British Columbia. Some of the holders of these water records have come to this government and obtained orders in council confirming them, and likewise conveyances, Crown grants confirming them, and granting the free use of certain waters. Surely no further confirmation of such rights is required than the grants which the holders now possess. Under the Bill as presented to the House, I submit that these rights may become somewhat jeopardized. Clause 4, by implication at all events, renders it necessary for the holder of such a right to have his right established in some way. The last line of clause 4 states that he must have it established. Why have it any more established than it is established by his order in council and his Crown grant? It merely says that he must submit his documents and deeds to some tribunal, which, I presume, can either confirm or refuse his title. Men who hold these water privileges and have invested large sums in them are staggered by the proposal, they do not know whether their rights will be confirmed or not. The clause can be made right by a simple amendment. I would again urge my suggestion which would be to strike out in the 32nd line the words, 'unless and until and,' which only complicate the question, and the two last words on page 1, 'is established.' Then it would read:

> Except only so far as some right therein or to the use thereof, inconsistent with the right of the Crown and which is not a public right, or a right common to the public, has been acquired by any person, company or municipality prior to the 10th day of May, 1909.

That is the date on which the Exchequer Court gave its decision. If the minister's intention is to confirm such rights he could do it in two or three words, and confirm all the rights granted prior to the Exchequer Court decision. But that is evidently not his intention if we may judge from the Bill. In clause 6 he provides simply for a provisional confirmation which is not absolute but is only good for two years. Holders of rights granted by the Crown, by this government, could not tolerate a clause of that kind, it is not fair to them. The next clause provides that holders of such rights must then apply for a license and come under various restrictions and provisions which have not yet been prescribed, nobody knows what they will be. Many men have invested large amounts of capital already, large works are in process of construction, heavy amounts are to be expended in the present season. Men do not want to expend their money with such uncertainty hanging over them. The Bill is not clear and definite, it goes very much further than the statement of the minister goes; if his intention is merely to have a declaration of these individuals' rights and a confirmation of existing rights. I see no ob-

jection to that being done, I think it should be done and that the minister's reasons for doing it are good reasons, except that it seems rather absurd after waiting a year after the Exchequer Court's decision to say that the Bill must be pushed now when we know that we will have a decision from the Judicial Committee probably in from three to five months at most.

I do not appreciate the difficulty mentioned by the hon. member from the Yukon (Mr. Congdon) in the case of grants to settlers that would give water-rights. This Bill is not necessary for that purpose, a simple clause in the grant reserving the water-rights would be sufficient. The minister wants to segregate the rights to water from the ordinary rights. Let him by a simple clause in the grant do that. No difficulty could arise. I must repeat the position I took a few nights ago that a Bill of this importance and intricacy, involving such serious consequences, should not be rushed at this stage of the session and no harm could be caused by allowing it to wait until the fall. If the minister thinks that is impossible I would ask him to limit the Act and put in simple clauses merely to give a declaration of Dominion rights and to confirm all other rights. If we do that then the financial interests of which he spoke will not feel that they are in jeopardy, they will feel secure and development can go on

Mr. CONGDON. I think the objects of sections 4 and 5 are to enable the minister to make the reservation in the grant of which the hon. gentleman has spoken but without that the minister is bound, when he comes to give a grant, to give the water and everything else belonging to the realty. This section merely declares that the water is in the Crown distinct from the other and can only be granted not by an ordinary grant of realty but by a grant as provided in section 6.

Mr. GOODEVE. I certainly agree with the member for South Wellington (Mr. Guthrie) that this Bill might be left over until another session. I cannot agree with the explanation given by the hon. Minister of the Interior when he says that the legislation is only desired to confirm grants that have already been issued by the British Columbia government. If that is his desire, it would be a simple act to confirm those rights. The member for the Yukon (Mr. Congdon) has stated that the idea of the minister was to segregate the water from the land. Now, as I read the decisions of both the Exchequer Court and the Supreme Court, they have distinctly affirmed the principle that the moment the land is alienated from the Dominion it comes under the jurisdiction of the province of British Columbia, so that by segrating the water from the land, the minister would simply be complicating the matter further instead of straightening it out. If he segregated the water as is suggested, and endeavoured to give certain water-rights and privileges he would find that they were ultimately void, for as soon as the land was alienated they would come under the jurisdiction of the provincial government only. Further it has been wisely pointed out that it will be only a short time before the final decision of the Privy Council in this case is given. Now, what would be the position, as has been well pointed out by the member from the Yukon (Mr. Congdon) if the minister undertook to make certain grants, and the decision of the Privy Council went against him. If the Privy Council should decide that the jurisdiction is vested not in the Dominion, but in the province of British Columbia, instead of protecting vested rights the minister by this legislation would only be complicating them. So looking at it from these three standpoints I think that instead of being an advantage to the people at large, or to the people who are interested in these water-powers, it would have the effect of creating further difficulties. It has been well pointed out by the member for South Wellington (Mr. Guthrie) that there are large interests there, and if it is the minister's desire that their rights should be confirmed it would be a simple matter to bring in a Bill giving effect to that and wait until the decision of the Privy Council is given before bringing in a Bill of this kind. That would be a simple matter, and it would meet with the approval of the people of British Columbia, and of the people who have rights there.

Mr. OLIVER. This Bill is absolutely as simple as my hon. friend (Mr. Goodeve) suggests it should be.

Mr. LANCASTER. It does not read that way.

Mr. OLIVER. I am not responsible for my hon. friend's understanding of the Bill. There are just three points in the Bill. One is to declare the right of the Dominion in the water, and to separate the right in the water from the right in the land. The second is to confirm the rights which have been granted by the province of British Columbia, and the third is to take authority to grant other rights. The purpose of the one having reference to the segregation of the water from the land is in pursuance of the policy of a conservation of the water resources of this country to which the whole country has given its approval, and no place more

strongly than in this parliament. That is to say, the right in the water should be kept as closely as possible under the control of the Crown and it should not pass from the Crown's control to private control except for purposes designated by and satisfactory to the Crown. In regard to the confirmation of the rights granted by the province of British Columbia, it is conceded that this is necessary where those rights have not already been confirmed by the Dominion. In the case of several of the large undertakings in the railway belt, where large amounts of money were involved, the parties secured their authority from the provincial government, and came to the Dominion government and got a quitclaim, or a grant of the Dominion right, but the small holders did not do that. The small holder was content with the right which he had got from the province of British Columbia, and unless we get this authority we are asking for to-day, the small holder will not be in the position that the large holder is in, but will be absolutely at the mercy of the pirate, whereas the large holder is protected by the quitclaim he got from the Dominion government. Now, I think it is only fair that the small holder should be put in the same position as the large holder, that what he failed to get by not coming to the Dominion government we should give him by the authority of this parliament. Then in regard to the granting of rights for the future, no man is going to invest his money in the development of water-power in the railway belt, in new enterprises, unless he gets a security of title. Now, I suppose that neither the province of British Columbia, nor anybody in the Dominion wishes to hold back the development of the water resources of that railway belt for one moment. It is desirable that capital should be secured, and if it is desired to introduce capital in any enterprise at present, there is no security of title, and no secure title can be got.

Mr. GOODEVE. Does the hon. minister say that capital would be invested in any right granted by the Dominion, when in view of the case now before the courts capitalists realize that any grant so made might be upset by the Privy Council, and particularly in view of the fact that two courts have already given a decision distinctly affirming the principle that the moment the land is alienated from the Dominion it comes under the jurisdiction of the province.

Mr. LANCASTER. And the water too.

Mr. GOODEVE. In doing what you propose you would put us in a position where capital would not invest.

Mr. OLIVER. If my hon. friend had allowed me to finish my statement I think I could have shown him that I was absolutely right. However, he has brought out the point I wanted to make more clearly than I could. At the present time my hon. friend will admit that there is no secure title to any new enterprise that desires to enter upon the development of water-power in British Columbia, because until the question is decided by the Privy Council, the provincial grant is of no value, and this government has no authority to give a grant. Therefore, development is tied up, lacking the security of investment. But, if this Bill is passed, and this government is clothed with authority to issue a grant, then an enterprise can come and get the authority of this government, and go to the province and get its quitclaim, and it would be an absolutely secure title, just as some years ago the enterprises, my hon. friend has spoken of, went to the provincial government, got their grants, and came to the Dominion, and got the grant of such rights as the Dominion was able to give. That is what was done in that case, and the people have acquired a title no matter which way the decision of the Privy Council goes. If this legislation is passed any new enterprise can be put in the same position, and development in the railway belt will not be retarded. But without this legislation there can be no security in the development of water-enterprises whatever. I humbly submit that in the interests of British Columbia, in the interests of the railway belt, it is desirable that there should not be a retardment of development by keeping back the possibility of giving a clear title to any capital that may be invested.

Mr. GOODEVE. The minister has just stated that the government has already confirmed certain grants issued by the province to get a quitclaim. That is, of the larger holders, but they are proceeding further in this Act. They are undertaking to make a grant by the Dominion which the minister himself has admitted would not secure a perfect title and the holder of which would have to go to the province to get a quitclaim. That is, he would have to go to the province first and then come to the Dominion, or vice versa. Why undertake all that at this time when, within a very short time, a decision will be handed down under which everybody will know to whom they should apply?

Mr. MACDONALD. A friend of mine who is interested in this subject has called my attention to this Bill. I have listened carefully to the discussion. If the minister's object is to obtain a confirmation of rights, then, I submit, that the language

used in section 4 is not very apt—not as lawyers usually read it. The first portion of section 4 vests in the Crown, the rights to the water 'unless and until and except only so far as some right therein, or to the use thereof, inconsistent with the right of the Crown, and which is not a public right or a right common to the public, is established.' Now, that language, especially the phrase 'is established' is not found usually in public statutes and is not one of which we can get a ready definition in any judicial dictionary known to me or in any law relating to the interpretation of statutes. Where you have a law passed confirmatory of deeds of title, the statement that such grants at a certain time, setting them out in general language and declaring these to be confirmed, is sufficient, unless there is a desire to becloud the question. The other is entirely unnecessary for the object if the object be merely to confirm the rights regularly obtained in the past. There have been grants I understand made by the Crown under order in council. I am told that they are in the nature of quitclaim. But, so far as I have had experience in dealing with grants from the Crown, I see nothing but quitclaims in them. The Crown never guarantees titles to any grantee, but simply gives the grantee whatever right is there, and this means nothing more in law or in fact than a quitclaim deed passing between individuals. If the right to grant these quitclaim deeds, to use the ordinary phraseology, has been exercised in the past, I do not see the point of my hon. friend from Yukon (Mr. Congdon) about this legislation being necessary to give the minister power to make these grants, because that power has been exercised in the past. And as a matter of policy, it would seem right that a clause should be passed confirming rights which have been regularly obtained from the authorities whom the public had a right to suppose had the power to give these in the past. The whole question as to water-powers is under appeal, leave to appeal having been obtained from the Privy Council. The Privy Council sits in July, and decision will be given before we meet again in October. The policy of parliament in the past has not been to go in and assume a right to exercise any power affecting property or civil rights while these matters were sub judice.

Mr. LANCASTER. As an ordinary individual, the Crown could not do it. If the Crown were an ordinary individual, it would be prevented from butting in in this way when the case is sub judice.

Mr. MACDONALD. To say that we are going to set up a system under which the government are going to deal with the rights in these water-powers while we are awaiting the decision determining whether such a power exists, is an anomalous situation. If the minister states that his desire is to confirm the rights granted that is a pre-eminently proper proposition and one that I would support. But, I say that section 4 does not do that in the clear language that should be contained in an Act of parliament.

Mr. OLIVER. Section 4 is not intended to do that at all. The provision that is intended to do that is section 6. Section 4 simply segregates the water rights and the land rights.

Mr. GUTHRIE. It goes further.

Mr. OLIVER. No, in section 4 there is no mention of a confirmation of right to any one.

Mr. MACDONALD. There is the government right in everything that has not been granted.

Mr. OLIVER. Precisely. It declares the right of the government in everything that is not being granted.

Mr. MACDONALD. The hon. minister constitutes himself the judge of whether it has been or not.

Mr. OLIVER. Who is to be the judge? Does my hon. friend want it to be declared in the Act how these rights shall be established? If it comes up for the consideration of the government, it is established as a matter of administration; if it comes before the courts, it is established by the courts. Why should it be stated here beyond declaring merely that it is to be established? As I stated, this section 4 is intended simply to segregate the water rights from the land rights. It is not intended for any other purpose, and it does not effect any other purpose; it is simply a plain statement of a fact which everybody admits to be desirable. But section 6 sets out, in so many words, to confirm rights which have been already granted. It may do so properly or improperly, but my hon. friend must not look in section 4 for provision contained in section 6, nor find fault with section 4 because it does not do what section 6 is intended to do. Section 4 is for declaratory purposes, and section 6 is to confirm rights which have been granted. I am ready to accept criticism of the terms of section 6, but I think it unfair that the hon. member should attribute to section 4 a purpose which is covered by section 6 and then find fault with the terms of section 4 because it does not accomplish that which it was not intended to accomplish.

Mr. MACDONALD. I wish I could agree with the minister in his interpretation of

this section, but, so far as my legal judgment goes, it does not permit me to do so. I take it that section 4 does give the Crown the rights to water in British Columbia, with the exception of certain rights which are not inconsistent with the rights of the Crown, and the rights must be 'established' in some way. Where I disagree with the minister is as to the effect to be given to the words 'is established.' He says these rights may be established by him or by somebody else. That is, the Crown may not respect any rights given by a power which granted these rights in good faith. The confirmation ought to be absolute, so as to protect the person who has obtained rights from the Dominion or from the province as the case may be—rights which either power had the authority to grant at the proper time. This Bill gives to the Governor in Council power to make grants within two years, but this power is to be exercised by the minister in a peculiar way. If a man has had a grant from the British Columbia government and a quitclaim from the federal government, this would limit the grant under the Act to the extent that he would have to be subject to the power of the minister in regard to licenses. I disagree with the minister as a matter of interpretation of law. I may be wrong and he right, but I reiterate that the fair and proper way would be to confirm in the parties who hold them vested rights in these waters obtained from the British Columbia government but confirmed by the federal government by order in council or otherwise.

Mr. OLIVER. That is exactly what is done in section 6. My hon. friend cannot read section 4 in its proper effect. Section 4 does not give anybody any right, it has nothing to do with the right to use the water that my hon. friend is speaking of; it is simply a declaration that anything that is not under a private right is under the Crown right, and is reserved from being dealt with as a part of the land law. This is of the nature of a confirmation of the grant and ownership in all waters, it has nothing to do with the administration of waters. Then we come to section 6, which confirms those rights already granted, and there is no difference between a provincial right and a Dominion right. There is no declaration that the person who has received a provincial right must come under a Dominion right. It makes provision for the unconditional confirmation of every right that has been granted for that period of two years, in other words, it carries those existing rights past the time when we will certainly have a decision of the Privy Council.

Mr. BURRELL. What is the minister's position as to jurisdiction over those lands which have passed from the Dominion government control, those lands that have been actually alienated from the Dominion government? Does the minister intimate that he has any control over the water on those lands? Because the decision of the Exchequer Court seems clear that the Dominion had granted the lands, and, therefore, the grantee became subject to the enactment of the legislature of British Columbia.

Mr. OLIVER. My advice is that the amended section 3, which has been placed before the House, covers that point. I may say that that section, and an amendment to section 6 which I am going to propose, were agreed to between the Department of Justice and the deputy Attorney General of British Columbia; therefore, I assume they are good law and good drafting. I am not prepared to say that the government of British Columbia approves of the present Bill as a matter of policy, but I am prepared to say that so far as the drafting and purpose of these sections are concerned, they certainly have the approval of both the Department of Justice at Ottawa and of the deputy Attorney General of British Columbia. I can give no better authority for my belief that I was correct.

Mr. R. L. BORDEN. Why does the minister fix a period of two years in section 6?

Mr. OLIVER. It is for the purpose of carrying the existing rights without change over the period of uncertainty until the decision of the Privy Council has been rendered; when this Bill is passed and these rights are dealt with, there will be no need of any other interference until the question has been absolutely settled.

Mr. R. L. BORDEN. It seems to me that on the whole it would be better to leave the matter until there is a certainty as to what the actual rights are. The difficulty I have at present with this Bill is that I really could not undertake to say just what the effect of it would be, notwithstanding the minister's explanation. Take section 4, I really would not know what would be the effect of it, and I endeavoured to follow the minister's explanation as well as I could. I understood him to say that it was for the purpose of segregating the water right from the land right.

Mr. OLIVER. So far as the right of the land already rests in this government, it is to separate the water rights from the land rights.

Mr. R. L. BORDEN. It seems to me he uses curious language for that purpose. As a matter of fact, section 4 seems to say that the right to water, in so far as it has not passed out of the Crown, shall remain in the Crown. You really do not need to make that clear by statute. When I find

a statute declaring something that is absolutely obvious, and when I find that embodied in a somewhat complicated section of considerable length, it occurs to me that a court, in endeavouring to interpret that section, might find itself landed in great difficulties.

Mr. CONGDON. That must be read with the next section, which provides that those rights can only be disposed of under this Act.

Mr. R. L. BORDEN. Really, I do not see that that makes it any better. Then when we come to section 6, we find a provisional arrangement for a period of two years, and after that period has expired then everything is left open. That does not seem to tend to certainty, I do not think one really gets much stability out of a provision of that kind. The whole Bill seems to be so complicated and of so unusual a character, that I venture to suggest to the minister that it would be better to let the matter stand until we get an absolute knowledge of what the law is, and that knowledge can only come to us by the decision of the pending appeal.

Mr. OLIVER. If there was some process of law or some authority that would stay all proceedings in regard to water rights in the province without injury to the province, then I could appreciate the hon. gentleman's suggestion. But there is no possibility of that being done. Development must go on, or there must be injury done; and I take it we are here for the purpose of preventing that injury, for the purpose of so adjusting the title that development can go on.

Mr. R. L. BORDEN. I am impressed with the sincere desire of the minister to act in the public interest in regard to this matter, but I have a different opinion perhaps as to how that can be accomplished. I understood the minister to say that the larger proprietors had in some way got an assurance of confirmation from this government. If that can be done as respects the larger proprietors, I suppose it can be done as respects the smaller proprietors. At all events, the government might declare its policy in that regard, namely, to deal with the smaller proprietors as they have dealt with the larger ones, and stay its hand in the meantime until it is absolutely sure that this parliament can legislate effectively. Then so far as investment is concerned, any person who has a grant in the province of British Columbia, the validity of which is not yet assured, upon which doubt has been thrown by decisions already given, any person having such a grant and desiring to invest capital, could I suppose, come to this government and get an assurance as to its future action. The legislation of this parliament should become absolutely assured by the judgment of the Privy Council. It seems to me that all the hon. gentleman desires can be done without this legislation. I admit that I do not understand this matter as well as the minister does, but it occurs to me that all that he desires to do can be done without this legislation, and perhaps better. I speak, however, with a great deal of diffidence, because the minister has given more attention to the matter than I have.

Mr. OLIVER. There might be arbitrary and unwarranted action by this government that would protect private interests, but I do not think the government should be required to place itself in that position, I do not think that is a safe position. I do not think we should expect or look to property interests to employ capital in the development of the country without that parliamentary authority to which the investment of capital is fully entitled. This government may give an undertaking or enter into an understanding with private capitalists without the sanction of parliament, but I do not think it is a good thing to do, and I do not think it will produce good results. We come before parliament with a fair proposition to meet a condition which actually exists, and a condition which requires to be dealt with. We put a fair proposition before parliament for dealing with that condition, and we ask parliament to assent to it.

Mr. LANCASTER. This is not a condition that is going to exist with any certainty for more than a few months. That is the trouble that the minister is in. Instead of the certainty that the minister wants to accomplish there will be uncertainty. Some poor fellow will think that he has some rights, and he will be foolish enough to spend all he is worth in trying to vindicate them. The minister will be the cause of a lot of inocent people getting into a couple of hundred law-suits under the conditions existing now between the province and the Dominion. If the minister wants to act pro bono publico he should say to these people: Now, boys, do not invest any money until the decision of the Privy Council is given. But, he notifies them to go in under this Act of parliament which will probably be quashed by the decision of the Privy Council. The hon. gentleman's argument is the very best reason why this Bill should not pass.

Mr. BURRELL. The minister seems to be afraid that in this interregnum there may be some piratical attempts made upon the existing provisional rights. As I understand the matter, the British Columbia government, under the Act which they passed

last session, appointed a special body of three commissioners and they are still issuing certain water records in conection with the various waters in the railway belt. I do not think that these titles, such as are issued by the provincial government, will be interfered with piratically by any body pending the decision by the Privy Council, and after all, the security of title which the minister is going to give by this Bill is only a provisional one, because it is a title which will be wiped out immediately when the Privy Council decision is given. Under section 6 the minister says that this validation is only to be for a period of two years, and then the whole thing is in the melting pot again. No body knows where he is at. He does not know what regulations will be, or what title he will have. The whole thing is wiped out after two years, and that is an additional reason why I am rather reluctant to see the Bill pass. While I understand that the minister is sincerely anxious to protect the rights of those who have gone in, and acquired water-rights; yet, this Bill goes farther than that, because it foreshadows certain legislation which seriously jeopardizes the existing rights of those who are dealing with these matters under the British Columbia regulations, and it is not clear to me that the minister has yet answered my question as to whether the Dominion government, even if the Privy Council decision were to favour the Dominion government, thinks that it has any rights over the water after the land is sold.

Mr. LANCASTER. It is clear that it would not have.

Mr. BURRELL. No. This is simply a validation clause and no body would dispute it until the decision of the Privy Council is given. I cannot see, considering the short period of this validation as my hon. friend the leader of the opposition has said, why, if you can give a quitclaim deed by order in council to the large acquirers of rights, the same process cannot go on with respect to the smaller ones.

On section 4, confirmation to Crown of ownership of all waters.

Mr. LANCASTER. That section should be struck out, because, as pointed out by the leader of the opposition, if it means anything, the result must be the same as it would be if it were not written at all, and for that very reason the court would be likely to strain at some other meaning. It is well known that when the courts are told that a section means what would be the effect without it being there at all, in construing that section they seek for some other meaning that would not be so ridculous as the one suggested. Although that section means perhaps, in the opinion of the minister what he said, I have not the least doubt that the courts will take it to mean something altogether different—I do not know what. I cannot grasp what that section does mean. It is a complication of language, of adjectives, verbs and adverbs, and two or three nouns to a sentence making it absolutely impossible to understand what it means. I do not believe there is any one who can take that section, and conscientiously tell what it means. It is the most incomprehensibly drawn section that I ever saw in a statute. If it is drawn for the purpose of creating confusion it will certainly accomplish that object. If it is drawn to accomplish anything, then it ought to be expressed in simple language that people could understand.

Mr. OLIVER. I do not wish to put my legal knowledge against that of my hon. friend.

Mr. LANCASTER. It is not legal knowledge; it is common sense.

Mr. OLIVER. That particular clause is contained in the Irrigation Act, and in the Waterways Act of the province of British Columbia. In these Acts such a provision is found to be necessaray and desirable, and I presume that the same reasons which led to the using of such a clause in that Act led to its being placed here.

Mr. LANCASTER. I have the British Columbia Act which my hon. friend from Yukon (Mr. Congdon) was kind enough to hand over to me, and it contains no such language. There is a clause that everybody can understand. It is clause 2, as follows:

> The right to the use of all water at any time in any river, watercourse, lake, or stream not being a navigable river or otherwise under the jurisdiction of the parliament of Canada, is hereby declared to be vested in the Crown in the right of the province, and, save in the exercise of any legal right existing at the time of such diversion or appropriation, no person shall divert or appropriate any water from any river, watercourse, lake, or stream, excepting under the provisions of this Act, or of some other Act already or hereafter to be passed, or except in the exercise of the general right of all persons to use water for domestic and stock supply from any river, watercourse, lake, or stream vested in the Crown, and to which there is access by a public road or reserve.

This clause 2 is a work of art, compared with clause 4 of this Bill, which should be dealt with as a curiosity and put in a museum. When the land is alienated it becomes the right of the province to administer it and the province declares in plain English that it is vested in the Crown in the right of the province of British Colum-

bia. What capitalist will be afraid of understanding the law in the provincial Act. Why not leave well enough alone. Why complicate matters by this legislation, which will cause innumerable lawsuits between individuals.

Mr. GUTHRIE. Would the minister have any objection to simplify this section?

Mr. OLIVER. I got this drafting from the Department of Justice, and it certainly is in line with similar sections in the Irrigation Act and in the British Columbia Act.

Mr. GUTHRIE. The wording is different.

Mr. OLIVER. Because what is contained in one section in the British Columbia Act is divided into two in this Act with the object of making it plain, I suppose. I do not feel I would be warranted in changing the considered drafting of the Department of Justice which I submit is more to be relied upon than a momentary suggestion made on the floor of the House.

Mr. GUTHRIE. This is not a momentary suggestion.

Mr. CAMPBELL. Can the minister construe this section himself?

Mr. OLIVER. Yes, and so could my hon. friend (Mr. Campbell) if he took the trouble to read it.

Mr. GUTHRIE. If the minister and I have the same desire, as I think we have, the section can be put in very simple language. It is intended to be a declaration of the right of the Crown in all water except what has hitherto been granted away, but what it really means is that the Crown is the proprietor of all water which has not been granted away and the right to which granted away water is established. Why not strike out the words 'is established' and establish the Crown's right to all water which has not been heretofore acquired from the Crown prior to the 10th of May, 1909. As the language at present reads, it renders the highest right very very uncertain. I think it is highly unreasonable of the minister to refuse the request that is made here. It is not a question that has been sprung upon us; the clause has been thoroughly considered and I think there are those in this House who are just as competent of drawing a clear section, as is the deputy Minister of Justice.

Mr. MACDONALD. I will join the member for Wellington in this request. The use of the word 'until' here creates some kind of suspensory right in the Crown, a sort of Mahommet's coffin between heaven and earth, and a thing that is unheard of in such legislation. The request of the hon. member (Mr. Guthrie) is so reasonable that if the intention is to vest in the Crown all the right to waters except such as have passed into the title of other persons, it is very easy to say so.

Mr. OLIVER. Does my hon. friend suggest that this wording does not say so?

Mr. MACDONALD. I say it does not. I say the use of the word 'until' in that connection is unheard of.

Mr. OLIVER. In my humble judgment, I will take the drafting of the deputy Minister of Justice and be satisfied with it. The trouble of my hon. friends from Wellington and Pictou is that they persist in confusing the purpose of clause 4 with the purpose of clause 6. If they remember that the purpose of one has no connection with the purpose of the other, they will be perfectly satisfied.

Mr. GUTHRIE. The minister may say he claims all the water, and the applicant may say the minister does not, but the minister will answer: Oh, but you have not established your claim and until you do establish it you have no claim, and the applicant has to defend a title which he probably had secured years ago.

Mr. CONGDON. How can the minister find that some one has a claim unless that claim is established? This section is merely descriptive of the rights cut out of the realty which under the next section must be granted expressly separate and apart altogether from the grant of the water. I may say that I could not understand it and I spoke to the deputy Minister of Justice about it and he agreed that possibly it might be better drawn, but he pointed out that this was the language used in the Irrigation Act and he thought it desirable that all this should be under exactly similar legislation.

Mr. GUTHRIE. Is it the opinion of my hon. friend (Mr. Congdon) that it is in the discretion of the minister to say to a man holding the Crown grant in the water: Your claim is worthless, or, it is not established?

Mr. CONGDON. Certainly not.

Mr. GUTHRIE. Then what is the meaning of the language 'until it is established'?

Mr. LANCASTER. No two men in this House take the same meaning out of that section, and in the name of common sense why should we pass a law of that kind? The Minister of the Interior says it was drawn in this way because some other legislation was drafted in the same way. I ask the Prime Minister if it is not a farce to pass legislation of that kind? Hon. members called 'Carried.' They seemed to agree that was the meaning of this section.

Mr. CONMEE. Is it usual for lawyers to agree about matters of this kind?

Mr. LANCASTER. We could get lawyers in this House to draw a clause which would mean something.

Sir WILFRID LAURIER. With the permission of my hon. friend, I would move that the committee rise, report progress and ask leave to sit again.

Progress reported.

PUBLIC BILLS AND ORDERS.

INJURIES DUE TO MOTOR VEHICLES.

On the order being called for the second reading of Bill (No. 13) to amend the Criminal Code respecting injuries due to motor vehicles.—Mr. Lewis.

Mr. LANCASTER. There is a principle involved in this Bill that is a little strange. As it is worded 'the driver of a motor car, by giving his name or address, can escape liability both criminal and civil.' If we are going to put a statute of this kind on the statute-book, let us put it in a more sensible form than this.

Sir WILFRID LAURIER. The section of the Bill as reported by the committee imposes a penalty on the motor car driver, who, with intent to escape liability, either civil or criminal, drives on without giving assistance or his name or address. Does my hon. friend think it is a hardship if a man is arrested and brought to trial in such a case?

Mr. LANCASTER. No, I do not think that at all, but I think he ought to be liable under the code for the greater offence, as this reads he would escape that liability by simply calling out a name. You are creating a confusion of legislation; you are saying that a man is liable to a fine of $50 at the most no matter how many people he might injure, and that he can escape that penalty by simply shouting out his name and address.

Mr. CARVELL. If the hon. member (Mr. Lancaster) will look at the Criminal Code, he will find that there is a provision making a man liable for an accident. This is something in addition. I have not the Criminal Code before me, but I was on the committee, as was the member for Portage la Prairie, I think, and we discussed it very carefully with the Minister of Justice. The hon. member will find that there is a provision in the code against furious driving, and this is only an additional provision in case the driver of the car fails to stop.

Mr. LANCASTER. It will become substitutional so far as motor cars are concerned. That is my objection to the legislation.

Motion agreed to, and House went into committee on the Bill.

Sir WILFRID LAURIER. The whole point of my hon. friend's objection, as I understand it, is that this will be a substitute for the legislation already in existence. I do not think so. That was not the intention of the committee. The intention was simply to create a new offence.

Mr. R. L. BORDEN. As I understand the object of the legislation it is this. When an accident has occurred on the highway owing to the presence of a motor car, whether there has been negligence on the part of the persons driving the motor car or not, absolutely irrespective of that consideration, the motor car must stop and the driver must tender assistance and give his name and address. If he fails to do that, then he is liable, on summary conviction, to a fine not exceeding $50 in costs.

Mr. CARVELL. That is correct.

Mr. R. L. BORDEN. That would be irrespective of whether he is in fault or not. If the accident occurs, and he drives on without tendering assistance or without giving his name and address, then he is liable. I think, perhaps, the wording of it might be improved a little in the last line, but apart from that it would seem to me to have that meaning.

Mr. LANCASTER. What I mean is this. Under the general Criminal Code, I do not have it here, but I think I know its effect, if any man whether he be a motor car driver or a wheel-barrow runner for that matter, or the driver of a horse, drives furiously, negligently and dangerously along the highway he is liable. But under this section, it seems to me that if a motor car driver does that he will escape the penalty imposed by simply giving his name and address, without rendering assistance to the parties he has injured. Under this section he is not required to do both, and I think he should be made to do both. I would, therefore, suggest that the word 'or' be struck out and the word 'and' substituted. If a man causes an accident he should not escape liability by merely shouting out his name and address. If he is a man at all, he ought to render assistance to the injured as well as be known so that he may be sued for civil damages.

Mr. R. L. BORDEN. I agree entirely with my hon. friend, but I suggest that the purpose might be served by inserting the word 'without' after the word 'or.'

Mr. LANCASTER. If you say that he should render assistance and give his name and address I would agree. As long as the driver is required to do both.

Sir WILFRID LAURIER. The Bill has been carefully considered by the committee, and certainly the intention was not to substitute one offence for another, but

simply to add an offence to the one already existing. It seems to me that intention is so obvious that I cannot understand the objection of my hon. friend (Mr. Lancaster).

Mr. LANCASTER. The hon. Prime Minister may be right in saying that the intention was to create a new offence, but even if that is so, the legislation as framed will be of no practical benefit if a man can escape liability by simply shouting out his name and address without rendering assistance. I am pointing out that he ought to do both. I would move that the word 'or' be struck out and the word 'and' substituted.

Amendment agreed to.

Bill reported, read the third time, and passed.

WINDING-UP ACT AMENDMENT.

Bill (No. 65) to amend the Winding-up Act—Mr. Meighen—was considered in committee, reported, read the third time and passed.

CRIMINAL CODE AMENDMENT.

On motion that the House go into committee on Bill (No. 75) to amend the Criminal Code.—Mr. Harris.

Mr. LANCASTER. Before you leave the Chair, Mr. Speaker, I wish to say that, as a matter of principle, this Bill is not good. A person dealing with ordinary property in the way referred to by this Bill would be, prima facie, guilty of theft. But it is proposed here to pass a Bill for a minor punishment in this particular case. The provision of the Bill is that if any person takes a motor car, or automobile to be used, or driven, without the consent of the owner, he is liable to a penalty. But if he were to take a man's horse or wheel-barrow he would be prima facie guilty of theft.

Sir WILFRID LAURIER. Prima facie only.

Mr. LANCASTER. Yes, unless he can show his authority. But the plea of a person that he intends to return the property, judge or jury might not conscientiously accept. But if such a thing is made to apply to motor cars, it should apply to horses, wheel-barrows, kits of tools, and other property. Why protect the owners of motor cars as against the owners of any other property? If people take motor cars without the owners' consent they should be punished. But why special legislation respecting motor cars that does not apply to other property such as I have described? We should have the same legislation for all. So on principle, I am not prepared to vote for the Bill.

Mr. CARVELL. This Bill was before the special committee, and its passage was urged by a number of gentlemen who said that this taking of automobiles for use without the consent of the owners requires special legislation. It is claimed that nearly all the accidents are caused by chauffeurs, who are on what are known as 'joy rides'. Having taken the owner to his office, let us say, the chauffeur goes off without the owners consent and somebody is injured. The only argument used against this measure is that it is special legislation. But it is legislation that is needed to meet a special difficulty.

Mr. RHODES. The hon. member (Mr. Lancaster) objects to this Bill because it is special legislation, and in favour of motor car owners. His position is amusing in view of the fact that a moment ago he supported a Bill dealing specially with motor cars. But in that case it appeared to be directed against the owner of the car. There is no legislation providing that if a man is driving a horse-drawn vehicle, and somebody is injured, he must stop and give his number and address. This Bill is necessary, because, as the hon. member for Carleton, N.B. (Mr. Carvell), has said, a large proportion of the accidents are due to the fact that cars are taken without the consent of the owners. It is almost impossible to punish this offence under the existing law. In England they have found it impossible to punish a man for taking a car without the owner's consent, and have even been driven to the expedient of trying the offender for theft of the gasolene used, and they are obliged to meet the case by special legislation. It is not for the benefit of motor owners, but for the benefit of the public at large, and for this reason I am heartily in favour of this measure.

Motion agreed to, and House went into committee on the Bill.

Mr. LANCASTER. Notwithstanding what has just been said by the hon. gentleman, I think this is legislation purely in the interest of the owners of motor cars. It does not say anything about furious driving, there is not a word about doing injury to any one else. It is idle to imagine that this is intended to protect people on the road; it is intended to protect the owner of the car so that it will not suffer any injury, so that the machinery may not be damaged, and he will not have to spend money to repair it. I do not agree with the hon. member for Carlton, New Brunswick (Mr. Carvell) that the owners of motor cars are entitled to any special legislation. The farmer with his horse in the pasture, the

livery stable keeper, with his horse in the barn, the artisan with his kit of tools, are just as much entitled to protection as the owner of a motor car. But some people who may have influence enough with the government to send agents to Ottawa to plead for special rights, have been successful with the government. I move in amendment to add the words ' or other personal property,' after the words, 'motor car.'

Sir WILFRID LAURIER. I hope my hon. friend will not persevere in his amendment. He will see at once the reason of this legislation. There have been occasionally parties who have stolen a ride, or stolen a horse, or a kit of tools from another workman, but the cases have been so rare that there has been no need of special legislation. But since the motor car has come into general use the daily papers are full of reports of accidents which have been caused by chauffeurs taking a car without permission of the master, or some one jumping into the car and moving it. Now the motor car is a vehicle of such a character that unless it is directed by a skilled man, accidents are likely to be numerous.

Amendment, Mr. Lancaster, negatived.

Bill reported, read the third time, and passed.

GOVERNMENT RAILWAY ACT AMENDMENT.

Mr. GRAHAM. I wish to ask the House to return to the order for the introduction of Bills, in order that I may have leave to introduce Bill (No. 232) to amend the Government Railways Act. The other day when I was putting through a measure amending the general Railway Act, I gave notice of this Bill. It transpires that we have made the government railways subject to all the liabilities of an ordinary railway as to fires, the Act has been changed to place them in the same position, but we have not put in the saving clause in reference to the $5,000 that is in the Railway Act. I merely wish to put the government railways in the same position as ordinary railways.

Motion agreed to, and Bill read the first time.

Sir WILFRID LAURIER moved the adjournment of the House.

Mr. R. L. BORDEN. There is not much left, but what will you take up to-morrow?

Sir WILFRID LAURIER. First the tariff resolutions, and then Supply.

Motion agreed to, and House adjourned at 1.30 a.m., Tuesday.

HOUSE OF COMMONS.

TUESDAY, May 3, 1910.

The SPEAKER took the Chair at Eleven o'clock.

THE GEORGIAN BAY CANAL.

Mr. PUGSLEY laid on the table of the House a return to an order dated the 14th February, 1910, relating to the construction of the Georgian Bay canal. He said: This return was moved for by the hon. member for North Renfrew (Mr. White). I may say that this return contains the last proposals which have been made, and I understand that the hon. gentleman who moved for the return stated that that would be sufficient.

BUSINESS BEFORE THE RAILWAY COMMITTEE.

Mr. LANCASTER. I wish to draw the attention of the House to the condition of affairs in the Railway Committee, which I think everyone in the House should consider.

Mr. SPEAKER. Has the hon. gentleman a motion?

Mr. LANCASTER. I have not written it but I move that the special report presented by the Standing Committee on Railways, Canals and Telegraph Lines be now considered. Before the session closes I think it is my duty, as a member of the Railway Committee, to suggest to the House that next session the number of that committee should be largely reduced. The Railway Committee to-day, without any doubt, is unwieldy, and the result of its deliberations are not in any way as perfect or as correct as they would be with a much smaller committee. For instance, one day when some large principle is under discussion, perhaps 15 or 20 members of the committee may be present and vote upon it, with the balance of power against the proposition or against a certain principle. Probably two days later, or the next week, a different set of members, not the same members at all, vote to reverse that policy or that principle, and in that way they make the Railway Committee, so far as precedents are concerned, not only unsatisfactory to the House and to the country, but one might almost say without offence they make the committee ridiculous. What I suggest is that there should be not more than 40 members at most on the Railway Committee, and that 25 should form a quorum, instead of having nearly 200 members on it at present, with 25 to form a quorum. The prevailing opinion among members I have spoken to is that we would do much better work if we were a smaller

body; we would be governed by precedents; we would feel our responsibility and the desirability of doing the same thing under the same set of facts, which we do not do now. We would be able to present to the House a report on some stated principle for the benefit of the House, as a result of our deliberations, instead of making reports contradictory in principle as we do at present. We have got to remember that human nature is such that if gentlemen would feel their responsibility, and that the House is going to hold them, and they alone, responsible for a duty that they cannot shirk, they must realize that they are answerable to the House for the work they do, and then they would do better work, the business of the House would be facilitated, and the legislation of the House would be much more uniform than it is at present. This has occurred to me for several sessions, but I have hesitated to remark upon it until this session in order that I might be absolutely certain that I was right in what some might say was a radical change in the constitution of the Railway Committee. After ten years of actual work in that committee, this being my tenth session, it is apparent that the evil is increasing and that a change such as I have suggested would result in greater expedition of the work and in greater benefit to the country and to this House. If we had a committee one-fifth the size of that which we have now, if we had a committee of forty members with a quorum of 25, so that there should be a sufficient number present to agree to what is enacted, I am sure that the results would be in every way satisfactory. I would suggest this to the government and to the House so that it may be well considered during the recess and at the opening of the next session we may make up our minds if there is not something in what I contend for. I think that the chairman of the Railway Committee agrees with me upon this, and is going to second anything I have said in regard to it.

Mr. EMMERSON. I regret that I cannot agree with the hon. gentleman (Mr. Lancaster) who has just taken his seat. In the first place the recommendation to which he has referred was passed when there were but a very few present and I do not think the matter received that consideration which was its due. I believe that there is always safety in numbers, and I recognize that there are matters which come before that committee which are of great import to the people of the country. They affect great corporations and they oftentimes affect interests that are opposed to those of the great mass of the people. There are questions which come up in the interests of the few as against the interests of the many. I do not speak of this as in any way reflecting upon the views which are oftentimes advanced in the interest of the corporations, but the very conditions which prevail in Canada to-day make these a necessity. In my judgment, when it comes to a question of representation, there is always safety in numbers. My hon. friend has referred to the conditions which exist. I am sure that the interests of the masses of the people of the whole country will be more safely guarded in the hands of the larger committee than in the hands of a few. If the suggestion of my hon. friend were carried out and the committee were limited to forty, what would be the result?—that these Bills would come before the committee and, in the ordinary course of events, there would be not half of that number present.

Mr. LANCASTER. Twenty-five would be a quorum.

Mr. EMMERSON. There would not be even twenty-five present in the ordinary course of events. Hon. gentlemen, and especially those who live within a reasonable distance of the capital, are here to-day and away to-morrow and it is only on special occasions that there is anything like a full and fair representation at the committee to give consideration to the more important Bills that come before the committee. I would therefore think that the result would be disastrous, that Bills would be considered by the committee when there was perhaps only a very small percentage of the members present. If you had a committee of forty, or fifty, or sixty, or a hundred members who would always be present and who would feel their individual responsibility perhaps there would be something in the remarks of the hon. member. But that would not be the case.

Mr. LANCASTER. I was careful to say that I would desire a quorum of at least 25, so that we would always have 25 members present and business could be done. I think the hon. gentleman understood me also to say that the very fact that there would be a limited number of members would cause them to give strict and diligent attention to the duties that they had to perform. That is human nature.

Mr. SPEAKER. I fail to find anything in the report dealing with this question.

Mr. W. F. MACLEAN. I would suggest that this is a very important discussion and it should go over to the opening of next session rather than be proceeded with now.

Sir WILFRID LAURIER. Hear, hear.

Motion allowed to stand.

NATIONAL TRANSCONTINENTAL RAILWAY—CLASSIFICATION OF MATERIAL.

Mr. GEOFFRION moved:

That in accordance with the recommendation contained in the sixth report of the Special Committee re Lumsden inquiry, proper fees and expenses be paid to counsel appearing before the said committee, and the Clerk of the House and the Law Clerk are hereby authorized to tax the said fees and expenses and to pay the same when so taxed, out of any moneys voted by parliament for the expenses of committees.

Mr. R. L. BORDEN. I do not know that there will be any objection, but it might stand as a notice of motion until to-morrow.

Mr. SPEAKER. Stands.

INQUIRY FOR RETURNS.

Mr. DANIEL. Before the orders of the day are called, I would like to ask the Minister of Public Works if he will lay on the table before prorogation a return that was called for by the member for York (Mr. Crocket), with regard to the survey of the St. John river between Fredericton and Woodstock. I understand that the minister promised to lay it on the table before prorogation, and the member for York asked me to remind him of his promise as he had gone away.

Mr. PUGSLEY. In order to more than fulfil my promise, I laid it on the table last evening.

Mr. FOSTER. I would like to ask the Prime Minister as to one of the three returns which I asked for yesterday. Two have been brought down this morning, but there is another in reference to the armament on the great lakes. Does he think he can bring it down?

Sir WILFRID LAURIER. I will make inquiries and let you know to-morrow.

ADDRESS TO THE GOVERNOR GENERAL.

Rt. Hon. Sir WILFRID LAURIER (Prime Minister). By your leave, Mr. Speaker, I would beg to interrupt the order of proceedings which is laid down on the programme of this day in order to remind the House that the term of office of His Excellency the Governor General is fast drawing to a close and that when we meet again at the opening of the next session he will no longer be with us and His Majesty will have selected another person to be his representative in this country. There is, I have reason to believe, a unanimous wish in this House that ere we separate we should convey to His Excellency an expression of our high appreciation of the great services he has rendered to this country whilst he has had the honour of being the representative of His Majesty. The observation has on more than one occasion been made that Canada has been extremely fortunate in the character of those who since confederation have held the high office now held by His Excellency, and the five years of his stay with us I am sure will give still more prominence to this prevalent opinion. From time to time in recent years paragraphs have appeared in the press to the effect that at the present stage of Canadian development it would be fitting that a Canadian should be representative of His Majesty. In this we find the expression of a laudable, but to my mind, a misguided expression of national pride. The system which has been in operation since confederation of His Majesty appointing to be his representative in this country some of the great names of Great Britain has worked most harmoniously and most satisfactorily, and any change in that system would not, I am sure, be productive of good results, but perhaps on the contrary would jeopardize something which we hold dear. The first effect of this system of having some high statesman of Great Britain to be the representative of His Majesty in this country has undoubtedly been to strengthen if possible the ties which bind us to the motherland and to keep them constantly before the hearts of the people. The next effect is to place at the head of the administration one who by the very nature of things is not connected with our party or political differences, and who by the same nature of things is more apt than anybody else to keep even the balance between all contending parties. The other value of the system is to ensure the presence at the head of the political administration of one who from early youth has been bound to public life and who has had the advantage of experience of constitutional government in the country where constitutional government originated, and where it is best understood. In these respects His Excellency was pre-eminently qualified. The name which he has the honour to bear, the name of Grey, may have equals, but it has no superiors in the long list of statesmen who for ages have been connected with the history of constitutional government in Great Britain, and His Excellency proved a worthy addition for he had a distinguished career not only in England, but in some distant parts of the empire. So in his case it was pre-eminently a case of noblese oblige, and from the very day he landed on our shores it is a matter of history that he gave his whole heart, his whole soul, and his whole life to Canada. Canada became the all-absorbing object of his thoughts. He was not satisfied, as every one knows, to give to the discharge of his official duties the most careful and close at-

tention, but he associated himself with everything that went to make the national life of Canada. His constant object was to advance and to elevate the national character in everything, in all the human speculations which go to make up the highest expression of civilization. It is nothing but justice to say that under his wise and generous guidance the arts, letters and the sciences have received a notable impetus. In the matter of science especially he gave the most careful attention and was diligent and active in that branch which is connected with public health, and it is due to his efforts, not only his own efforts but to the efforts of those associated with him, that a disease has been checked which levied every year a large tribute, the disease that is known as tuberculosis. But if anything were the characteristic of the career of His Excellency amongst us, I would say it was the particular attention he gave to the study of our own history. The conception was his and his alone which resulted in the establishment of the Battlefields Commission, the effect of which will be to consecrate and to hallow the ground around the city of Quebec which has been marked by the most dramatic events in our history. But we should not forget the graceful and noble companion of his life. The Countess Grey associated herself readily with all the efforts of her illustrious husband to promote the Canadian welfare.

Several hon. MEMBERS. Hear, hear.

Sir WILFRID LAURIER. She will be remembered not only by all classes in the different cities of Canada: she will be remembered by the social world especially, but I believe that her memory will be kept greener still in the hearts of the poor and lowly, because it was among the poor and lowly that her efforts were most bestowed. And in this she received the valuable assistance of her young and charming daughters, Lady Sybil and Lady Evelyn, who I am sure, when they leave our shores will carry away with them a large part of the hearts of the Canadian people. I beg, therefore, to move, seconded by Mr. R. L. Borden, that the following address be presented to His Excellency:

To His Excellency the Right Honourable Sir Albert Henry George, Viscount Howick, Baron Grey of Howick, in the county of Northumberland, in the Peerage of the United Kingdom, One of His Majesty's Honourable Privy Council, and a Baronet; Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Knight Grand Cross of the Royal Victorian Order, &c., &c., 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, beg leave to convey to Your Ex-

cellency an expression of the general feeling of regret with which all classes in this country have learned that your official connection with Canada is soon to cease.

It must be a source of gratification to Your Excellency, on your retirement from the high office of Governor General, to realize that the period of your administration has been characterized by general and increasing prosperity in every portion of the Dominion.

The zeal with which Your Excellency has sought, by personal observation, to gain an intimate knowledge of the character, possibilities and requirements of every section of the country, has been highly appreciated by the people of Canada.

The special interest which Your Excellency has taken in everything calculated to foster a high sense of public duty and responsibility, to stimulate intellectual development and to advance science and art, will long be gratefully remembered; while the success of your endeavours in cultivating the growth of a Canadian spirit has strengthened us in the belief that the full development of our national life is compatible with the closest and most loyal connection with the Empire. The National Park established at Quebec on the Plains of Abraham will remain as an enduring monument to Your Excellency's wise and enlightened efforts to this end.

We beg that Your Excellency will express to the King our loyal attachment to His Majesty's Throne and Person, and our united resolve to accomplish our part in the maintenance and upbuilding of His Majesty's Empire.

In saying farewell to Your Excellency and family, we cannot refrain from expressing our appreciation of the important and gracious part taken by Her Excellency the Countess Grey in the success which has marked the discharge of your high responsibilities and labours; the helpful, generous and sympathetic co-operation afforded by Her Excellency and by your daughters, Lady Sybil and Lady Evelyn in the performance of your public and social duties has won for them an enduring place in the affection and respect of the Canadian people.

In conclusion, we beg to assure Your Excellency that you will always have our warmest wishes for the future happiness of yourself and family.

Mr. R. L. BORDEN (Halifax). Mr. Speaker, I have very great pleasure in seconding this motion. The fitting terms of the resolution and the eloquent words of the Prime Minister in moving it leave little to be said by me. I join most heartily in the appreciation which the Prime Minister has expressed to the House of the work of their Excellencies Earl Grey and the Countess Grey and their charming daughters in all that concerns the welfare of Canada during the period in which Earl Grey has served this country and the empire as Governor General of Canada. To say that Canada has been fortunate in her Governor Generals, particularly during recent years, is so true that it needs not be emphasized. Earl Grey and his distingu-

ished predecessor, Lord Minto, have presided over the destinies of Canada at a most interesting period, not only in the development of this country, but in the development of the empire as a whole. They have seen, in all the great dominions of the empire, wonderful material development. More than that, they have seen throughout the empire—in Canada, in Australia and in South Africa—a great advance towards the development of a closer co-operation between the great dominions of the empire and the mother country in all that concerns the welfare of the empire. The work and the activities of His Excellency in this country have been characterized by a broad and generous sympathy which has won the affection and the esteem of the people of Canada, and when he leaves these shores he will leave behind him an affection and an esteem in the hearts of the people of Canada which will be a monument to his memory more enduring than any other he could desire. A man of courage, of initiative, of imagination and of clear imperial vision, we recognized him when he came to the shores of Canada as a man than whom there was no truer imperialist throughout the empire. As he leaves the shores of Canada we recognize in him as true a Canadian as is to be found in this great Dominion. I may be permitted to say, in conclusion, that when he returns to the motherland he may bear with him from the people of Canada this message to His Majesty the King, that the free people of Canada are gravely conscious that there are great problems in respect of co-operation between the great dominions of the empire and the mother country which must in the early future present themselves for solution by the statesmen of the empire. I think he may bear with him this further message, that the people of Canada are not less gravely conscious of their responsibility in the solution of those problems and are perfectly willing, and indeed anxious, to accept every legitimate responsibility in connection therewith. The terms of the resolution and the words of the Prime Minister make it unnecessary that I should add anything further, except to say on behalf of hon. gentlemen on this side of the House that I have the greatest possible pleasure in seconding the resolution which has been so appropriately and eloquently proposed by the Prime Minister.

Motion agreed to.

Sir WILFRID LAURIER. I beg to move, seconded by Mr. Borden:

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 official connection with this country, and requesting that their Honours unite with this House in the said Address.

Motion agreed to.

INQUIRIES FOR RETURNS.

Mr. EDWARDS. Early in the session, I asked for some information in regard to drill halls and armouries in Canada. A part of my question was answered in due time by the Minister of Militia and Defence but the balance of the information which should have come from the Minister of Public Works has not been furnished.

Mr. PUGSLEY. I presume my hon. friend dropped the question. If he will send me a note I shall endeavour to get the information to-morrow.

Mr. EDWARDS. The minister will remember that I made a personal call on him some days ago.

Mr. U. WILSON. The Minister of Public Works promised me a list of furniture that had been sold from Rideau Hall and the prices paid. I have not yet got the list.

Mr. PUGSLEY. I judge that my hon. friend is engaged in an interesting examination in regard to furniture at Rideau Hall extending over a good many years and it will take some time to get the information. I did not understand that I was to get it immediately, but I will have it obtained as soon as possible.

Mr. U. WILSON. For how long ?

Mr. PUGSLEY. My hon. friend did not limit it particularly to any number of years. I presume I am to go back to the date of confederation.

ORDER DISCHARGED.

On motion of Sir Wilfrid Laurier, No. 14,

House in committee to consider the following resolution:

Resolved, That it is expedient, in connection with Bill No. 95, now under consideration by this House, respecting the naval service of Canada, to provide for the establishment, under regulations in that behalf, to be made by the Governor General in Council, of pensions and gratuities for the permanent naval service; such pensions and gratuities not to be larger in amount or granted upon more favourable terms than the pensions and gratuities authorized under the Militia Act.

was discharged.

WAYS AND MEANS—TRADE RELATIONS WITH THE UNITED STATES.

House resumed adjourned debate on the motion of Mr. Fielding to go into Committee on Ways and Means.

Mr. R. L. BORDEN (Halifax). I do not intend, at this stage of the session, to make any extended remarks with regard to the

matters that were brought to the attention of the House by the Finance Minister earlier in the session. The concessions which have been granted by the government as a result of negotiations with the government of the United States are not, of themselves, of great moment, although, of course, a certain importance is to be attached to tariff changes involving, I think, about $5,000,000 worth of business. I thoroughly agree that we should use every possible effort to maintain the best possible relations with the United States with respect to the tariff and all other matters, and I think that Canada is to be congratulated upon the fact that those now in authority in the United States of America evince the most friendly possible disposition towards this country.

The attitude of this government in November and December last was a very pronounced attitude indeed. I will not quote at length from the debates which then took place, but I may say that the position taken by the government at that time was substantially this: That the negotiation and acceptance of commercial treaties with other countries by Canada was a matter with which the United States, or the government of the United States, was in no wise concerned, and that, for this reason, it was not proper or prudent for the government to make any attempt whatever to discover what would be the action of the United States government under the Tariff Act of last year. Certain possible difficulties were pointed out by hon. members on this side of the House, but they were waved aside by my right hon. friend the Prime Minister (Sir Wilfrid Laurier) and the Minister of Finance (Mr. Fielding). We observe, in looking at the debate, that the Minister of Customs (Mr. Paterson) took ground on behalf of the government which, perhaps, was a little more definite than that taken by the Prime Minister and the Minister of Finance. He said, as reported on page 210 of unrevised 'Hansard:'

> The United States, as I understand it, have always held that it is not to be considered a violation of the favoured-nation doctrine, if they considered themselves under it, when they choose to give to another nation certain favours for certain favours received. They have always taken that ground. In my judgment they will have to change their whole past procedure if they decide to penalize us because we have made a treaty with France in which we get advantage for advantage. They have their treaties. Would they ask from other nations, would they take away from other nations the liberty that they claim for themselves? They have a treaty with Cuba at the present time, I believe; they have had treaties that we did not participate in, a limited number, a treaty with Germany, and with France also. That has been their course all through. They have always taken that stand, and I see no reason why they should depart from that policy at the present time.

So far as I understand the attitude of the United States government in the past, the language that was used on that occasion by the Minister of Customs was thoroughly justified. Any hon. gentleman who is desirous of examining the attitude and record of the United States government with respect to such matters will find them very fully set forth in a volume I have here, House documents, volume 132, part 1, No. 551; Digest of International Law, vol. 5; 56th Congress, 2nd session, 1900-1. Beginning at page 257 of this volume, the whole subject is very elaborately dealt with, and at pages 272-3, I find the attitude and record of the United States government set out precisely as indicated by my hon. friend the Minister of Customs. Therefore, the position, so far as the United States government is concerned, is this: they have held, and, I assume, they still hold, that a favour granted for a favour received is not, per se, a discrimination. More than that, they have held, even under the most favoured-nation clause that a favour given for a favour received cannot be legitimately taken into consideration; in other words they hold that any country claiming concessions from the United States under the most favoured-nation clause must be prepared to give to the United States the same favours which are granted to the United States by the third country with which the United States negotiates a treaty. The principle is, favour for favour, and that principle has characterized the attitude of the United States throughout negotiations of this kind. Now, the Minister of Finance, in dealing with this question in this debate on the 30th of March, put the action of this government upon the ground of magnanimity. He said, as reported at page 6101 of unrevised 'Hansard:'—

> But there are victories that are dearly bought. If we had achieved such a triumph over the United States government as I have spoken of, while, for the moment, it might have been a cause for congratulation, yet it would not make for the future advantage of the relations between these two peoples.

My hon. friend the Prime Minister (Sir Wilfrid Laurier) was a little more explicit as reported at page 6130. He said:—

> Sir, the answer we had to give to the American commissioners was easy for us. We have been requested to place upon the table the correspondence which embodied our answer to the question. Their was no correspondence on this point. The answer we had to give was known by the House even before we uttered it. The answer we gave the American commissioners was the same as we have given to parliament—that the relations be-

tween Canada and France as embodied in that treaty had nothing to do with the United States, and the United States had nothing to do with them, and could not be concerned in them.

That is a perfectly definite attitude, easy to be understood, and, in fact, it was the same attitude that was taken by this government in November and December last when this question was mooted in this House. But the Prime Minister went further. After entering into certain conjectures as to what would have been the attitude of the President of the United States if Canada had not made certain concessions, the Prime Minister continued as follows:—

Will anybody refuse to approve my words when I say that if we could avoid the possibility of such a result without the sacrifice of Canadian dignity or interest, it was our duty to take the course which would bring about that result? At any rate, I take the position in the name of the government and in the presence of the Canadian people, with regard to the United States and every other nation we will do everything possible to maintain in the case of one and all the best relations consistent with the maintenance of the dignity and the interest of Canada. It was represented to us that if we would make certain concessions we should avoid the possibility of any difficulty with our neighbours, we should avoid the possibility of having this maximum tariff enforced against us. Very well, our answer was easy. We were asked: Cannot you make it easy for us, cannot you make some concessions? We asked: What are these concessions? We were told a moment ago by the hon. member for North Simcoe (Mr. J. A. Currie) that we had made a surrender. What have we surrendered? In this discussion with the United States representatives we were told: All difficulties will be overcome, all danger will be averted if you will give some concessions.

Now let us look for a moment at the tariff relations between Canada and the United States up to the time when these negotiations were entered into. We had made a treaty with France many years ago, we had made a further treaty with France which was ratified in the early part of the session. Both these treaties were in the nature of reciprocal concessions. Canada made certain concessions to France and France made certain concessions to Canada. According to the principle laid down by the Prime Minister, that was a matter purely and exclusively for the consideration of France on the one hand, and of Canada on the other hand, it was a matter with which the government of the United States was in no wise concerned.

Well, that is one consideration. The other consideration is concerned with the respective tariff conditions between the United States and Canada. How had trade developed between the United States and this country and were the duties of customs imposed by the United States against Canada higher or lower in the aggregate than the duties imposed by Canada against the United States? Let us look for a moment at the two tariffs, and you will find that on every important item of merchandise or agricultural products which might reasonably be expected to pass from the United States into Canada or from Canada into the United States, the duties imposed by the United States upon Canadian products under the Payne-Aldrich Act were from 25 per cent to 100 per cent higher than the duties imposed by the Canadian tariff upon the products of the United States entering Canada. There cannot be any doubt about that. I do not think any man in this House would for a moment dispute that. If it were seriously disputed I have here a comparative statement of the duties imposed by the United States on the one hand and by Canada on the other hand, and I would be prepared to lay it before the House in support of what I have just said. Let us look further at the figures of trade between the two countries from 1905 to 1909 :

Total imports from United States for five years, 1905-1909.

Dutiable	$ 448,253,118
Free	396,208,008
Total	$ 844,533,126
Duty collected	$ 111,511,493
Average rate of duty on dutiable goods	24·88
Average rate of duty on total imports	13·20
Exports to United States during same period	$ 392,303,187
Excess of imports over exports	452,229,939

So that the United States imported into Canada and Canada bought from the United States during that period of five years, no less than $452,229,939 in excess of the amount which the United States purchased from Canada during that same period. On referring to the items of the tariff, on referring to the relative duties in the two tariffs, on referring to the development of trade, certainly it does not seem that under the circumstances any reasonable man can find the slightest room for argument that there was any discrimination by Canada against the United States. If there is any discrimination at all in the tariff relations between the two countries, the discrimination is certainly not on the part of Canada. Now let us look at the trade returns in another respect, and to our imports from Great Britain during the same period:

Imports from Great Britain for five years, 1905-1909.

Dutiable..	$ 269,898,081
Free..	89,143,368
Total..	$ 359,041,449
Duty collected..	$ 66,653,091
Average rate of duty on dutiable goods..	24·70
Average rate of duty on total imports..	18·87
Exports to Great Britain during same period.. ..	$ 575,841,366
Excess of exports over imports..	216,799,917

So we observe that the rate on dutiable goods imported from Great Britain is practically the same, just a trifle lower than the rate on dutiable goods imported from the United States; while on the total imports from Great Britain the rate is about 50 per cent higher than on the total imports from the United States. Now look at our trade relations with Great Britain during the same period in another aspect. We exported to Great Britain during that five year period $575,841,355, and we imported from that country $359,041,449. So Great Britain purchased from us during that period no less an amount than $216,799,917 in excess of the amount which we purchased from Great Britain durthat same five year period. If any country in the world would have the right to complain of discrimination in regard to development and progress of trade, it seems to be that Great Britain would rather have that right than the United States, in view of the figures I have just read. Now look at our imports from and our exports to the United States during the past year. Our imports from the United States during the fiscal year, ending 31st March, 1909, were $170,066,178; our exports were $68,008,501, leaving an excess of $102,047,677 of goods purchased by Canada from the United States over goods purchased by the United States from Canada. During the same fiscal year our exports to Great Britain were $124,395,037; our imports from Great Britain were $70,555,895, showing an excess in goods purchased by Great Britain from us of $53,839,142 over goods purchased by us from Great Britain. In that computation gold-bearing quartz nuggets, dust and silver concentrates and ore are excluded, because these go to pay the balance of trade which exists between this country and the United States or Great Britain.

Now let us look for a moment at the Payne-Aldrich Bill of 1909, and let us consider what right the United States government would have to urge that the maximum rates to be found in the Payne-Aldrich Bill could legitimately be imposed on this country, having regard to the figures I have quoted, and having regard to any other condition which by any possibility might be brought into consideration of the whole matter. I will take section 2 of the Payne-Aldrich Bill, and I will consider what are the circumstances and conditions as set out in that Bill which could justify the United States government in imposing its maximum tariff against Canada. I will leave out the immaterial words and I will apply the various branches of this clause to the tariff relations between Canada and the United States. There are three branches of the section which are important for this consideration. In the first place, the United States would be justified, under the terms of this section, in imposing its maximum tariff against Canada if the government of Canada had imposed any terms or restrictions either in the way of tariff rates or provisions, trade or other regulations, charges, exactions, or in any other manner, directly or indirectly, upon the importation into or the sale in Canada of any agricultural, manufactured or other product of the United States which should unduly discriminate against the United States or the products thereof. That is the proposition, and I will ask any hon. gentleman in this House, having regard to that language, whether the United States could reasonably say that there was in the tariff conditions to which I have alluded any such discrimination as that which is embodied and referred to in the section from which I have just quoted. The second branch of section 2 is as follows. The maximum tariff could be imposed by the United States if Canada:

> Pays any export bounty or imposes any export duty or prohibition upon the exportation of any article to the United States which unduly discriminates against the United States or the products thereof.

Can any hon. gentleman in this House say that there was in the tariff of Canada, in the French treaty or in anything affecting the tariff conditions between the two countries any provision which could reasonably be held by the government of the United States to come within the condition set out in that branch of the section which I have just now quoted? Having read it over carefully and having given the best possible consideration to it, I must say that in so far as I am concerned, I cannot find anything that would have justified the United States in imposing its maximum tariff under that branch of section 2. The third branch is this. The maximum tariff could be imposed by the United States unless Canada:

> Accords to the agricultural, manufactured or other products of the United States treatment which is reciprocal and equivalent.

I venture to say that the treatment which we had accorded to the United States upon the statement of the Prime Minister and of

the Minister of Finance was in every respect reciprocal and equivalent. Why was it not equivalent? In so far as that is concerned, we do impose to-day upon the products of the United States entering Canada very much lower rates of duty than those to which the products of Canada entering the United States are subjected. The word 'reciprocal' may be quoted. Again I take my stand not only upon the attitude of the government in November and December last, but upon their attitude in March in this very debate. I also take my stand on the attitude of the government of the United States as set forth in their own congressional records with respect to their policy on such matters. The only possible argument which might be made on the part of the United States in justifying an attempt to impose the maximum tariff, would be the argument that there was a discrimination by reason of our having entered into the treaty with France which was confirmed at the commencement of this session. That could not justify such possible action by the United States if the attitude of this government were a correct one, and I have already quoted their words in that regard. The government of the United States would not be justified, having regard to their own action and to the principles upon which they had acted in such matters in the past. So that, so far as I am concerned, I am not convinced that the government of the United States were at all serious in suggesting to the government of Canada that the maximum tariff must be applied as against this country unless some concessions were made.

Now, I have said that I do not regard the concessions in themselves as of any very great moment. If it were merely a question of granting these concessions for the time being I would not have one word to say in criticism of the action of the government in that respect. Speaking merely of the amount and value of the concessions, I say that they are of no moment at all compared with the maintenance of good will and cordiality in trade and other relations between the two countries. But, let us look for a moment at the position in which the government find themselves to-day. Under the terms of the Payne-Aldrich Bill it seems to have been apprehended that the government of the United States would impose the maximum tariff unless Canada were prepared to make concessions. Well, the government did make concessions. What will be the position of this country in the future? I do not desire to use extravagant language in regard to what the outcome may be, but let us just consider one or two possibilities. How will it be possible at any time in the future to deal with these items in our tariff, the duty upon which has been lowered as the result of these negotiations, unless the government asks and obtains the consent of the government of the United States? The outcome of these negotiations seems to me to be practically this; the government of Canada have agreed with the government of the United States that it will not at any time in the future alter the duties of customs imposed upon those articles without the consent of the United States, unless it is prepared to have the United States instantly act against us by imposing the maximum tariff. Is there any reasonable or legitimate conclusions which can be drawn from the negotiations other than that which I have just stated? As a condition, in order to avoid the imposition of the maximum tariff, you have agreed to reduce certain enumerated items of our tariff. You have not agreed to that by a formal treaty, but you have agreed to it by negotiations resulting in an informal convention which may not in the future be disregarded any more lightly than a mere formal treaty or convention. This seems to be the practical result of it. So that, whenever the government of Canada proposes to deal with these items at any time in the future, it must have regard to its understanding with the United States, and it cannot lightly depart from the rates which are now fixed or imposed unless it first consults the United States government. But there is something further than that. I have referred only to the tariff items which have been reduced. The government of the United States has looked at our tariff as a whole. It has said, I assume, that its maximum tariff must be imposed under the terms of its statute unless Canada made certain concessions. These concessions have been made. I have said that these particular items of the tariff cannot in future be interfered with so as to alter or interfere with the understanding arrived at with the government of the United States. But farther than that, I say that the government has placed in the hands of the United States a very plausible argument that no item in our tariff can be interfered with in future without the consent of the government of the United States unless we are prepared to have that maximum tariff imposed. It has looked upon our tariff as a whole and has said: Grant us these concessions. How shall the government of this country deal with the tariff as a whole in the future unless it is prepared to invite from the government of the United States an expression of its wishes in that regard.

There is another illustration which I regard as being of an equally serious character with that to which I have already alluded. The government of this country has had complete freedom of action in dealing with other countries in trade matters. It was at liberty to make a treaty with France. That treaty did not involve any such condi-

tion as that which results from the negotiations with the United States. My hon. friend the Minister of Finance made that clear to us when the French treaty was being debated in this parliament. He said this treaty does not fetter us in any way in dealing with our tariff, we can raise our tariff and we can lower our tariff; the only thing this treaty requires at our hands, so far as France is concerned, is that the intermediate tariff so far as these items are concerned shall be granted to France at all times in the future. That in effect was the argument made. Suppose to-morrow we undertook to make a treaty with Germany or with Italy. The Minister of Finance has spoken of the possibility of our doing so. We may make with Germany a treaty somewhat on the same lines as the treaty with France. Will not the United States government the moment that treaty is concluded be in a position to come to the government of Canada and say: You admitted that the treaty with France involved a certain discrimination which would have justified the imposition of our maximum tariff unless you had made some corresponding concessions in your tariff and we likewise demand in respect to this treaty with Germany or with Italy that further concessions shall be granted to the United States. The same reason and just as legitimate grounds could be advanced as those which were urged by the government of the United States in the negotiations which have just taken place. I cannot see any distinction between the two cases. If it was a proper and legitimate argument for the government of the United States to say this treaty with France involved a certain discrimination against the United States, which must be compensated for by certain concessions in your tariff, equally the government of the United States can say, when we make a treaty with Germany or Italy, this treaty involves certain concessions, granted, it is true, for corresponding concessions, but it does involve certain concessions to Germany and Italy which we regard as a discrimination against us just as we regarded the French treaty as a discrimination against us, and therefore we invite you to make further concessions to us in such items of your tariff as may be agreed upon. If that is not the result of the situation to which the government has brought this country by its action, then I am absolutely unable to understand what is the nature of that situation, or in what respect the government have committed the country.

Now, one word more. I have spoken very briefly, and I do not know that I have made my meaning absolutely clear to my hon. friends on the treasury benches or to the House, but there is one other observation which I desire to make in concluding my remarks. It appears by the correspondence which has been brought down, that negotiations are about to be carried on between the government of this country and the government of the United States looking to the revision of the tariff in both countries with a view to the extension of trade between the two countries. As I have already said, no one is more desirous than I am for good relations respecting trade and all other matters between this country or the empire as a whole and the United States of America. But we have other considerations. We have the consideration of Canada and of Canada's relations to the empire as a whole. I am one who believes that the British empire is not very well organized. It is more a disorganization than an organization to-day, having regard to the utter absence of any effective co-operation up to the present time in trade, and having regard also to the lack of organization up to the present time, or almost up to the present time, in matters of defence. Now, I believe it to be the desire of every man in this country who has considered this subject with any attention that we may at some time in the future, and I hope in the not too distant future, bring about a system of mutual trade preferences within the empire, and I would say to the gentlemen upon the treasury benches that any negotiations which they enter into with the United States ought to be subject to that consideration above all.

An hon. MEMBER. Hear, hear.

Mr. R. L. BORDEN. And we ought not to place ourselves by such negotiations in any position which would hamper our future fiscal action with regard to any country in the world. Especially we ought not to enter into any such negotiations as will prevent the consummation of that great ideal which Mr. Chamberlain presented to the people of the British Isles and to the people of the empire some few years ago, and which I hope may have its consummation and realization before many years are passed. I think it would be a fatal mistake for the government of this country, whatever party might be in power, to embark upon any such negotiations as would hamper or prevent the consummation of that great ideal. I desire as much as any man may desire the extension of the trade of this country, but I desire also the maintenance of our own fiscal autonomy, the maintenance of our own industries in this country, agricultural, industrial, and of every other description. I desire last, but not least, that the fiscal freedom of this country shall be so maintained that Canada shall be at liberty at all times in the future to enter into the great scheme of mutual trade preferences between the

mother country and all the dominions of the empire by which the whole empire will be bound together not only by ties of sentiment, but by ties of interest and of trade to the great good, not only of the mother country, but to the great good of every dominion of the empire and to the enormous advantage of this great Dominion of ours.

Hon. WM. PATERSON (Minister of Customs). I will endeavour to take a very few minutes in making a few remarks upon the subject that is before us. At the outset I would say that I regret the position that has been taken by the leader of the opposition and I regret his utterances with reference to the negotiations that took place between the United States and Canada to their effect. I will not argue the question with him. I content myself with saying that the fiscal autonomy of Canada remains with Canada unabbreviated in any direction by any negotiations that have taken place. There is no danger of Canada's hands being tied unless there was a government in Canada which sympathized with his views. That might be the danger but there is not at present that government in power. Now what are the facts with reference to this case. Let us just get down to the facts and then we will understand the situation, and the leader of the opposition seems to take the same position as other speakers that President Taft, President of the United States, had the power to make a tariff which is recited in so many figures with 25 per cent plus added and that any negotiations that we had were with a view not of having Mr. Taft enact this 25 per cent but of his being allowed to take it off. The United States Congress made the law. President Taft did not make the law. President Taft could not make the law, and the law to-day in the United States is this: that they have a schedule commonly called their minimum tariff with 25 per cent ad valorem added. That is the tariff of the United States to-day. The power that President Taft was entrusted with was that of looking over the tariff of other nations and if he in his judgment determined that the relations between a particular country and the United States were favourable then he had the power to declare that the 25 per cent should be deducted from any imports from that country. President Taft did not make the law; the congress made it. The power in President Taft's hands was not to put on the maximum tariff; that is on to-day. The power put into his hands was under certain circumstances to reduce the tariff by 25 per cent ad valorem. They recognized that the tariff imposed by congress involved a consideration of the trade relations between the United States and the other nations of the world, Canada included. I am not arguing the question. I am not disposed to disagree with the leader of the opposition that Canada has certainly greater freedom and a lower tariff than the United States. That is not the question. The leader of the opposition is not to determine the question whether Canada shall come under the maximum tariff or not. That was a question for the President of the United States to determine, and the President of the United States said that he saw that there was discrimination, that we had in some way given to some other nations more than we had given to them; and therefore he felt that he would have to have negotiations with Canada just as he had with France, Germany and other countries. I need not detail the circumstances of what took place. You know how parties came from the United States authorized to have a conference with this government; you know how that conference resulted; you know how President Taft solicited an interview with the Finance Minister. You know how he went to the United States and discussed this question with the President. I need not tell you the position the Finance Minister took nor the position the President took. The President ultimately suggested that if certain concessions were made in the Canadian tariff, the United States in return would grant to Canada the concessions of her minmum tariff. The concessions made by the Minister of Finance are now before us for consideration. What are they? What is their effect? They affect articles imported from the United States to the value of $4,814,293 on which the revenue under the proposed tariff amounts to $927,861.94. The estimated reduction in the duties on these articles amounts to $192,814.03. This is the amount of the concessions asked by the United States and granted by the Minister of Finance of Canada. The question has been asked: What concessions do you get in return for that? You have given away something; what do you get? Why, what a question that is to ask! Canada sent into the United States in 1909, $43,072,010 worth of dutiable goods, on which we get a 25 per cent reduction amounting to $10,768,000 in return for the concession by Canada to the United States of a reduction of $192,814.

Mr. FOSTER. It is a pity the surtax had not been 50 per cent.

Mr. PATERSON. If the surtax had been 50 per cent and the imports had been the same, there would have been so much more reduction.

Mr. BRODER. You do not pretend to say that the shipper pays the duty?

Mr. PATERSON. Not always. Will the hon. gentleman say that the importer or the consumer always pays the duty? The

hon. gentleman knows my view about the payment of the taxation—that in some cases it is paid by the importer and in some cases it is divided. But the net result of this transaction is that there is a reduction proposed in our tariff to the United States amounting to $192,814 and in return we get from the United States a reduction in their tariff amounting to $10,768,000. If any one can cite an instance in the history of diplomacy between nations, where one nation conceded so little and gained so much, I will yield the floor to him.

Mr. BRISTOL. Does the hon. gentleman consider that we could at the present time raise the duty on manufactured and other goods coming in from the United States other than the articles that have been dealt with under this concession?

Mr. PATERSON. Certainly. I understand that Canada is in a position to do what she chooses.

Mr. BRISTOL. Without any risk of having the United States tariff changed?

Mr. PATERSON. They can judge for themselves. We do what we like and the United States will do what they like.

Mr. W. F. MACLEAN. One suggestion occurs to me in connection with this matter, and I regard it as a most important point. The United States is attempting to assert a supremacy on this continent. It has taken under its control all the South American republics and is more or less dictating their policy, and is trying to organize them into a great commercial and other union of America. It would like to include the Dominion of Canada in that policy, and it will steadily try in some way to assert supremacy over the tariff arrangements of Canada.

President Taft, whose name has been mentioned to-day in a speech at Buffalo on Saturday night, used the term 'commercial union with Canada,' saying that it was now the policy of his government to enter upon negotiations that would look to commercial union with Canada. Commercial union with the United States means to the Canadian people, as we found out years ago, some kind of control of the Canadian tariff by the government and the Congress of the United States. Canadians want nothing of that kind nor do they want any negotiations with the United States which will end in commercial union, or in any disruption or dislocation of Canada's present tariff policy, which is based on what? Canada's policy to-day is a national policy for Canada, and it is based on east and west lines. Our policy and our tariff has in view that in some way our object must be to make our trade move east and west. We have built all our railroads to make our trade move east and west. We have entered into or have in view an imperial trade policy which is also based on lines of latitude, east and west lines, and the object of the United States to-day is to divert that movement and to have our trade move north and south. If we enter into negotiations with the United States, it will be to in some way change those trade lines which we have established and intend to perfect. So I regard it as a matter of the highest moment that we maintain in the fullest sense of the term our tariff independence, our fiscal independence, and that we have few if any negotiations with them on the lines of what the president said yesterday would end in commercial union. We want commercial independence in Canada, and a policy that in some way will make trade move east and west instead of north and south. The American nation sees to-day that a large portion of their population has started to move north into Canada. They would not object greatly to that if they could get a trade policy that would make trade move north and south. They have that in view, and I trust the government will be very careful in regard to any negotiations they may enter into with the United States for commercial union, because the people of Canada will have nothing of that. We want our own fiscal independence asserted at all times, and never to be in the position of the South American republics, that in some way our policy may be dominated by the United States. The Secretary of State of the United States to-day is being lauded for the letter that he wrote to the government of Nicaragua not long ago. It was the most dictatorial piece of diplomacy I have ever seen in connection with the history of America. That small republic was lectured, told what it ought to do and was threatened and bullied in every way. That same thing will be attempted in regard to Canada if they think they can do it. They are lecturing all the republics to the south, and would like to dictate to us as to our policy, and they do wish to anticipate and to side-track if they possibly can what I call imperial trade relations between the mother country and the various dominions that make up the empire. They have asserted what they call the Monroe doctrine in regard to the whole of this continent. They would like to extend that Monroe doctrine, whatever it is, for it is difficult to define, to trade matters as well, and, therefore, again I say our policy ought to be framed and directed to this end of constantly maintaining our fiscal independence, to be very careful in regard to any relations that would end in anything like commercial union, because, as I said, the people of Canada will not tolerate anything of the kind, and the whole future of Canada and her relations with the empire de-

pend upon trade lines that run east and west, and not trade lines on this continent that run north and south. If we assert that principle Canada will continue to grow, the national policy will be vindicated and this country will be united. The moment you cause the trade lines to run north and south, the dismembership of Canada has begun.

Motion agreed to, and House went into committee on the resolution.

Mr. HENDERSON. I hoped that the Minister of Finance would give some information as to who selected the special items which are found in this resolution for negotiations between this country and the United States. Were these special items suggested by President Taft or those acting with him or were they suggested by the Canadian government? I think the committee should be informed as to why these particular items were selected above all others to be dealt with. I am not complaining, as has been well said by the hon. the leader of the opposition (Mr. R. L. Borden) of the changes proposed, I shall not take exception to more than one or two of them. The changes, it is true, are slight. They may be important to some industries with which I am not familiar, but I have had no representations in regard to any except one, and therefore I do not propose to discuss them. Going back to 1895, before the present government came into power, hon. gentlemen opposite were fond of proclaiming that they were the low tariff party. Well, at last, after the lapse of fourteen or fifteen years, we find them proposing a reduction in the tariff, the first substantial reduction they have ever proposed. Their first step in relation to the tariff, after coming into power, was to increase the tariff very largely and on many items. But now we actually have a reduction proposed. And I am free to say that, after all the increases in the tariff that have been made time and again by the present government, I believe that these slight concessions will be welcomed, with the exception of one or two cases.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

604. Dongola, cordovan, calf, sheep, lamb, kid or goat, kangaroo, alligator, and all leather dressed, waxed, glazed, or further finished than tanned, n.o.p., harness leather, and chamois skin reduced from 17½ per cent to 15 per cent.

Mr. HENDERSON. I notice that harness leather is included in this item. Only three years ago the government increased the duty on harness leather from 15 to 17½ per cent. I am not authorized by any one to make any complaint with reference to this item, but I draw the attention of the government to something that I consider peculiar in this matter. Only three years ago it was determined that the proper duty on harness leather should be 17½ per cent. During those three years, I have no doubt that men engaged in the production of harness leather have largely increased their plant, and gone to a considerable expense with a view to larger production. I know that is the case in the village in which I live, where a large harness leather industry is carried on. I have had no communication from any one, but I apprehend that a good deal of feeling will be created when those people learn that the government, without notice, has again reduced the duty from 17½ to 15 per cent. I am not complaining about the reduction of duty, but in a special case like this where the duty was increased only three years ago, and where men were encouraged to increase their business with the expectation of a wider market for their output, it seems to be rather a hardship that they should, without notice, be called upon to carry on their operations in a market that is very much limited. I do not know the extent of the imports of harness leather into this country, but I remember a tanner in my riding telling me years ago with regard to sole leather, that if the American tanners were to throw into Canada two per cent of their output it would take up the entire market of the Canadian people for sole leather. If that should be the case, or anything approximating to it, with harness leather, it might be a very serious matter.

711. All goods not enumerated in this schedule as subject to any other rate of duty, and not otherwise declared free of duty, and not being goods the importation whereof is by law prohibited, 20 per cent to 17½ per cent.

Provided that duty shall not be deemed to be provided for by this item upon dutiable goods mentioned as 'n.o.p.' in any preceding tariff item.

Provided further that when the component material of chief value in any non-enumerated article consists of dutiable material enumerated in this schedule as bearing a higher rate of duty than is specified in this tariff item, such non-enumerated article shall be subject to the highest duty which would be chargeable thereon if it were composed wholly of the component material thereof of chief value, such 'component material of chief value' being that component material which shall exceed in value any other single component material in its condition as found in the article.

Mr. HENDERSON. With reference to this first clause, under the existing rate of duty, that is under our tariff schedules, the duty is 20 per cent, but in future it will be 17½ per cent. Now I am not complaining so much about the reduction of duty as about the classification of some items

contained in 711. Where an item is rated in our tariff under the general term, I see no reason why the government should change the rate in order to bring it under this item. To make my case clear, I refer to the article of lime which is named in a paper which the government has laid before us, stating the value of the articles entered under the tariff item 711: 'All goods enumerated in the tariff schedule in the general tariff, entered for consumption in Canada during the year ending 31st March, 1909.' Amongst those articles is mentioned the article of quick lime, hydrated lime, lime practically of any kind produced in this country. Now in our tariff we have an item 'manufacturers of stone, n.o.p.' I do not think it requires much thought to arrive at the conclusion that lime is a manufacture of stone. To my mind it is clearly such, as it is produced by heat being applied to the lime stone; it is the result of an industrial process brought about by the application of heat to convert the stone into lime. It is clearly a manufacture of stone, and therefore should not be placed among those items in article 711 of our tariff, or amongst the unenumerated items. The difference is this: Under the unenumerated articles the duty henceforth will only be 17½ per cent; treated as a manufacture of stone, as it ought to be treated, and where parliament declared it should be treated, it would be 30 per cent, because parliament passed a law placing manufacturers of stone not otherwise provided for, under a rate of 30 per cent duty. That is clearly to my mind where lime ought to be classified; it is a manufacture of stone, and does not require to be put in the unenumerated list. You can only classify in this unenumerated list an article which is not covered in any other way by the tariff. Clearly lime is covered by our tariff specifically, under the item of manufacturers of stone, n.o.p. What I ask the government to do is to change the classification of this article, and put it where it ought to be, under the item of manufacturers of stone, and not keep it as an article unenumerated in the tariff at all. Now this is an industry in which considerable capital is invested, it is an important industry all over the country. I know whereof I speak in western Ontario, and something of it in the great west. A considerable amount of money is invested in the production of this article, it employs a considerable amount of labour. It consumes a large amount of fuel which probably would not be required for almost any other purpose, furnace wood, which is usually wood of an inferior quality. In the burning of lime a large amount of coal is used. That coal is imported from the United States. Those who are engaged in the industry have to pay 53 cents a ton duty on their coal, and I think it hardly fair, on an article where such a high duty has to be paid on the raw material, or what is necessary to produce this article, that we should now reduce the duty from where it has been for a great many years. I cannot conceive what argument could be advanced for putting this article under item 711. I want to impress upon the committee that lime is simply a manufacture of stone, and manufacturers of stone are n.o.p., 30 per cent under the tariff, and there lime ought to be classified.

If it is classified in that way, as it ought to be, it would not be subjected to a reduction such as is going to be made under this new American treaty. I do not think it would interfere with the government's arrangement with the United States. All that the government is bound to give are the articles enumerated in item 711, but the United States cannot claim the right to send into this country at the 17½ per cent rate any item that is enumerated in our tariff schedules under any other heading. I think that is quite clear. The Minister of Finance would have no difficulty in relieving himself of any obligation to the American government with regard to this matter if he would simply change the classification. The only argument that I have heard advanced to justify this article being put on the unenumerated list is that lime is a chemical. You may call it a chemical, or an acid, or anything you like, but you cannot get away from the fact that it is a manufacture of stone, and manufactures of stone not otherwise provided for are on the 30 per cent list and not in item 711 at all. I care not whether those who have the interpretation of our tariff call it a chemical or not; if it is a chemical it is still a manufacture of stone, and would be properly rated in that way. You might as well call iron and steel chemicals because they are produced by means of heat from ore, but notwithstanding that fact no one hesitates to place such articles in our tariff schedules. Lime ought to be properly enumerated, but as it is not definitely enumerated under a name, we must fall back upon the general name under which it is enumerated as a manufacture of stone. I appeal to the government to see that those who are engaged in this industry do not suffer by means of this new tariff. Ordinary quick lime may adapt itself to the requirements of the tariff more readily, although this change might handicap the industry a great deal coming on the producer suddenly. But there is a class of lime known as hydrated lime, or hard wall plaster, which is more expensive in its production and is being called for very extensively. Recently in the city of Guelph a plant has been put in at a cost of $8,000 for the manufac-

ture of hard wall plaster that can be shipped all over the country after it has gone through that process, and kept for six or ten months without deteriorating, in this respect being unlike ordinary quick lime, which would spoil in warm weather in four or five days or a week. Plasterers in the large cities during the winter season demand it, because it is easier for them to work it than the ordinary quick lime in the cold weather. A very considerable quantity of this is being imported into this country at the present time. The manufacture of hydrated lime is a comparatively new thing in this country, and, therefore, I think it is well that we should guard the industry as much as we possibly can. I notice that up to December 31, 1910, there were imported into Montreal of this product, 10,856 barrels of a value of $4,488, on which there was duty paid of $885.65. There were imported into Toronto, 14,686 barrels, at a cost of $8,060, paying a duty of $1,612. This, as I have said, is a comparatively new thing, it is a growing import, and I do not doubt that next year you will find the import of this article very much increased to the detriment of a new industry which has been established at a very considerable expense and which is yet simply in its initial stage. I appeal to the government, more especially on the article of hydrated lime, to see that it is properly classified as a manufacture of stone, and not put in the enumerated list in order that the duty will not be reduced from 30 per cent to 17½ per cent. It may be said that the import of lime is not very great. The importation of lime into Canada last year was 191,572 barrels, of a value of $116,946. So we see that the importation is very considerable, and it is growing year by year. Now, I make this appeal. I leave it to the members of the government to see that there is a new classification of this article before the matter is finally ratified, and that it is put into its proper place as a manufacture of stone and not left on the unenumerated list. There are many counties throughout the province of Ontario particularly that are interested in this question, for instance, the counties of Wellington, South Oxford, South Perth, represented by the chairman of this committee, Mr. McIntyre, and Renfrew; while the county that I represent perhaps produces more of that article than any other county in the province. Consequently, I feel somewhat keenly on the subject. I hope the interests of these people may not be jeopardized. I hope their interests may be guarded as well as they have been before, and that the government will not allow American lime to invade the country to a larger extent and at a lower rate of duty. I trust that the government will take a fair view of this matter and do what is necessary to comply with my request.

Mr. FIELDING. The point raised by my hon. friend from Halton (Mr. Henderson) has no particular reference to this Bill, although it affords him an opportunity of calling attention to what he deems to be an error. It is a question of the interpretation of an item of the tariff. Whether or not that interpretation is correct is a fair matter for consideration. The Board of Customs is the body authorized to rule as to the meaning of the tariff, and it has in the past held that lime ought to come within the list of unenumerated items. If that is a mistake, I am sure that I will be very glad to have my hon. friend call attention to it. I cannot offer any opinion as to what is the proper classification of this article. The Board of Customs, I am quite sure, will be glad to have any observations that my hon. friend may submit to it.

Mr. HENDERSON. I thought this was a very proper time to bring this matter to the attention of the government.

Mr. FIELDING. I am not objecting. My hon. friend's point would still seem to be quite in order.

Mr. HENDERSON. I took this opportunity, as I did not know that I would have any other. I repeat again that parliament has declared that stone not otherwise provided for is dutiable at 30 per cent under our tariff, and by what course of reasoning can any body of men occupying the official position that has been designated—the Board of Customs—take that article, which is a manufacture of stone, and place it in another item and say that it is not enumerated? I think that the government is responsible for this. It has been so classified for forty years. Possibly the Board of Customs is simply following what is the old practice.

Mr. FIELDING. Very likely.

Mr. HENDERSON. If the minister will go back for fifty or sixty years, I can show him that lime was on the enumerated list up to 1859. You will find lime on the enumerated list before confederation.

Mr. FIELDING. Where?

Mr. HENDERSON. In the Customs Act.

Mr. FIELDING. There was none before confederation.

Mr. HENDERSON. There was between the provinces of British North America.

Mr. FIELDING. They had their different tariffs.

Mr. HENDERSON. I am speaking of the tariff of Upper and Lower Canada. That tariff had the item lime which was then in the unenumerated list. Now, why should it be changed? If it was a proper thing then it should be a proper thing now.

The whole matter was possibly brought about as a result of an accident. Possibly it had been left out of the tariff and because it was not found in the tariff it was treated as an unenumerated article and continued in that way. I submit to the minister that it is a proper matter to bring before the Governor in Council in order to have what I consider to be an error rectified and in order to do justice to an industry which is of a very considerable importance in this country.

Resolution reported, read the second time and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 233) to amend the Customs Tariff, 1907.

Motion agreed to, and Bill read the first time

DRY-DOCK SUBSIDIES.

Bill (No. 229) to encourage the construction of dry-docks—Mr. Fielding—read the second time, and House went into committee thereon.

On section 4,

Mr. LANCASTER. I would like to ask the minister what those statutes are that are referred to in this section? It refers to the works and property of any existing dry-dock company whose dock has been constructed under the provision of certain statutes. What are these statutes?

Mr. FIELDING. We have had for many years Acts on the statute-book of a general character authorizing the construction of dry-docks and providing certain subsidies for them. These have been changed from time to time to meet the changed conditions of the country. The law as it stands to-day authorizes the government to grant a subsidy of 3 per cent per annum for 20 years for the construction of a dry-dock with a maximum cost of one and a half million dollars and this would mean that any dock constructed under the terms of these Acts might be enlarged under the provisions of the new law.

Mr. LANCASTER. Do the latter statutes amend the former?

Mr. FIELDING. I think in each case the former Act was repealed and the new Act substituted.

Mr. LANCASTER. As to subsection 3, is not this a rather harsh regulation that the Governor in Council shall fix the amount that is to be paid for these works that are to be confiscated or expropriated? The subsection states that the value of the works and property shall be fixed and determined by the Governor in Council upon the recommendation of the Minister of Public Works based upon a report of the chief engineer of the Department of Public Works before the agreement for construction is entered into. Is it intended that the expropriation shall be arbitrarily determined by the Governor in Council without the company who owns the property having an opportunity to appeal to an independent tribunal like the Exchequer Court or any other institution to settle the dispute. The information of the Governor in Council might in his belief be correct and yet greatly unfair to the people who own these dry-docks.

Mr. FIELDING. I think my hon. friend has a misconception of this clause. It does not contemplate expropriation of any company's property. This is to enable a company voluntarily to come and make a proposal to the government to enlarge its dock. It is not contemplated that the government or anybody else shall expropriate the property. If they do not want the dock enlarged things will remain as they are. It will be an entirely voluntary matter to be adjusted between the company and the government.

Mr. LANCASTER. It is a sort of bonus on a percentage basis?

Mr. FIELDING. Yes, the subsidy is on the basis of 3½ per cent for 35 years on a first-class dock, 3½ per cent for 25 years on a second-class dock, and 3 per cent for 20 years on the smaller docks.

Mr. LANCASTER. This is merely for the purpose of computing the value of the property?

Mr. FIELDING. It is for the purpose of determining the value of the old work. Let us take the case of a dock that has been built for some years and is now inadequate for the larger vessels. If the company desires to enlarge that dock it may have the benefit of the largest subsidy for the longer term, but we will have to fix the value of the old work in determining the total cost That is the purpose of that clause.

Bill reported, read the third time, and passed.

BOUNTIES ON IRON AND STEEL.

Bill (No. 231) respecting bounties on iron and steel made in Canada—Mr. Fielding—read the second time, and House went into committee thereon.

Mr. SPROULE. Will the hon. minister explain this Bill?

Mr. FIELDING. My hon. friend was not here last evening when I explained that the payment of most of the bounties on iron and steel will expire on the 31st of December next by the effluxion

of time, but there is no fixed time for the termination of the bounty on steel rods used in the manufacture of wire in Canada, and we thought it well to introduce a Bill fixing the date. As there has been no previous notice, we fix the time at six months later than the date at which the other bounties expire, that is, the 30th of June, 1911, when these bounties on steel rods shall cease, provided that we may continue to make payment on any rods made prior to that date.

Mr. SPROULE. Will that be the end of the bounties?

Mr. FIELDING. Yes, except one on electric smelting, which expires in a year or two later; but to the best of my knowledge, that has never been used at all.

Mr. J. D. REID. It seems very strange that the Finance Minister should be introducing such important Bills at this late stage of the session, when we have no opportunity of going into them at all. A Bill was introduced here to-day and put through that had not even been printed.

Mr. FIELDING. The Bill is a mere reproduction of resolutions which have been on the order paper for a considerable time.

Mr. J. D. REID. Then there is the Combines Bill, as well as a number of others. We have been here for six months, but the government has not brought these Bills before us until the last four or five days. In another session I hope they will bring their Bills forward at an earlier stage of the session. This is not the first time we have had this played on us.

Mr. FIELDING. The only suggestion I can offer is that on some of those occasions when hon. gentlemen feel disposed to take up a day on some matter which we in our erroneous judgment do not consider important, we take time instead for the consideration of government Bills. These Bills have been on the order paper for some time, and if they have not been taken up, it has been because the time has been otherwise occupied—whether wisely or not is a matter of which hon. members can judge.

Mr. J. D. REID. The hon. gentleman brings up estimates in the early stages of the session and leaves these important Bills to the last. If these Bills had been fully discussed, they would probably be in better shape than they are now. Does the hon. minister contend that the Combines Bill or the Insurance Bill should be left till within three or four days of the end of the session? I, for one, do not think so. He is now trying to justify that action.

Mr. FIELDING. How would my hon. friend keep the balance? There are only a certain number of hours in the day. There has not been a day from the beginning of the session that the order paper has not been full, not a day that the government had not its business ready and pressing, and sometimes, when we wanted to work a little later, hon. gentlemen opposite said we had done a good day's work and should adjourn. This has been a busy, active session, and the government has at all times been ready to push forward its business. As to distinguishing between one item and another, my hon. friend speaks of the estimates. We will be told by and by that estimates are going through in the last hours of the session. It is hard to judge which is the most important; they are all important and we are trying to press them forward.

Mr. J. A. CURRIE. Is it the intention of the government to add a duty to take the place of the bounties that are removed?

Mr. FIELDING. We certainly have no such intention at present; what may come in the future I cannot say. The future will have to take care of itself on that point.

On the preamble,

Mr. W. F. MACLEAN. Does the minister think that the retirement of these bounties will interfere with the building of steel ships in Canada?

Mr. FIELDING. I do not anticipate that the abolition of bounties will change the fact that steel will be produced in Canada, and if we are capable of producing it for ship-building purposes no doubt those ships will be built. I do not think the stopping of bounties would prevent the use of our steel in ship-building. Some gentlemen in the trade have said that if the bounties are abolished they will set forth claims for something substantial in the way of duty. They will probably do so, but what will be the result is not for me to say at present.

Mr. J. D. REID. As I understand the Finance Minister, the vessels for the navy are to be built in Canada.

Mr. FIELDING. We hope so.

Mr. J. D. REID. I think the Prime Minister practically stated that would be done. If that policy is to be followed for the navy, will the Prime Minister and the Finance Minister agree that vessels for the fisheries will also be built in Canada? Last year a steamer costing $300,000 was purchased that could have been built at Toronto or Collingwood. But the Finance Minister refused to have it built in Canada because it would cost $15,000 more. If the policy of having ships built in Canada is to be followed for the navy all ships should be built here in order to build up Canadian industries.

Mr. FIELDING. There should be one policy for both. I would certainly prefer to have them all built in Canada, and would willingly pay a moderate increase in price to secure that. Just where the line is to be drawn is difficult to say. If the difference were only slight, personally, I would prefer to see them built in Canada. To some extent we might make up the difference by the duty we would collect on materials imported into Canada for shipbuilding, although much would be imported free. Speaking generally, if our ships can be built in Canada at a moderate advance over the English price, I would be willing to pay a moderate advance, but in view of the fact that we are going to advertise for tenders, I would rather not fix a percentage where the line should be drawn.

Mr. J. D. REID. The Prime Minister has said he is willing to build in Canada even although the vessels cost 33⅓ per cent more.

Mr. FIELDING. I do not remember that.

Mr. J. D. REID. At least a certain percentage. If the government are willing to pay 10 per cent or 15 per cent more for a vessel built in Canada, they would not do so in the past. On a vessel costing $300,000, the difference of $15,000 would be only 5 per cent, but the Finance Minister was not willing to have that vessel built in Canada at an increased cost of 5 per cent.

Mr. FIELDING. I think my hon. friend is in error.

Mr. J. D. REID. I can turn up the 'Hansard': I remember the discussion well. By having these vessels built in Canada, Canadian young men in Collingwood and Toronto who have grown up and learned their trade in Canada would be getting employment.

Mr. FIELDING. I do not recollect the case of which my hon. friend speaks. I certainly would not claim that a difference of 5 per cent would justify us in rejecting the Canadian building. I would personally be willing to pay more than 5 per cent, although I would not subscribe to the doctrine that these ships, naval or any other, shall be built in Canada at any cost. That would be a dangerous position to take. But I do say that if they can be built—I am not distinguishing between naval vessels and any other vessels—any vessel that Canada requires for any branch of her public service, if it can be built in Canada at a moderate advance on the British cost, I would cordially support the building of it in Canada.

Mr. J. D. REID. I understood that the Prime Minister stated the other evening that on a vessel costing $180,000 in Canada, the English tender was only about $4,000 less or, $175,000. Therefore for the saving only two and a half per cent on the cost, the Prime Minister sent that tender over to the old country. Now there have been a great many vessels built in England for these departments, and I think that when the Prime Minister promised to build them in Canada he should do so. The Prime Minister has promised this House that the vessels will be built in Canada if the cost is at all within reason. I might give instances where the difference has been five per cent. So far as I am concerned if it were five per cent, or even ten per cent, let them be built in Canada; because we have intelligent young Canadians, and skillful mechanics just as well qualified to build vessels as they are in England. I hope that when the tenders show a difference not greater than five per cent, or even ten per cent the Prime Minister will give the work to our Canadians, and they will build boats just as good as they can be built any where else.

Sir WILFRID LAURIER. I have to plead guilty. This government is altogether too economical, and we will try not to do it again.

Mr. J. D. REID. I do not blame the Prime Minister so much for it, but I stated in this House the other night that there was a gentleman in Montreal that this government had sent to England to negotiate for these vessels. There was no chance of his getting a rake-off if they were built in Canada, whereas, by getting them built in England, or buying them in England, he could get a good commission.

Mr. J. A. CURRIE. The Finance Minister is giving wide notice of the abolition of these bounties. To my mind I think it is a vicious principle. He refuses to make any statement that a duty will take the place of the bounty. The result will be that all improvements in the way of enlargement of steel works will be halted until this decision is arrived at by the government. I understand that large improvements were contemplated by several companies, but the statement now made that the bounties will be withdrawn, coupled with the statement that there is no hope of any duty being placed on steel to take the place of those bounties, will work adversely against the companies, and will depress their securities and prevent them from getting the necessary capital to carry on their proposed enlargements. I think it would have been much better if the notice as to these bounties was delayed until the proper time came, then a statement whether there was going to be a duty to take the place of the bounties,

would dovetail into the change, and would not seriously affect the companies.

Mr. MACDONALD. I am much interested in the question of bounties on the steel industry which is carried on so extensively in the province from which I come. But I apprehend that my hon. friend who has just spoken (Mr. Currie) will hardly expect the Finance Minister to make an announcement in advance what action he will take with regard to items in the tariff. I think the best guarantee of the interest of this government in the steel industry is the success which has attended the policy of the government in dealing with it in the past. I would like to say to the government that I trust when the time comes to give the notice for the final suspension of these bounties, the government will take into consideration the absolute necessity of readjusting the tariff so that this great industry, which has made such strides in the past, may be further encouraged in the future.

Mr. CONMEE. On previous occasions I have called attention to the necessity of encouraging this industry. I still hold the same view, but I believe the time has come when perhaps the government would be justified in turning its attention more strongly to the manufacture of iron and steel from Canadian ore, than from foreign ore, all our furnaces, in Ontario, at all events, are using foreign ore. Ninety per cent, perhaps, or more, of the iron and steel produced to-day is produced from foreign ore. There was a time in the history of our country when we did not have smelters and furnaces to produce pig metal or steel, that time has to a large extent passed away. We have to-day a number of furnaces and steel works, we also have the iron ore. It can be no longer argued that we do not possess the necessary iron ore deposits to produce the metals which these furnaces are producing to-day. I do not want them to be crippled. I think fair warning ought to be given that the time must come in the near future when they must depend upon Canadian ore instead of foreign ore. That would give a great impetus to mining in this country. If the government can stipulate in its aid to railways that the rails, for instance, shall be manufactured in Canada, they could go a step further and stipulate that they shall not only be manufactured in Canada, but manufactured from Canadian ore. That would give a still greater impetus to mining in this country. That was the course followed in the United States when they gave a large sum of money towards the construction of the Union Pacific railway. Mining was then in its infancy in that country, and they stipulated, not only that the rails should be manufactured in that country, but manufactured from American ore, and I think that has a great deal to do with the development of the iron and steel industry in the United States. A similar policy would greatly assist us, and I hope in any revision of the tariff the government will keep that principle in view, and that at as early a day as possible manufacturers will be given to understand that they must look for the supply of their furnaces to Canadian mined ore.

Bill reported, read the third time and passed.

OTTAWA IMPROVEMENT COMMISSION.

Bill (No. 230) respecting the city of Ottawa—Mr. Fielding—was read the second time, and House went into committee thereon.

Mr. FIELDING. This measure was also very fully discussed on the resolutions yesterday. It was a proposal to extend the sum we are giving to the Ottawa Improvement Commission. They are now receiving $60,000 per annum. It is proposed by this arrangement to increase the grant to $100,000, and also to pay into the city treasury $15,000 per annum for ten years for fire protection and water service.

Mr. SPROULE. In addition?

Mr. FIELDING. Yes, the amount paid to the commission will be $40,000 in addition to what is already being paid, and $15,000 into the city treasury. There will be $100,000 to the Ottawa Improvement Commission.

Mr. SPROULE. And how about the $100,000 for the purchase of the hotel site?

Mr. FIELDING. That goes to the Ottawa Improvement Commission.

Mr. U. WILSON. Has the government always had to pay for water and fire protection?

Mr. FIELDING. Yes, and no. Prior to making the arrangement under which the Ottawa Improvement Commission was established, the Dominion paid $15,000 into the city treasury for fire protection and water. When the commission was constituted, we took that $15,000 and turned it over to the commission and added $45,000, making a total of $60,000. We propose, under these resolutions, to pay $100,000 to the commission and $15,000 direct to the city treasury for fire protection and water.

Mr. W. F. MACLEAN. Has it ever struck the Finance Minister that, in carrying out these improvements in Ottawa, in connection with the commission, the government, if it has not the foresight to acquire lands before improvements are made, is supply-

ing money to put up the price of real estate which the government itself must subsequently buy? I think that, in connection with this matter, the government ought to have a well defined policy for acquiring any additional lands needed for governmental purposes, and the sooner they do it the more economically it can be done.

Mr. FIELDING. I believe that thought was expressed years ago in the days of Sir John Macdonald, but I am told that Sir John expressed the opinion that it was not the business of the government to traffic in real estate, that if they wanted real estate for public purposes, they ought to buy it at the current rates. Perhaps that is too broad a statement, but we certainly do not want to buy a lot of property and have it lying idle.

Mr. W. F. MACLEAN. The hon. minister (Mr. Fielding) does not accept that statement?

Mr. FIELDING. I do not say we should not look ahead at all, but I say we should not buy a lot of property merely to have it lie idle. We should look ahead, but not too far ahead.

Mr. SPROULE. It seems to me that the government is dealing pretty generously with the city of Ottawa. The government gave the city $60,000 for twenty years, making $1,200,000. We are going to give them $40,000 for ten years, making $400,000, and $15,000 a year, I suppose in perpetuity?

Mr. FIELDING. No, for ten years. But it would be a reasonable expectation that it would be paid hereafter.

Mr. SPROULE. That makes at least $150,000 more, a total of $1,750,000. In addition, we have handed over $100,000, the proceeds of the sale of land for the hotel site, so that Ottawa gets the benefit of about $2,000,000. I think Ottawa is faring pretty well. As long as Ottawa can get these grants, it will not be slow to ask them and to find reasons that will justify the putting forward of claims every few years for something additional.

Mr. J. A. CURRIE. As it is not the policy of the government to speculate in land, and as the government made a tidy speculation in Toronto under which they profited to the extent of $300,000 by the deal in the Garrison common, I suppose they will turn over that money as conscience money to the city of Toronto?

Mr. FIELDING. Or, perhaps, it would be better to hold it against other speculations in which we have not made money.

Bill reported, and read the third time, and passed.

CIVIL SERVICE ACT AMENDMENT.

Mr. FIELDING moved concurrence in amendments made by the Senate to Bill (No. 205) to amend the Civil Service Act. He said: The amendment appears to be the correction of some figures in the salary list of the Inland Revenue Department. A certain class of clerks are stated in the Bill to have salaries of from $1,500 to $1,600. This should have read from $1,300 to $1,600—a correction of what appears to be a typographical error.

Motion agreed to, and amendments concurred in.

GOVERNMENT RAILWAYS ACT AMENDMENT.

Bill (No. 232) to amend the Government Railways Act—Mr. Graham—was read the second time and House went into committee thereon.

Mr. GRAHAM. As was explained on a previous occasion the object of this Bill is to bring the Government Railways Act into harmony with the General Railway Act in regard to limiting the liability of the railway for damages to $5,000, provided that modern protection appliances have been used by the railway and its employees.

Mr. LANCASTER. That is, in case of fire?

Mr. GRAHAM. Yes.

Mr. J. HAGGART. Why not extend to individuals in the case of the government railways the same right you give them in the case of other railways, the right to sue? The aggrieved person must seek a fiat, and the granting of that fiat is a matter wholly in the hands of the government.

Mr. GRAHAM. That is a large question. We have encroached a little on the prerogatives of the King in allowing claimants for damages for cattle killed, and so on, to sue in the local courts up to $200. That is a departure from what has always existed. The Act has been changed materially for the benefit of those living along the line of railway. Heretofore the Government Railways Act did not allow as much latitude in the claiming of damages as the general Railway Act did. During the present session the Act has been changed so that the government railway will come under practically the same Act as that which governs an ordinary railway. We have accepted all the liabilities of the ordinary railway and this provision is the one that exists under the general Railway Act with respect to the $5,000 liability.

Mr. R. L. BORDEN. I think there is a great deal in what my hon. friend from Lanark (Mr. J. Haggart) says. The Crown still maintains the power to refuse a fiat. I am very much of the opinion that when the government carries on the business of transportation, or any other similar business it should not only subject itself to the actions for negligence to which an ordinary corporation would be subjected, but it ought to give to all persons dealing with it the same rights of action in the courts that such parties would have against a corporation. This is only a half measure that the government presents, as my hon. friend from Lanark very well pointed out.

Mr. J. A. CURRIE. Yesterday I brought to the attention of the House a copy of the rules. I suppose the minister has read my remarks in 'Hansard'. The Railway Commission has approved of a 'uniform code of rules for Canadian railways'. This book is issued to every trainman, and he has to sign a receipt of acceptance in which receipt he acknowledges that he accepts the conditions amongst which I find this: 'Employees in accepting employment assume these risks.' I would like to ask the minister if that is approved by the government, and if it is the intention to deprive workmen on the railways of their rights under the ordinary statute law in case they are injured.

Mr. GRAHAM. These are rules issued by the Board of Railway Commissioners after a good deal of study with the labour organizations and the railways. As a matter of fact I think the courts have held that an employee cannot contract himself out of his rights under the statute, and I do not think that the signing of that would alter the statute in any way.

Mr. J. A. CURRIE. Then why does the commission put such an absurd rule as that in if that is the case? I understand that these rules have virtually the force of law once they are approved by the commission. A protest has been made by the railway train men against the inclusion of this clause in their rules, but in spite of that the commission has inserted it. I call the attention of the Minister of Railways to this fact, and I hope that he will inform the commission that it has no right to legislate in a code-book of this kind contrary to the statute law of the country.

Mr. GRAHAM. I never thought that any rule of the Railway Commission made could override the statute. That question has been raised and it has been decided by the courts. The question does not arise in the acceptance of employment per se, but it has arisen in connection with employees being members of a provident fund when, by accepting the benefits to be derived from the provident fund, they have waived their other claims to sue for damages, but the courts, I think, have held that they could not do that.

Mr. LANCASTER. I think the object of the commission was this: The men have to run some risks, and the commission, properly, wants them to realize the risks that they will have to run. I think the intention of the commission is that men, on taking employment, shall look before they leap and see what they are signing, because some of the risks they have to assume are greater than those which they would assume according to the law.

Mr. RHODES. There is a matter that I would like to bring to the attention of the Minister of Railways. It is probably hardly germane to the discussion of this question, but as it is near the end of the session, I will ask the indulgence of the committee for a few moments in order that I may bring it up. Recently, employees of the Intercolonial railway have been called upon to take the oath of allegiance. In the first place, I would like to ask the minister why this has been deemed necessary in view of the fact that since confederation down to the present time they have not been called upon to do so. In the second place, since it has been deemed necessary to call upon them to take this oath, I would like to call his attention to its wording, which is as follows:

I solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as....., and that I will not ask, or receive any sum of money, services, recompense, or matter, or thing whatsoever, directly or indirectly, in return for what I have done or may do in the discharge of any of the duties of my said office, except my salary or what may be allowed me by law or by an order of the Governor in Council.

From this wording there is a question as to whether the employees of the Intercolonial railway would be precluded from asking for an increase of pay. There has been grave concern among the employees, who fear that it does preclude them. I would like to have the opinion of the minister upon this point.

Mr. GRAHAM. I am sure that if the employees think that it does preclude them from asking for an increase of their wages they do not act as if they did, because, like the rest of us, they are looking to the main chance. I had that declaration brought to my attention a few weeks ago. Perhaps I do not feel like the ordinary individual, but when I became a member of parliament, I did not think that I was humiliated at all by having to take the

oath. A civil servant does not think he is humiliated by having to take the oath.

Mr. RHODES. I do not think it is a question of humiliation at all. A civil servant contracts to accept office at a given scale of pay. He knows he must comply with the regulations and that he will be classified according to his examination. But the employee of the government railway is in much the same position as the employee of any other railway privately owned, and as the cost of living increases he feels that he should have an increase in his wages. In view of the fact that each employee has been called upon to take this oath there is a question as to whether he would not be precluded from applying for an increase of pay. It would cripple the unions if that interpretation were placed upon the oath. I do not think they object to take the oath, although it is an innovation. But if there is to be an oath it would seem to be wise to have the wording changed so as to make it clear.

Mr. GRAHAM. I am not very familiar with the object of the introduction of the oath, but I think it was owing to a desire that the employees on the Intercolonial railway should feel that they are civil servants just as others are civil servants. They are promoted now absolutely on their merit according to the rules of their unions where they belong to unions. If the effect is what they think it is, the oath ought to be changed, but I can assure my hon. friend that within the last two weeks I could give him absolute proof that they do not think it precludes them from asking for an increase of pay.

Mr. McKENZIE. The hon. Minister of Railways and Canals (Mr. Graham) made a statement a moment ago about the standing of employees on the Intercolonial railway as to whether or not they have the right to contract themselves out of an action for damages. The minister stated that he understood the common law to be that they could not contract away their right of action.

Mr. LANCASTER. That was in regard to the Railway Commission's orders that do not apply to the Intercolonial railway.

Mr. McKENZIE. Not at all. The minister stated that he understood that a railway employee could not contract in such a way as to deprive himself of the right of action for damages. That is sufficiently important to have no misunderstanding about it. I do not agree with the minister's understanding of that point. In so far as damages to the individual himself are concerned, of course, he can contract his right away in every province of the Dominion except the province of Quebec. As to any redress that the family or children of a workman would have they would have all the rights in Canada generally that we have under what is known as Lord Campbell's Act. His widow or his children cannot succeed under Lord Campbell's Act unless he could have succeeded himself had he lived after the Act. That is clearly the law under Lord Campbell's Act, and it is quite competent for an employee of the Intercolonial railway in any other province of Canada outside of Quebec to contract away the right his family may have to damages. But there is no statute in the province of Quebec under which it is possible for the individual to contract away the rights that his family would have to bring an action. I make this statement so that the Minister of Railways shall have no misapprehension as to the general state of the law in Canada outside of the province of Quebec.

Mr. J. A. CURRIE. I am very glad to see an hon. member of the House giving a little light on this question. Not being a lawyer, modesty compels me to refrain from expressing the same view, but I am very pleased that my hon. friend from the east (Mr. McKenzie) has thrown a little light on it, and shown that when a man signs for this book and accepts everything in this book he virtually contracts himself out of any dangers for injuries by this last clause in the general instructions. I would therefore ask the Minister of Railways to bring to the notice of the commission that they have no right under any statute to insert any such regulation in this book.

Bill reported, read the third time and passed.

TELEGRAPHS ACT AMENDMENT.

Hon. RODOLPHE LEMIEUX moved for leave to introduce Bill (No. 234) to correct an error in the Telegraphs Act.

Mr. W. F. MACLEAN. Explain.

Mr. LEMIEUX. When the marine telegraphs were brought under the operation of the Telegraphs Act in 1875 it read as follows:

> This part applies to every company (a) hereafter authorized by any special or general Act of the parliament of Canada, or under the provisions of this part to construct or maintain telegraphic wires or cables in, upon, under or across any gulf, bay or branch of any sea, or any tidal water within the jurisdiction of Canada or the shore or bed thereof respectively so as to connect any province with any other province of Canada or to extend beyond the limits of any province.

When the statutes in 1886 were revised parliament used the word 'hereafter,' in the first line, and again when the statutes

were revised three years ago the same oversight was committed. If the word 'hereafter,' were allowed to remain here the Telegraphs Act would not apply to cables which had been laid before the date when the Act came into force. So it is only to correct this error that this Bill is introduced, by using instead of the word 'hereafter,' in the first line of paragraph (a) the words 'authorized on the 8th day of April, 1875.'

Motion agreed to, and Bill read the first and second time, and House went into committee thereon.

Mr. J. A. CURRIE. I would like to ask the Postmaster General if his policy of state-owned cables and telegraphs has been dropped indefinitely?

Mr. LEMIEUX. Oh! State-owned cables. It is a magnificent theory, but we have not yet put it into practice.

Mr. W. F. MACLEAN. I just want to say this, that the sooner Canada builds, and owns a cable between here and Great Britain the better it will be for this country, and the country will support such an expenditure. The way to get cheap cable rates is for the state to own its own cable across the ocean, and its own land lines across the continent.

Mr. R. L. BORDEN. Why is it retroactive? It does not affect any litigation or rights, does it?

Mr. LEMIEUX. No. The marine telegraphs or cables were brought under the operation of the Telegraphs Act in 1875, and in 1875 the legislature used the word 'hereafter,' because the first cables came into operation that year. In 1886, parliament in revising the statutes again used the word 'hereafter,' inadvertently. As a statute goes into force from the date of its being passed it must be read from that date, so that the cables in operation before that date would not be included under the operation of the Telegraphs Act. The same error was committed a few years ago when our statutes were revised, and this is only to correct that mistake.

Bill reported, read the third time and passed.

COMBINES INVESTIGATION ACT.

Hon. MACKENZIE KING moved concurrence in the Senate amendments to Bill (No. 101) to provide for the investigation of combines, monopolies, trusts and mergers.

Mr. R. L. BORDEN. Give us some explanation?

Mr. KING. Sec. 32 setting forth the powers of the board gives the board power to summon witnesses and enforce their attendance. The Senate has added the words: 'from any part of Canada' to make it clear that when the board is holding sittings in one province it can compel the attendance of witnesses from other provinces. Sections 22 and 23 have been amended by striking out the word 'unduly' where it appears before the words 'to restrain or injure trade or commerce.' As the word 'unduly' does not appear in the Criminal Code before these words, it was thought it should not appear in these sections, that they may be uniform with the sections of the Criminal Code.

Amendments read the first and the second time and concurred in.

SUPPLY.

Mr. FIELDING moved that the House go into Committee of Supply.

SETTLERS' GRIEVANCES IN LABELLE.

Mr. C. B. MAJOR (Labelle). (Translation.) Mr. Speaker, before you leave the Chair, I desire to call, for a few moments, the attention of the House and the government on the grievances to which are subjected the settlers living on that part of the river Lièvre, extending from a point five or six miles distant from the town of Buckingham, to the townships of Wabassi and Kiamika, which grievances have caused the abandonment of the land in that part of the county of Labelle.

As is well known, extensive lumbering operations have always been carried on in the Ottawa river and its tributaries, which are the river Rouge, the river Blanche, the river Lièvre and the Gatineau river.

Within a few miles of the town of Buckingham these people complain of having no means whatever of communication with the large centres of population, inasmuch as they have no railways and are left with only the water route which is controlled by a powerful company claiming to be the owner of the improvements made for the driving of logs. Moreover, this company controls the prices and which puts these people under its dependency and deprives them of the benefits accruing to people of other parts where communications are convenient. I may point out the mistake made by people who assert that the settler and farmer do not protect the forest. The proof lies in the fact that that part which has been cultivated and worked for more than 80 years has still a forest reserve amounting to at least 35 or 40 per cent of its land considered unfit for cultivation.

This shows plainly that these people have taken good care to preserve that which is of primary usefulness to the country even before anybody had thought of creating a

commission for the preservation of the natural resources of the country, as has been done quite recently. They had and have still on hand, if not 50 per cent, at least 30 per cent of the timber which may still be seen in the territory drained by the Gatineau, Lièvre, Blanche and Rouge (large and small) rivers.

What I state here, I have seen and ascertained. I have caused it to be ascertained by bringing on the spot, after heavy pressure, the late Hon. Mr. Marchand, then Prime Minister of Quebec, and he also, after travelling through the upper part of the Lièvre and Rouge rivers, was convinced of the great care with which the settlers turned the forest into account. He was also able to judge of the awkward and disastrous manner with which the king of the lumber trade, the lumberman, went to work to ruin the forest. Mr. Marchand had perfectly seen through all this.

Immediately after this trip, I had occasion to express my opinion and to point out, at a great meeting held at the 'Cabinet de Lecture Paroissial,' in Montreal, how things stood. I denounced the unskilful, discouraging and disastrous manner with which the lumberman worked the forest, and how he destroyed the young shoots which are the best means of rebuilding the forest. In order to cut down a tree they kill or uproot 15, 20 and 30 young saplings of two or three inches in order to take out the big tree. After I had denounced this system of destruction I was naturally attacked in the press, but a few years later, Mr. Fernow, who is a great authority on that question endorsed what I had said and denounced the very same abuses. He even wrote it in his work in which he says (pages 91 and 92) that unfortunately the lumberman, when pursuing his avocation does not think of the next day and still less of the day after. He sacrifices the young shoots which in five, ten or fifteen years would become big trees.

I stated these things while I was a member of the Quebec legislature. People admitted that I was right, but still I was pounced upon. The people living in that part of the Lièvre country to which I have referred a moment ago say: We have quite a number of small forest reserves, the soil of which is unfit for agriculture. We ask to be allowed to work them ourselves, but we can hardly do it for we are at the mercy of one sole buyer. In 1905, we tried to get a railway: but unfortunately the Dominion parliament refused to give us a charter. The motive of that refusal is certainly neither practical nor very patriotic; but one thing is certain, and it is that these poor people have no railway to get to market. They must accept the prices and conditions imposed upon them by the only buyer they have. They come to the authorities and say: We can no longer live under the system which is imposed upon us. On other rivers, such as the Gatineau, St. Maurice and the Kipawa, improvements have been made and are being maintained by the government, such as slides, piers and booms, all things which are absolutely necessary for the driving of logs. It is true we have these same things on our river, but the only buyer we have claims to be the owner and holder of such improvements and prohibits other lumbermen from using them.

It is true, we have the E. B. Eddy Co., Sharples of Quebec, the Sherbrooke Lumber Co., and even one of our colleagues, the hon. member from Richmond and Wolfe (Mr. Tobin), who owns limits on that river, and quite a number of other persons who would be prepared to come and do business there should they be allowed to utilize these improvements. But they would be obliged to accept the prices which are imposed, and while, in other places, for instance, lumber was sold at a very high price, as shown in pages 5026, 5027 and 5028 of the 'Debates' of 1908, in the speech delivered by the hon. member for Richmond and Wolfe (Mr. Tobin) who stated that an export duty should be imposed, because, in his own part of the country pulp wood was sold at $8, $9 and $10 per cord of four feet length, while in my own region it was sold at $7.75 a cord for 12 feet length. The same is still true to-day. These people certainly had a right and still have a right to ask that the Lièvre river be put on the same footing as the rivers on which a large trade is being carried on.

I am not prepared to say that the companies I have mentioned are not working their limits because the other company prevents them from doing so; but one thing I may assert and it is that the small dealers, the jobbers as they are called, would be disposed to go in there and do business if the slides and booms were free as they are on the Gatineau and the other rivers. They are not going in. They did go in, to my knowledge, and they have been unable to take out their lumber because the other company which claims to be the owner, prevented them from using these means of driving their logs.

The settler is getting discouraged and rightly so. Things have got in such a shape that last fall when I went to visit that part of my own county, I found within an area of three miles at Val des Bois, no less than eleven houses which had been closed. These good people had given up their betterments to go and live in the United States or elsewhere, being unable to sell their products at a price that would allow them to make a living. A little later on there were fourteen houses closed at the same place, that is to say, three others. If we are to believe the report of an officer of the

Quebec government, Mr. Dupont, 10,000 of our countrymen would have left the province of Quebec during the year 1909. This is certainly exaggerated, at least I hope it is, but the best thing to do is to try and keep among us those who are native to the soil. There is no better policy than that which aims at keeping in the country our own countrymen whose presence is so necessary to the development of the country.

This brings me back to the year 1871, to a time when there was a large exodus from this country to the United States, and it was then that a young a member of the Quebec legislature rose in his seat and protested against the inert policy of the then government; and if at that time, they were justified in devising measures for stopping the exodus, we are equally justified to-day in calling attention to that movement; although, to tell the truth, the evil is not quite so intense as it was in those days, and instead of hundreds of thousands of our people being carried away by that stream, there is only a small number of our fellow-countrymen who leave us; but insignificant as that number may be, we should endeavour to keep those fellow-countrymen in our midst.

In the era of progress which the country is now enjoying, we have the necessary means for bringing men over here from other countries, let us first of all stop that exodus. As I said a little while ago, in 1871 a young member of the Quebec legislature did not hesitate to denounce, in a picturesque style, it is true, the lethargic sleep of the then government with respect to emigration. Unfortunately, to-day the attitude taken by the member for Drummond and Arthabaska seems to have been buried into oblivion. He was twenty-nine years old and I was nineteen, and I still have a vivid recollection of the facts. People then said of that speech: 'It is a youthful speech.' True, it was youthful, but it was grand! It was youthful, but it was true! It was youthful, but it was patriotic! . . So much so that, throughout the province of Quebec, Conservatives and Liberals alike were roused from their slumbers and it was then that was born that grand movement of colonization at the head of which stood the regretted Father Labelle, the parish priest of Saint Jérome, a movement which induced the government of the day to take the necessary steps for opening the forest to the settlers through the building of railways and bridges, so as to divert to the forest the overflow of our great centres and of our old parishes. Then were founded many new parishes at Lake St. John, in the county of Chicoutimi, and Saguenay, in Bonaventure, and in the northwestern section of Montreal, which I have the honour of representing here.

In bringing to a close these few remarks, as I said I did not want to let the session expire without calling the attention of the government to those facts and asking the proper authority to listen to our grievances and do justice to whom justice is due.

The Right Hon. Sir WILFRID LAURIER. (Translation). Mr. Speaker, my hon. friend from Labelle has raised a question to which my attention has been called on several occasions, that is to say, the northern counties, and particularly the constituency represented by the hon. gentleman, have no other communications with the markets than by the Lièvre river, and from what he has stated, the passage of the river is obstructed by the works of a private company.

There is one thing I do not understand: why should that private company or any company whatsoever arrogate to itself the right of preventing the other lumber companies or the other citizens from using the river? A river is a public road. True, a company may possess exclusive rights; but, at least, that must be under a special Act granting a monopoly. There is nothing in common law that debars any one from the free use, without obstruction, of any river.

My hon. friend is a lawyer, a man of high standing at the bar and a patriotic member of this House. Let me remind him that in the case of Caldwell against Maclaren, that question has been tried by the judicial committee of the Privy Council, and the law lords decided that Maclaren, who had built a dam, had no right to close the river to Caldwell who owned limits further up stream. The lords of the Privy Council most emphatically declared that Caldwell had a right to use the river as a public road.

In the case referred to by my hon. friend, there is a position which I fail to grasp, and I would like to see the charter of the company. I cannot understand how that company can exercise such a monopoly. I do not know whether it is in virtue of a general statute passed by the Dominion or by the province, or even if it goes back to confederation.

The question deserves consideration. As I told my hon. friend who called the attention of the government to that matter, I hope that sooner or later and sooner than later, we shall be able to afford the settlers whom he represents here, the means of facilitating the carrying out of their work.

My hon. friend has stated that those people had applied for a railway charter, which they had been denied. I may tell him again, as I said before, that should a company be organized with a view to the building of a railway in that district, the government will be happy to grant them a subsidy.

THE CANADIAN NORTHERN.

Mr. J. P. TURCOTTE (Quebec West). (Translation). Mr. Speaker, before you

leave the Chair, I wish to draw the attention of the government to a state of things which seems to me detrimental to the public interest.

Last session, the Canadian Northern Railway Company was granted, by statute, the right of building a line of railway from a point on its line at or near Hedleyville, in the immediate vicinity of the city of Quebec, thence in a generally easterly direction to a point on the Montmorency river.

That statute was assented to in due course and I presume that the Act was passed, subject to the ordinary conditions, namely that in return for the power of expropriation, the right of way on the property of other people, the company should assume all the liabilities which result from such a state of things.

What happened? Last summer or last fall, the company constructed that line, secured the right of way or made the expropriation. Whenever disputes arose as to the price tendered by the company and the amount asked for by the owner, the sum fixed by the judge was paid into the office of the court, according to law, and there was a temporary right of way. I know whereof I speak, as I served the interests of the company upon that occasion. Thanks to our combined efforts, and in view of the fact that a railway line always results in increasing the wealth of the country thus accommodated, the road was put in operation late in the fall of the year, in November. But, instead of running passenger and freight trains, they kept freight trains in operation, without any stop, from Hedleyville to Montmorency. People said that the road was not in a proper condition to be operated in the winter season. It was only in April that the trains began to run in the same direction, but under similar conditions. The trains leave the main line at Hedleyville and run without any stop to Montmorency; there they take pulp wood and come back to Quebec. The line is out of repair to such a degree that serious accidents have taken place, and trains have been ditched.

Last winter, we made representations to the company, and in view of what had happened last fall, I was urged by my constituents in the parish of Beauport to go and meet them. I heard their grievances and as it was announced that the company did not wish to use that road for anything else but for the lumber operations that are carried out on the Montmorency river, I then formally undertook to communicate with the Railway Commission in order to reach some practical result, so that there should be freight and passengers run by the company, with stations between the termini, and that the railway should be worked not only for the personal benefit of the company, but also for the accommodation of passengers and the carriage of the goods of farmers on the line.

The answer I got from the commission not officially but officiously, was that they had no power to order the company to build stations on the line nor to give a passenger service. Those lines are called spur lines; they are intended as feeders for the traffic of the main line. I was told, moreover, that the farmers could by no means require from the government or the company that there should be stations built between the termini and that a regular passenger service should be established for the convenience of the public in general.

Well, Sir, I have undertaken to bring the matter to the attention of the government, and in case the Act should not provide for such an emergency, I invite the government to bring down some amendment. At any rate, I have undertaken to leave no stone unturned to reach the desired end.

I should have raised this question before to-day, but as the new service began only in April, the opportunity did not offer before.

Now, I bring this question before the government and before the House. Should it be found that the Railway Commission has no power to order the company to operate passenger and freight trains, for the accommodation of the public, it would mean that under the Railway Act, as it is, a railway company would be entitled to all the powers of expropriation and could vex and annoy the public; that it could take private property and convert it for its own use into money.

I believe that such a situation is abnormal. If the Railway Act is such as one of the members of the Board of Railway Commissioners holds it to be, it ought to be amended.

I have taken advantage of the occasion to discharge what I deem my duty not only to my constituents but also to the general public. For, should such a construction of the Act be placed on the case I have brought before the House, there is nothing to prevent its being applied elsewhere, and then other sections of the country will be liable to suffer from a state of affairs, things which seem to me quite prejudicial to the general interest.

I hope, then, that the authorities and particularly the hon. Minister of Railways, will see to it that an investigation be held into the facts I have just stated; and should my statements prove true, I trust that means will be taken to force the company to dicharge its duty, or should the Act be found inadequate, let it be amended in the direction I have suggested.

Mr. GRAHAM. The question raised by my hon. friend is one in which the people in the parish of Beauport on the line

of the Montmorency river are deeply interested. As I understand, the railway has been constructed from the line of the Canadian Northern, but it only carries freight, and that in the summer time, it has no stations between the termini, and does not carry passengers. That is quite a list of grievances. I do not know whether this road has had any subsidy from the Dominion government.

Mr. J. P. TURCOTTE. It has.

Mr. GRAHAM. I cannot understand why the Railway Commission would say that they have no power to deal with this matter unless it be owing to the fact that until the amendment to the Railway Act which we have just adopted becomes law the commission have no power to allow a construction company or a contractor building a railway to carry passengers. They could allow them by an order to carry freight when the condition of part of the road was such that that would be feasible, even although the whole of the road was not constructed, but they have no power under the Act to allow them to carry passengers. It strikes me that this road was being operated, though practically by the Canadian Northern, really by the construction company.

Mr. J. P. TURCOTTE. They were through with it.

Mr. GRAHAM. They might be through with it to all intents and purposes, but the road might not have been approved of by the Board of Railway Commissioners so that they could carry passengers. However, the amendment to the Railway Act will enable the Board of Railway Commissioners to allow roads even under these circumstances to carry passengers although they may not be taken over. If that be the condition the difficulty will be obviated after the passing of the amendment to the Railway Act which is now before parliament. It being a spur line probably does not make any difference as to the power of the Board of Railway Commissioners. If it is a completed railway they have full power not only to authorize them to give accommodation, but also to give direction as to the number of stations to be erected. I shall call the attention of the Board of Railway Commissioners to this matter which has been brought to the attention of the House by my hon. friend.

GIFTS TO MINISTERS OF THE CROWN.

Mr. A. C. BOYCE (West Algoma). Mr. Speaker, before you leave the Chair to go into Committee of Supply, I desire to draw the attention of the House briefly to some matters of history with respect to this House, a course which I deem to be necessary in the light of recent events. The right hon. gentleman who leads this House, prior to the year 1896 was the leader of the opposition, and while enjoying the privileges of that position laid down and struggled for certain high principles to which he pledged himself. I am going to refer briefly to one of those principles. I speak of the complaint, the very vehement complaint that the right hon. gentleman made while leader of Her Majesty's loyal opposition in 1891 with regard to certain gifts having been given to ministers of the Crown, and to the offence against good government which he said had been committed by ministers of the Crown or ministers of state, as he was pleased then to call them, accepting, while in office, gifts of money or other presentations as ministers of the Crown. A colleague of my right hon. friend who is now the leader of the Senate, Sir Richard Cartwright, moved in the House, on August 13, 1891, the following resolution to which I now refer, and which I unhesitatingly commend to my right hon. friend. At page 3827 of 'Hansard,' 1891, Sir Richard Cartwright moved:

> That Mr. Speaker do not leave the Chair, but that it be resolved: That the acceptance of gifts or testimonials of any kind on the part of ministers of the Crown or of any member of their families from contractors, government officials or other persons having pecuniary relations with the government, is entirely opposed to sound principles of administration, and is calculated to bring parliamentary government into contempt, and that the example thus given tends to corrupt and demoralize the officials serving under ministers who have accepted or permitted the acceptance of gifts or testimonials as aforesaid.

That is the resolution which was moved, and while deprecating the manner in which it was moved, and some of the statements that were made by the mover of it and by my right hon. friend who seconded it, Sir John Thompson, then Minister of Justice, on behalf of the government of the day accepted that resolution, and it became the resolution, and principle adopted by this parliament. But all the glory, all the honour, all the esteem, and all the prestige for the high principles laid down in that resolution were claimed by, and gathered in by my right hon. friend the present Prime Minister. At page 3839 the right hon. gentleman, then leading the opposition said:

> I congratulate the Minister of Justice upon what I conceive to be the very wise course he has now taken, but I still more congratulate the hon. member for South Oxford on the signal victory he has obtained. He has laid down a principle which has been long contended for on this side of the House, which has always been refused on the other side of the House, but which, at last, circumstances compel the government to accept.

So much for the principle that was so strongly contended for by the right hon.

gentleman, and, according to his contention, so strongly resisted by the then government. I do not desire to criticise or to offer any remarks that I may have to make on the subject in any hypercritical sense. I do not desire to offer any criticism upon the fact itself at the present time. I desire to state facts, and I propose to state facts, and then I propose to leave some questions to my right hon. friend. Public notoriety has been given in the last few days of this session to the fact that the Minister of Finance, who has enjoyed the office of minister of the Crown since 1896, and now enjoys it, while occupying that office of the Crown, to wit, Minister of Finance, has been presented with, and has received, according to newspaper accounts, especially that of the 'Globe,' which commends the transaction very highly, a gift or testimonial aggregating some $118,000, or $120,000 in round figures. If that statement be true, and I have never heard it denied, the government organs in different parts of the country have referred to it as a fact, then it is a matter for the consideration of the House, and I am quite sure that my right hon. friend would be the very last to reproach me as a member of this House, having the privileges and responsibilities of a member, for mentioning the matter and drawing the attention of the House to it in the light of the resolution which he so highly commended. That on or about the 26th day of April, a presentation was made to the Minister of Finance of so large a sum of money, a fortune in itself, is, as I said, a matter which certainly should, and does excite the curiosity of this country. That presentation was made, according to the newspaper reports, in the presence of my right hon. friend the Prime Minister. More than that, the Liberal organs which I have read, and which refer to the fact, state that the right hon. gentleman expressed his unbounded delight at the exhibition of confidence shown by the magnificent gift. Well, Sir, the fact not being disputed, it does form a pretty bold, blunt presentation of a fact. Congratulations have been expressed with great unanimity in Liberal papers all over this country upon this matter. Some sombre effect has been given by criticisms coming from quarters where perhaps they were least expected, and which refer back to the good old days when my right hon. friend sat here as leader of the opposition, and was contending for the principle contained in the resolution to which I have referred. But if the fact be not disputed, if the notoriety which has been given to this transaction is just, if I am correctly informed by the government organs throughout the country, if the newspapers are not publishing that which would otherwise be a very serious reflection upon the minister, and the whole of this government, I say that the matter calls, here and now, for some explanation on the part of the government. There has been a dead silence on the part of the government. I am not saying that there is anything significant in that silence, but there has been an utter absence of any word in this House coming from government benches to the effect that that which has been done is openly declared to have been done with the absolut unbounded joy of the right hon. the Prime Minister himself, and was not within the mischief, and the purview of the legislation which he commended to this House in 1891. I, therefore, ask my right hon. friend the first question: Does he not think under the circumstances that it was his duty, if he was true to those principles, to come down to the House, and if there was any explanation, if this transaction did not infringe upon the principles involved in that magnificent resolution, that he should have explained the circumstances? I ask my right hon. friend now to state whether this gift, this testimonial, was not the result of a subscription, whether there was not a public subscription list, whether it was not delivered and presented in public, and whether the names of the persons who subscribed to this large testimonial of money were not made known to the Minister of Finance, and to the right hon. the Prime Minister, and if they were made known, I assume of course that the right hon. gentleman will without any hesitation make public the names of the subscribers. I can only assume that pressure of parliamentary business heretofore has prevented him from doing so. I am sorry indeed to have the matter so long delayed in the session, but I could not regulate the time at which this magnificent fortune was to be presented to the minister, and I can only assume that having risen to such high principles in 1891, having congratulated his colleague the present right hon. Sir Richard Cartwright upon having obtained this signal victory in getting this resolution through the House, the right hon. gentleman will certainly, before this House prorogues, and if possible without a moment's delay after I have taken my seat, lay before parliament and before the public the facts, so that in the light of day every one in Canada may see that that which has been done, that which is publicly reported to have been done, did not in any way come within the mischief of the resolution of 1891. My hon. friend will see, of course, that there is only one course to pursue along the lines of this resolution, and that is to make the facts public. Here and now is the time to make the facts public, and I think it will not be necessary to urge my right hon. friend very strongly. I quite conceive that he realizes his duty and responsibility in the matter. I urge

him now to lay upon the table of the House forthwith the list of names, and the amounts subscribed which made up this magnificent testimonial. My right hon. friend will agree with me that that is due first to the Minister of Finance himself, secondly to the Prime Minister, and his government, to every minister of state, and ex-minister of state. It is due to this House, and it is due to the people of this country that a full disclosure of these matters should be made, and having brought this matter to the attention of the House I can only again say that the responsibility incident to the acceptance of such a gift—and I am making no comment as to whether the presentation or the acceptance of the gift in itself is right or wrong—the responsibilities incident to the acceptance of the gift of such a large sum of money make it absolutely imperative upon the government or upon the minister to make that full disclosure to which I have referred, and to forthwith give publicity to the list of all those who have subscribed. I shall not attempt to dwell upon the principles involved nor to moralize upon the dangers of the situation, but I feel safe in assuming that my right hon. friend, realizing that he spoke upon this resolution in 1891, and that he congratulated his party upon the signal victory obtained, will see that the grand victory of which he speaks, and which was attained as he would argue through blood and tears, be not besmirched now in 1910 by a derogation from the principles then enunciated. The only way, as I submit, in which my hon. friend can put himself square with the resolution, the only way in which I submit he can discharge the duty he owes to this country as Prime Minister and leader of the government, is to make full disclosure, and publish the names and lay the list on the table.

Sir WILFRID LAURIER. It is true, Mr. Speaker, that in 1891, Sir Richard Cartwright was a prominent member of this House, and when I had the honour of leading Her Majesty's opposition, he introduced the resolution which has been read by my hon. friend, but which I think can bear to be read again. It was in these words:

> That the acceptance of gifts or testimonials of any kind on the part of ministers of the Crown or of any members of their families from contractors, government officials or other persons having pecuniary relations with the government, is entirely opposed to sound principles of administration, and is calculated to bring parliamentary government into contempt, and that the example thus given tends to corrupt and demoralize the officials serving under ministers who have accepted or permitted the acceptance of gifts or testimonials as aforesaid.

It is a matter of notoriety that the public men who have served Canada have not always been blessed with wealth. A prominent example was Sir John A Macdonald, and what Mr. Fielding's friends have done for him, Sir John A. Macdonald's friends did for him, they came to his rescue, and gave him a testimonial accompanied by a large sum of money, which was invested for the benefit of his family. I am not aware that any fault was found by anybody, whether by friend or foe, when the fellow countrymen of Sir John A. Macdonald thus provided for him in his old age and put him above the anxieties of providing for his family. I am not aware that any fault was found on that account, and I do not think that even the hon. gentleman who has addressed the House finds fault with that. But, there were other testimonials given on a subsequent day; a testimonial was given later to Sir Hector Langevin. I would prefer not to have to speak of these things. Nothing but good should be spoken of the dead. Sir Hector Langevin is no more, he has been long in his grave, and if I have to speak of his memory in this way the fault is not mine, but the fault is that of the hon. gentleman who has just addressed the House. If the resolution of Sir Richard Cartwright, which I have just read was brought before the House, was accepted by the House without a word of dissent from anybody, was passed unanimously by the House, it was because the charge was made in the newspapers, not in the press of his opponents, not in Liberal newspapers, but in Conservative newspapers, that directors had been permitted to subscribe to that fund. I have before me and I could quote a paragraph from a pamphlet which was issued at that time, and which I read in 1891, in the presence of Sir Hector Langevin, when he was in this House, and which I do not care to read now when he is in his grave. But, that was the reason why the resolution of Sir Richard Cartwright was brought in, it was to prevent matters of this kind taking place, contractors, public officials, men having business with the government, subscribing to a similar fund and under similar circumstances. The resolution of Sir Richard Cartwright was adopted by the House.

Now, Sir, it may happen, and it has happened, that other men than Sir John A. Macdonald have not been careful of their own interests, have given their time, their health, their brains and their life to the public service, and have made no provision for their old age and no provision for their family, and such a man, unfortunately, is my hon. friend the Minister of Finance. But, if there is a man in this House, or if there is a man in this country, whose honour is above reproach, is above the rebuke of the hon. gentleman, it is the Finance Minister. If there is a

man who has a high sense of honour, a most delicate sense of honour, it is my colleague the Minister of Finance, Mr. W. S. Fielding. Does the hon. gentleman who has just addressed the House think that the man who has been at the head of the Department of Finance for the last fourteen years, and against whom there has never been raised even the breath of suspicion, does he believe that that man would consent to take a dollar of money if it came from a contractor, if it came from a man who had anything to do with the government? If my hon. friend holds such an opinion as that, he does not know the Hon. Mr. Fielding as I know him, and as his friends know him. When the friends of Mr. Fielding undertook to lay before him a testimonial and to provide for him and his family in his old age, the committee who had the matter in charge consulted me, and I told them that I approved of what was being done. The letter can be quoted, it was quoted the other day by the gentleman who presided at the meeting where the presentation was made to Mr. Fielding, and in the letter I said 'There is nothing too good for Fielding.' At the same time it was understood and stipulated that not a man would be called upon to subscribe to that testimonial if he was a director, if he was a government official, or if he had anything to do with the government. It was well understood that only men in private life would be allowed to contribute, men who had no connection whatever, directly or indirectly, with the government, who had no expectation of profiting ever so remotely from any transactions with the government. I am glad to say that the answer came, not only from the political friends of Mr. Fielding, but from his political opponents as well. I have this to say to the hon. gentleman who has just addressed the House, that not a dollar, not a penny has been contributed to that fund, which I am glad to say has reached a very substantial amount, by anybody except personal friends and admirers of Mr. Fielding; not a dollar has come from public contractors, or government officials, or anybody who could expect to profit therefrom. Now, all sorts of rumours have been circulated in regard to this matter. I read yesterday with deep chagrin, in a respectable newspaper published in this city, the following paragraph: 'Where did the money come from'? The answer is that the money came from private sources; that I assert on my honour as a man, on my responsibility as the Prime Minister of Canada. I will read from the article I refer to:

> Sir Wilfrid and some other prominent Liberals could, of course, answer this, but so far as the ordinary member of parliament is concerned, the test has not been seen.

Sir WILFRID LAURIER.

> A report is going around the corridors of the House that the Bank of Montreal subscribed $25,000 of the gift.

There is not a word of truth in that statement. The Bank of Montreal did not subscribe one dollar to that fund. That I assert. And I made inquiry at once when I saw the paragraph about it.

> The Dominion Iron and Steel Company are also said to have contributed a very large sum toward the presentation.

Concerning this I have not the personal knowledge I have of the statement with regard to the Bank of Montreal, but I do not believe there is a word of truth in it. At all events, if such an institution as that had been allowed to subscribe, it would be a gross breach of the understanding which was arrived at when Mr. Fielding's testimonial was started. I will look into that further. I do not speak with the same authority as in the case of the Bank of Montreal, but I do not think there is any truth in this statement. At all events, it is not to my knowledge, and I think I ought to know if there is anything of that kind.

Sir, I have only to repeat what I have already stated; not a dollar has come into that fund except from honest, legitimate sources. And I do not believe that that which was done for Sir John Macdonald could not be done also for Mr. Fielding. I do not believe that there is a man in this House who, knowing Mr. Fielding as we know him, would believe that he has consented to put his hand upon a dollar the receipt of which would prevent him from looking his opponents in the face. The honour of Mr. Fielding is above reproach. This I say with full confidence that my word will awake an echo, not only in this House, but throughout the length and breadth of this land. The hon. member for Algoma (Mr. Boyce) told us that his curiosity—curiosity!—had been aroused by what has taken place. I am glad to relieve his feelings, and I am sure he will be glad to know that the suspicion he had in his mind had no foundation whatever.

Mr. W. B. NORTHRUP (East Hastings). Mr. Speaker, my only reason for rising on this occasion is that it seems to me that only half the question has been touched upon in the discussion that has so far taken place. The hon. member for Algoma (Mr. Boyce) called attention to the fact that a certain resolution had been passed in the year 1891 whereby both sides of politics in this House agreed that no testimonial should be presented to a minister of the Crown to which contractors or those having any financial relations with the minister had contributed. The right hon. Prime Minister (Sir Wilfrid Laurier), in his reply, has admitted that, in fact—and, of

course, it could hardly be denied—such a resolution was passed, and he has said two things: First, that the honour of Mr. Fielding is above question—and on that point I have no intention of engaging in a discussion with the right hon. gentleman;—and, second, that no contractors or parties who have been forbidden by the resolution of 1891 had contributed to this fund. Sir, this is very satisfactory so far as it goes. Perhaps it would have been a little more satisfactory if the right hon. gentleman who made the statement had not been obliged to admit, in reading the quotation from the newspaper charging that the Bank of Montreal had made a subscription to this fund, that only since yesterday he had inquired into that matter, and, as to the other great corporation, he did not believe that they had contributed—I say it would have been more satisfactory had his statement not been weakened by these admissions. But, taking his statement in full, admitting that the right hon. gentleman had denied, and had proved to the satisfaction of every member of this House so that no member on this side would dare to contradict his statement, that no contractor or official had contributed to this testimonial, I would like to ask the right hon. gentleman: Does he himself think that that is a sufficient answer to the question propounded by the hon. member for West Algoma? There are different ways of viewing this question, of course, and the present Minister of Trade and Commerce (Sir Richard Cartwright), in introducing this question in 1891 was very careful to say that he had no intention of entering on the vexed question whether or not a minister of the Crown ought, under any circumstances, to accept a present while he was in office. Now, the case of the Rt. Hon. Sir John Macdonald has been referred to. I will not occupy more than a moment on that subject. I would only point out that the remarks made in 1891 by Sir Richard Cartwright and by the right hon. gentleman (Sir Wilfrid Laurier), who now leads the House, showed that the testimonial to Sir John Macdonald was raised in 1870 when he was lying on what was supposed to be his deathbed, that his family was unprovided for, and both the right hon. gentleman (Sir Wilfrid Laurier) and Sir Richard Cartwright thought it a most laudable and most praiseworthy spirit, a most honourable spirit, that actuated the gentlemen who raised such a testimonial at such a time, for all the objections that naturally apply to a testimonial to a living statesman had practically ceased to apply to Sir John Macdonald then. And yet, Sir, even in that case of Sir John Macdonald, Sir Richard Cartwright, in referring to it, used this language,—and I wish particularly to call attention to these words, because they justify my statement that, even if every word that the present leader of the House had said, were accepted by this side of the House, the real question has not been answered:

It was perfectly well known that he——

That is, Sir John Macdonald.

—was in deeply embarrassed circumstances; deeply indebted I believe, and that but a very slender provision indeed had been made for his family. Under these circumstances, if ever, it was quite justifiable for the hon. gentleman's personal friends and admirers to have contributed for the purpose of relieving his family from any danger of want, and had two or three very obvious and reasonable precautions been taken no blame could have been attached to the parties who were engaged in getting up that testimonial. Unfortunately, these precautions were not taken, unfortunately, publicity was not given, as I have always said publicity should be given to the names of persons who subscribed.

The language of Sir Richard Cartwright seems perfectly clear and distinct. But his were not the only words heard on that occasion. The right hon. gentleman (Sir Wilfrid Laurier) who now leads the House spoke on the same subject. He said:—

The testimonial to Sir John Macdonald, as was said by my hon. friend (Sir Richard Cartwright) was conceived in a very proper and laudable spirit at a critical time in his life, when his life was despaired of, and with a view of providing for his family, since he had not been able himself to provide for them. So far, so good. The only thing, with which my hon. friend found fault in regard to what was done on that occasion by the friends of Sir John Macdonald, was that, instead of being done publicly, as it should have been done, it was done in secret.

Later on, the right hon. gentleman said:—

The Minister of Justice said a moment ago in reference to the testimonial offered to the hon. Minister of Public Works, the member for Three Rivers, that that hon. gentleman did not know who were his subscribers. Sir, if he did not know, why did he not look at the list? If the hon. gentleman did not know, it was because he chose to remain ignorant of what were the names on the list, and if he chose to be ignorant of the names which were on that list, is it not because his moral sense told him that he might there find the names of persons giving contributions, which should not be accepted at all? Is it not simply because his conscience told him that if he were to look at that list he would find there the names of men who were every day suppliants in his office for favours? That is the reason why the hon. Minister of Public Works did not choose to have a look at that list. If that is not the reason why did he choose to be blind on that matter? Then, I call on the hon. gentlemen opposite to tell what is the reason, if there could be any good reason for it. Certainly there could be nothing wrong of the admirers of a man in public life coming to his help and rescuing

him; but it seems to me that the recipient of such favours would naturally be too glad to know who are the persons to whom he owes gratitude, and if he does not choose to know who are those to whom he owes gratitude, it must be because his moral sense tells him that he would find there names that would be a condemnation of his accepting such a testimonial.

It seems clear from the language of Sir Richard Cartwright and the language of the right hon. gentleman who now leads the House that it was with them a sine qua non not only that contractors should not subscribe, but that the testimonial itself should be published, that the public, knowing who had subscribed, would have a guarantee that the contribution was bona fide. Now it is all very well for any hon. gentleman to stand up in this House and say that he has seen the list and that he knows that every name on that list was the name of a person who was justified in contributing to such a fund. Any gentleman might make that statement with absolute truthfulness, but he may not know the circumstances under which any name was attached, and he may not know that the names attached to any particular list were not the names of the individuals whose hands had gone into their pockets and who had put their names to that subscription. The Minister of Trade and Commerce says, going even farther than the right hon. leader of the government, says:—

I have observed, Sir, that some of that hon. gentleman's apologists have undertaken to mitigate the error, or the crime, call it what you will, which was committed by the reception of that testimonial under the circumstances by the plea, which I think was also advanced in the other case, that the hon. gentleman did not know who had subscribed to his testimonial. Such a plea, in my judgment, is a direct aggravation of the offence. A public minister has no right whatever to allow any gift to be made to him unless it is done publicly, and unless he knows from what sources it proceeds; and, Sir, I would say this, that if a minister of the Crown tells me that he has accepted a gift not knowing and not choosing to know from whom it proceeded, so far from regarding such a plea as a mitigation, I say that such a plea raises a presumption of guilt. It was his duty to know it; it was his duty to find out; it was his duty to see that not one penny went into his pockets or into his coffers unless it came from such sources that he could honourably and fairly receive it.

I do not wish to be misunderstood. I am quite prepared to admit that a testimonial might be presented to a public man in this country, to an hon. gentleman who had given the best years of his life to the country. I am quite prepared to admit that a testimonial of $120,000, or five times that amount might be presented under such circumstances that it would reflect equal honour on the donors and the recipient and I am equally sure that every one will agree that a testimonial might be presented under circumstances which would not reflect honour on either. Now, the question before the House is where, within the broad range of these two extremes, the case to which attention has been called by my hon. friend from Algoma falls. I think that in view of the utterances of the then opposition and of the present government, made in 1891, in which it was so explicitly laid down that it was a presumption of guilt if publicity was not part of the presentation, my hon. friend from Algoma was justified in bringing this matter to the attention of the House. We have read the accounts of the presentation that have appeared in the various organs of the government, to say nothing of the opposition press, and will just read what the 'Free Press,' the government organ of this city, says:

The list of donors is, of course, anonymous, and Mr. Fielding is made aware only of the fact that the future of himself and his family is provided for.

When we find the government organ in the capital stating that this donation is anonymous, that Mr. Fielding knows nothing about it, and when we find on the pages of 'Hansard' that two of his colleagues made the statement in the House in 1891 that under such circumstances the minister who received a testimonial without taking the trouble to inquire who the donors were rests under a presumption of guilt, or under the presumption that there is something wrong, I think that my hon. friend from Algoma would be amply justified in calling the attention of the House to the matter.

Let me just for a moment remind the House of the standard which existed in another House and in another country. It may be remembered by many hon. members of this House that at the time that George III. was about to be incapacitated from ruling by a mental affliction it was well known that as soon as the regent, his son, was appointed, Mr. Pitt, then premier, would be driven from office. I find in Stanhope's 'Life of Pitt' this statement:

It was well known by the public that Pitt would not be continued one hour in office by the regent. It was known that he had already taken measures for returning to his first profession. It was also known, perhaps, that his neglect of his private affairs had involved him in some debts, which he trusted to discharge by an industrious application of his talents at the bar. At this very time, however, there was held, by public advertisement, a meeting of the principal bankers and moneyed men of London, anxious to tender

him on his retirement from office a substantial mark of their esteem. The sum of £50,000 was first proposed, but, so great was the enthusiasm, that in the space of forty-eight hours this sum was doubled, and Mr. George Rose, as his secretary of the treasury, was requested to press upon him, in the manner most likely to be acceptable, a free gift of £100,000. But Mr. Pitt answered his friend as follows: 'No consideration upon earth shall ever induce me to accept it.'

That was in 1789. Time rolled on, and in 1801, a couple of years later, Mr. Pitt was about to step down from office to begin the practice of his profession. He was at that time loaded with debts. The writer says:

So long as Mr. Pitt continued in great office his creditors were content to wait. But when they learnt that he was resigning, and that two-thirds of his present income would be lost, the impatience of some among them could no longer be restrained. The demands upon Pitt grew to be of the most pressing kind. There was reason to apprehend from day to day that an execution might be put into his house; that his rooms might be left without furniture, and his stable without horses. He determined on the sale of Holwood; but considering the heavy mortgages on that little property, its sale could only afford him on the balance a most scanty sum.

Pitt was too proud to utter a word of complaint even to his nearest friends. But they, and even, though in less degree, the public at large, soon became aware of the extremities to which he was reduced. . . . Next there was a renewal of the generous offer which the merchants of London had made Mr. Pitt in 1789. A deputation from them waited on him to state that they had already subscribed for his use a sum of one hundred thousand pounds, which should be paid into any banking house which he chose, and so that he should never know the name of any one of the subscribers. This noble gift was, however, as nobly declined. If (said Mr. Pitt) he were ever again in office, he should always feel abashed and constrained when any request was addressed to him from the city, lest by non-compliance he should be thwarting the wishes of some among his unknown benefactors.

That was the standard laid down in another chamber, and in another House, a House on which this is supposed to be patterned and moulded. I have only one word more. It seems to me that in justice to the hon. Minister of Finance the right hon. leader of the government should lay before the House the names of the contributors to this fund. Rightly or wrongly—and far be it from me to say rightly, for probably the newspapers who are commenting upon the facts know as much as myself, and I know nothing about them—insinuations are being made. It is an unfair thing to allow the insinuation to be made in the press of the country that the Bank of Montreal, one of the largest institutions with which the Minister of Finance is dealing, contributed $25,000 to this testimonial. That is one thing that the people of this country should know, because it would be an unfortunate thing if the suspicion were raised among the people that $25,000 was contributed improperly. It is an unfortunate thing that a great corporation like the steel corporation, one of the large industries in the country and having more intimate relations with the Minister of Finance perhaps than any other members of the government should be charged with having contributed to this fund. We all know that every year fortunes may be made or unmade by the stroke of the Finance Minister's pen either in bounties, or in deals for naval supplies, dock-yards, the construction of railways, and all these matters which are matters in regard to which the Minister of Finance has to take action, and it is not fair to the people of the country, it is not fair to the Finance Minister, it is not fair to his brother members in this House on whichever side they may be, that charges and insinuations should be going through the press of the country without the government giving all the facts and putting a stop to it. Therefore, without for one moment insinuating myself that there was anything wrong in this testimonial that, of course, I know nothing about, and I, while frankly admitting that the fund might have been raised by dollar subscriptions from 120,000 admirers of the Minister of Finance, it must be manifest that while it might be that the minister might have said under such circumstances that these statements in the press would not be justified, I still think that we are warranted in saying that the right hon. gentleman should lay before the House, and before the people of the country a list of the contributors in order to find out whether the condition which the Prime Minister himself laid down as being necessary to an honest testimonial would be found to exist in this.

Sir WILFRID LAURIER. Will you allow me to say that I have just received a note from a member of the committee stating that the Dominion Iron and Steel Company did not contribute one dollar to that fund.

Motion agreed to, and House went into Committee of Supply.

Law books and books of reference for library, and binding of same, $6,000.

Mr. J. HAGGART. That is a large sum for books surely.

Mr. BUREAU. That amount was added on account of new subscriptions.

At six o'clock, the committee took recess.

After Recess.

Committee resumed at eight o'clock.

Administration of justice—salary to stipendiary magistrate for the Northwest Territories, $3,000.

Mr. LANCASTER. Is that the same as last year?

Mr. BUREAU. This is a new position. Justice has been dispensed in the Northwest Territories by various officers. There has been some dispute as to jurisdiction as to cases arising in the Northwest. For instance, an Indian was killed there, and there was no one to try the person accused of the murder until a special commissioner and a jury were appointed for the case.

Mr. J. D. REID. Will a member of parliament be appointed to this position?

Mr. BUREAU. No application has been received yet.

Mr. LANCASTER. Is this officer to devote all his time to his duties?

Mr. BUREAU. Yes, so I understand.

Mr. LANCASTER. The hon. member (Mr. Bureau) ought to know.

Mr. BUREAU. Yes, he is to devote his whole time.

Labour—Industrial Disputes Investigation Act, $20,000.

Mr. R. L. BORDEN. How many cases of industrial disputes have been referred to arbitration during the past year?

Mr. KING. Thirty.

Mr. R. L. BORDEN. How many strikes have there been in which the Act has not been used?

Mr. KING. During the past year, all except four have been settled under the Act.

Mr. J. D. REID. How about the Dominion coal strike? Did the minister take part in that?

Mr. KING. A board of investigation was appointed to inquire, and presented its report, but the report was not accepted by the employees. Later on, the deputy minister of the department made a full report on the matter, and what he stated has since turned out to be correct—the strike has been declared off, and the men have returned on conditions as they existed at the time the award was given.

Mr. R. L. BORDEN. There is an increase here of $4,000 over last year. What is the reason for that?

Mr. KING. The increase is apparent rather than real. The sum of $4,000 was voted in the supplementary estimates last year. Thus the amount is the same as last year.

Department of Labour—Technical Education Commission, $25,000.

Mr. R. L. BORDEN. Has anything been done yet?

Mr. KING. The personnel of the commission has not as yet been determined.

Mr. R. L. BORDEN. What is the policy of the minister with regard to carrying out a resolution of the House?

Mr. KING. This virtually carries out the purpose of the resolution introduced by the hon. member for Wellington (Mr. Guthrie). It is to appoint a commission to inquire into the needs for the promotion of industrial training in the Dominion, and to give power to the commissioners to visit other countries with a view to ascertaining the manner in which these countries have developed technical training.

Mr. GERVAIS. What countries is it intended the commission shall visit?

Mr. KING. The United States, Great Britain, France, Germany, and if it should appear that it would be of advantage to the commission to visit any other European countries in that connection, they would have liberty to do so.

Mr. R. L. BORDEN. When is it expected the report will be made?

Mr. KING. When the money has been appropriated steps will be taken to appoint the commission forthwith, and it is altogether probable the commission will require a considerable period in which to carry on its work. It will not be possible to conclude its labours in less than a year.

Mr. J. D. REID. Will there be one or more than one on the commission?

Mr. KING. Possibly five.

Mr. J. D. REID. Will they be officials of the government or outsiders?

Mr. KING. I think they will not be officials of the government.

Mr. J. D. REID. I think that in appointing a commission of that kind some particular official, such as the deputy minister would be better qualified to inquire into matters of that kind than possibly some politician who does not know anything about technical education. I suppose this is to be put through to give a trip to the old country to four or five politicians who will bring back a report. The minister has visited these different countries, and knows something about this matter. Instead of sending such a man, probably four or five political heelers will be sent to investigate the industrial situation in these countries.

Mr. KING. I can assure the hon. gentleman that the aim of the government in the selection of the personnel of this commission will be to obtain men eminently qualified to render useful service to the country in connection with the work which they are called upon to perform. They will be chosen primarily for their ability to give satisfactory service on the commission. As to Mr. Acland, the deputy minister of the department, acting, I quite agree it would be difficult to find any one who would fill a position of that kind more ably, but the commission will possibly be engaged in this work for a year and the deputy's services will be required in the department here. What is true of the deputy in this respect is also true as respects other officers of the department.

Mr. J. D. REID. We have heard that story before about the government engaging men with knowledge of these affairs, but generally some one who knows nothing about the subject is appointed. The minister, while acting as deputy minister, was sent abroad, he was all over the world, and since he has been a minister he has again been all over the world inquiring about these technical matters. He has had his deputy all over the world, and yet he comes here to-night and says he does not know anything about technical education and has to appoint a commission to tell him what he shall do. When the minister was appointed to his present position, the reason given was that he knew so much about industrial matters. There were members in the House who had served for a number of years and who knew all about political matters but they were turned aside, they knew nothing about industrial matters. These men have served their party, fought the battles. There is the hon. member for North Bruce (Mr. Tolmie) who knows all about it; there is the hon. member for Kingston (Mr. Harty) who has employed labour, and we have a number of men from Ontario qualified to fill that position, but still the Prime Minister had to bring the deputy in because he knew so much more than these gentlemen did. I think it is a reflection on a gentleman of the ability of the hon. member for South Wellington for instance, that he should have been passed over and the deputy minister brought in. The Prime Minister should at once depose the Minister of Labour and bring in the member for Wellington or some gentleman like that. I believe that hon. gentleman does know something, even although he has not travelled abroad, and judging from its being necessary to appoint this commission, the minister certainly is not qualified for the position after all his travels.

Library of parliament, $50,212.50.

Mr. SPROULE. Is it contemplated to build a new library soon or to do over the present one? The library, it seems to me, has got to be a disgrace to parliament.

Mr. FIELDING. No. The matter has been talked of from time to time, but no steps have been taken. I rather agree with my hon. friend: the library is overcrowded, and the time is close at hand when some reformation will have to be made.

Royal Northwest Mounted Police, $753,000.

Sir WILFRID LAURIER. There is an increase of $5,000 in the pay of the force, and a decrease of $5,000 in subsistence, which makes the total amount the same as last year.

Mr. R. L. BORDEN. Why should there be an increase in pay and a decrease in subsistence?

Sir WILFRID LAURIER. The increase in pay is due to the fact that we have increased the force from 600 men to 700; and as the country is getting settled, our subsistence is a little cheaper than it was formerly.

Royal Northwest Mounted Police — rifle range, Regina, $15,000.

Mr. J. D. REID. That is a pretty big price to pay for a piece of land for a rifle range. How many acres does it take?

Sir WILFRID LAURIER. 296 acres.

Mr. J. D. REID. That is about $65 an acre for land in the North West. Does the Prime Minister know that there is any amount of land given away there for the settler?

Sir WILFRID LAURIER. Not in Regina.

Mr. J. D. REID. You do not have to have the rifle range inside the city limits.

Sir WILFRID LAURIER. We have to have it where our barracks are. At present we have a 1,000 yards range, and this is to give us a 2,000 yards range.

Mr. J. D. REID. This is the first time I have heard of land being sold for $65 an acre in the North West. Around Regina, if they can get $30 or $40 an acre, with buildings and improvements, they think they are getting a very good price. $65 an acre for vacant land seems to be quite a big price.

Mr. R. L. BORDEN. It is in strong contrast with the lands of the Indians at Selkirk that sold for $5 an acre.

Mr. J. D. REID. From whom was this land purchased?

Sir WILFRID LAURIER. It is not purchased yet, but it is the intention to

purchase it. It is land adjacent to our present barracks.

Mr. J. D. REID. Why should they pay such an awful price for land adjacent? When they buy a new rifle range for localities in Ontario they go two or three miles out of town. It is not necessary to purchase land at $70 an acre practically within the city limits for a rifle range. It seems to me the Prime Minister is getting a little extravagant. I think he ought to be more careful. When he comes to pay $15,000 for a rifle range he is paying a pretty big price.

Sir WILFRID LAURIER. I am satisfied that the land can be got at a fair price. All precautions will be taken that we are not imposed upon, and that we only pay a fair price.

Mr. J. D. REID. Who is the gentleman who owns this land?

Sir WILFRID LAURIER. I have a telegram from the commander of the forces, Commissioner Perry, stating that the land is owned by Hamilton and March. There are 96 acres suitable for rifle range, two miles from the barracks.

Mr. J. D. REID. Two miles from the barracks the land is $65 an acre?

Sir WILFRID LAURIER. We ask an appropriation of $15,000 to buy this rifle range. The matter is not concluded. Every precaution will be taken, and next year the hon. gentleman can move for the correspondence and see whether we have abused the confidence of parliament.

Mr. J. D. REID. Does the Prime Minister know this man Hamilton?

Sir WILFRID LAURIER. Never heard of him before.

Mr. J. D. REID. It strikes me that is the name of a gentleman that was mixed up in the Robins land deal out in the Northwest. That is the reason I am a little suspicious.

Sir WILFRID LAURIER. My hon. friend will be suspicious without that.

Customs—salaries and contingent expenses of the several ports in the Dominion, including overtime of officers, notwithstanding anything in the Civil Service Act, $50,000.

Mr. R. L. BORDEN. Why is this not put in the main estimates, and why are you tacking it on the Civil Service Act? I thought we had done with that.

Mr. PATERSON. We want $50,000. I am asking for $75,000 to prevent them from coming in for supplementaries during the current year.

Mr. R. L. BORDEN. Is it not possible to make some reasonable estimate in time to put it in the main estimates?

Sir WILFRID LAURIER.

Mr. PATERSON. The main estimates were prepared in October last. We thought we would require $75,000 extra. My accountant tells me that $50,000 of that has gone on new appointments, additional officers we have had to appoint.

Mr. J. D. REID. That is the trouble of appointing so many of these gentlemen that have to be provided for. Were these men required, or was it necessary to appoint a lot of new men for political reasons?

Mr. PATERSON. Here is a list of the additional officers appointed since the main estimates were prepared on the 1st of October: 1 at Beachburg, $700; 2 at Fort William, $800 each; 1 additional at Dundas, $800; 2 additional at Cobalt, $600 and $650; 1 additional at Oshawa, $700; 1 at Ottawa, $800; 1 at Owen Sound, $650; 1 at St. Catharines, $1,200; 1 at St. Thomas, $650; 5 at Toronto, at $800, $600, $800, $600 and $800. Since then the collector at Toronto has asked for 4 more boys with salaries of $400 each, and 4 men with salaries of $800 each. These were put on within the last few days.

Mr. LANCASTER. Are these all appraisers?

Mr. PATERSON. No, they are landing waiters, lockers and clerks.

Mr. J. D. REID The minister has not explained the reason why this amount is increased. I can tell the minister why it has increased in many instances. The minister knows that whenever a political heeler wants a position he has to superannuate some of his officers to make a vacancy. I will give him a couple of cases. The minister knows that the collector at Prescott was superannuated against his will although he was doing his work in a proper manner. Provision had to be made for another man and of course the collector had to be superannuated. The result was that $600 or $800 per annum had to be paid to this superannuated official. The minister superannuated the collector at Port Stanley to make room for another man. This was one of the best officers in the service. I am satisfied that if the minister would give us a list of those who were superannuated during the last year or since October to make room for men who have been active workers, we would see where most of this $50,000 had gone. I can give the hon. gentleman instances of where they superannuated a postmaster sixty years of age on account of old age and appointed a man sixty-seven or sixty-eight years in his place. The Minister of Finance seems to pass all these things without any protest although he is the guardian of the public purse. This explains why we are spending $100,000,000 a year. In the Cus-

toms, Public Works, Militia and other departments there are increases in expenditure because of the superannuation of officials against their will in order to put others in their places. If the minister would stop increasing the expenditure by superannuating officials, and if he would increase the salaries of some of his officials so that they could live a little better, and so that he could get a better class of officials, I think it would be more satisfactory.

Mr. PATERSON. I suppose that I need not say any more?

Mr. J. D. REID. If the minister admits that this $50,000 of increased expenditure is practically all accounted for by the superannuation of officials against their will in order to enable him to appoint ward heelers in their places I will have nothing more to say.

Mr. FIELDING. I beg to deny the statement of the hon. gentleman that men are being superannuated without cause. The returns of superannuations are brought down to the House every year, and as far as I recollect this is the first time that I have ever heard any question raised as to the propriety of the superannuation of any officer. It is nonsense to generalize. If the hon. gentleman believes that any particular officer has been improperly superannuated let him designate the name, time, and place and we will look up the records and show that the superannuation is amply justified.

Mr. J. D. REID. When the minister says that this is the first time that the question has ever been raised he does not speak with a knowledge of the facts.

Mr. FIELDING. I have no recollection of any question ever being raised as to the superannuation of any official. If it has been brought up by somebody else it has escaped my notice. If my hon. friend will give the name of any official whom he states has been improperly superannuated I will undertake at the first opportunity to give him the information, and I think I will satisfy my hon. friend himself that superannuation was called for by the circumstances.

Mr. J. D. REID. Of course, according to the law, if an officer has served thirty-five years he may be superannuated whether he wishes it or not.

Mr. FIELDING. He can be superannuated at any time whether he wishes it or not if in the public interest it is deemed desirable.

Mr. J. D. REID. Exactly. But, I do not think it is fair that a man who has served the department up to 65 years of age and who is as active as the Minister of Finance himself should be superannuated against his will.

Mr. FIELDING. Give us the name and place.

Mr. J. D. REID. The Minister of Finance was a member of the government at the time the postmaster at Kingston was superannuated. That gentleman who was about 60 years was superannuated on account of old age, and the minister knows that they appointed a man who was older than the man who was superannuated. Then, there was the case of the Collector at Port Stanley who was superannuated although he was active and doing his work well.

Mr. PATERSON. Why do you say that?

Mr. J. D. REID. I say that from information. Take the Collector at Prescott; he was active and doing his work all right.

Mr. PATERSON. How do you know?

Mr. J. D. REID. He was there every day doing his work and not the slightest complaint was made with regard to him. I am satisfied that the minister cannot say that that man was not doing his work as well as he had been doing it for the last twenty years. He had been there twenty-five or thirty years but it was necessary to make room for another gentleman. The President of the Liberal Association was appointed. I am not finding fault with that gentleman. He is all right, but I object that there should be $600 or $800 added to the expenditure in that way.

Mr. LANCASTER. The Minister of Customs mentioned a new officer at St. Catharines. Will he tell me the name of the gentleman and what the new office is?

Mr. PATERSON. Mr. Geo. Beggy has been appointed appraiser there.

Mr. LANCASTER. Is it a new office?

Mr. PATERSON. Yes.

Mr. LANCASTER. Was it found necessary to have a new officer there?

Mr. PATERSON. Yes, it was thought so.

Mr. WILCOX. I would like to ask the minister why the officers at Windsor are not paid overtime when they work. I have been informed that they go on at eight in the morning, that they are supposed to be relieved at eight o'clock at night, but that while they are compelled to work five and six hours overtime, they are only allowed two hours pay for it. What is the reason that they are not paid for the full overtime they work?

Mr. PATERSON. Well, we think that if a man works from eight to six, and puts in

two hours besides, it is as much as we can expect a man to do.

Mr. WILCOX. But he is compelled to work. The service demands it.

Mr. LANCASTER. And he does work.

Mr. WILCOX. Yes, he does stay till two o'clock.

Mr. PATERSON. In some cases they have to do that. Facilities must be given in trade and commerce, but we think that on an average you cannot reasonably expect a man to do more than two hours extra.

Mr. WILCOX. Does not the minister think he is justly entitled to payment for the full overtime he works?

Mr. PATERSON. It is true that they are out, but they are waiting for trains, and may be they are not engaged in bodily work, if I might use that expression, all the time. They can perhaps lie down and rest between trains or something like that. But they must be there. I know it is not a very nice business, but we try to arrange it, and put on new men so that they will not have to work more than two hours extra.

Mr. WILCOX. It is not at the station, it is at the ferry boats. Sometimes he works till one and two o'clock in the morning, and it is impossible for him to get remuneration after ten o'clock.

Mr. PATERSON. Yes, there are some on the ferry boats.

Mr. J. A. CURRIE. The minister gets a good fat vote every year to pay for this extra time, and I understand the men are paid for extra time at the harbours of Halifax, Montreal and ports of that kind. Why not pay them at the port of Windsor?

Mr. SPROULE. I notice you say: 'Notwitstanding anything in the Civil Service Act,' why do you put that in?

Mr. PATERSON. Just on account of this overtime we are discussing.

Mr. SPROULE. The Civil Service Act does not allow you to pay for overtime unless you put that in?

Mr. PATERSON. That is the reason.

Customs—salaries and contingent expenses of the several ports in the Dominion, including pay for overtime of officers, notwithstanding anything in the Civil Service Act, $2,157,500.

Mr. PATERSON. That is the amount voted, and the reason we ask a supplementary of $50,000 was because $50,000 of this vote has been absorbed by new appointments. I do not know where the member for Grenville (Mr. Reid) has gone to, but I would have liked to give him an answer. I do not think he was fair in his remarks. It could not have been superannuation. These are new men that have gone on. There are 24 who have been put on in Ontario involving $16,760. In Quebec 11 new officers were put on involving $7,200 in the aggregate. In New Brunswick 4 officers were added at $2,250, and in Manitoba 6 officers were added at $4,600. With reference to Winnipeg, I feel we are to blame for not having more men there. But if Winnipeg was to be properly manned, I suppose we would require to put on about 5 more. We are willing to run the service if you are willing to let the work go on, but the men are doing everything they can. Winnipeg is a port of $4,000,000. About this superannuation, I would not like the idea to go abroad that there is anything weak. If there is anything weak, it is because we hesitate to put on the men we need.

Civil Government—Department of Trade and Commerce, salaries and contingencies, $7,425.

Mr. FIELDING. There is a small increase there due to the appointment of two extra clerks at $500 each, and there is the appointment of an actuary in the annuities branch also. Otherwise the staff is the same as before.

Mail subsidies and steamship subventions, $1 647,200.66.

Mr. FIELDING. These are the steamship subsidies. Although they are very numerous it will be observed that with two or three exceptions, the services and the appropriations are the same as last year.

Mr. G. TAYLOR. There are only four increases. You will explain them when you come to them?

Steam service between Canada and Australia, $180,509.

Mr. SPROULE. How is the trade between Canada and Australia developing?

Mr. FIELDING. There is some increase, not very rapid, but there is an increase.

Mr. SPROULE. What is the trade now?

Mr. FIELDING. The total is about $3,000,000, both imports and exports. I have not the figures at hand, but the deputy assures me there is a moderate increase, though not very rapid.

Ocean and mail service between Canada and Great Britain, $600,000.

Mr. SPROULE. Is there any one to answer for the Minister of Agriculture? It seems to me that some information would be very desirable with regard to the cold storage on the steamships, and the rates charged for transportation. It seems to me that the company are making a high charge for transportation and that the cold

storage, while improved, is not altogether the best.

Mr. FIELDING. I will see that the attention of the deputy minister is called to the hon. gentleman's remarks.

Steam services between Canada and Mexico on the Atlantic and Pacific oceans, $125,000.

Mr. G. TAYLOR. Explain the increase of $25,000.

Mr. FIELDING. It is due to the fact that the Mexican government abandoned their subsidy, and we were likely to lose the service.

Steam service between Halifax and Newfoundland by Cape Breton ports, $4,000.

Mr. SPROULE. There are a number of small subsidies here. Can the hon. minister tell us in a general way whether there is any substantial trade kept up, for which we are paying this money, or are these boats doing merely a coasting service, whether there is much trade or not?

Mr. FIELDING. The report of the department contains all the information the hon. gentleman desires. In most cases it will be found that these small services are valuable in establishing communication between points which are distant from a railway, and the most convenient station, thus extending the benefits of railway communication to points which would otherwise be without any communication at all.

Steam service between Halifax, St. John's, Newfoundland, Liverpool, $20,000.

Mr. SPROULE. How often are the trips made?

Mr. FIELDING. Once in every seventeen days.

Steam service between Prince Rupert, B.C., and Queen Charlotte islands, $7,600.

Mr. G. TAYLOR. There is an increase of $2,600.

Mr. FIELDING. This is a service performed by a steamer called the 'Bruno,', owned by the Grand Trunk Pacific Railway Company; during November, December, January, February and March, not less than two trips each month; the remaining seven months of the year, not less than four round trips each month; subsidy $200 a trip.

Mr. SPROULE. Does it carry any mail?

Mr. FIELDING. Yes. These boats are subsidized to carry the mails without any extra pay.

Winter steam service between Rivière du Loup, Tadoussac and other St. Lawrence ports, $2,500.

Mr. G. TAYLOR. This is a new service.

Mr. FIELDING. Yes.

Mr. G. TAYLOR. Have you made a contract?

Mr. FIELDING. Yes, a contract was recently entered into for the amount of $8,000.

Mr. G. TAYLOR. It has not been laid on the table.

Mr. FIELDING. No. It would come within the next annual report in the usual way.

Steam service between Canada and Cuba, $25,000.

Mr. SPROULE. On a monthly service this is a little over $2,000 a trip. Does there seem to be a prospect of reasonable trade springing up from that place?

Mr. FIELDING. This subsidy, while it is designed to cover any traffic that might offer, was provided with special reference to the development of the potato trade between New Brunswick and Cuba. There is a considerable market, and this is to handle the trade in that article to a very large degree.

Mr. SPROULE. So this is for the benefit of the Irish.

Trade and Commerce, Chinese Immigration Act, $7,000.

Mr. SPROULE. Does there seem to be an increasing number of the Chinese coming in of late compared with last year?

Mr. FIELDING. Yes, the number is increasing. When the tax was first imposed it was almost prohibitive; quite a number seem to be able to gather up the money and pay the tax and come in. The number is not alarming, but it has shown some considerable increase.

Trade commissioners and commercial agencies, $95,000.

Mr. FIELDING. There is a gradual increase in that service as additional appointments are made. I think it is rather desirable we should make additional appointments in different portions of the world, and the expenditure will increase from time to time to that end.

Mr. JAMESON. What new appointments have been made in the past year?

Mr. FIELDING. An additional appointment has just been made to Germany; that is the only new one recently.

Mr. G. TAYLOR. Has a successor to Mr. Larke been appointed?

Mr. FIELDING. One of the officers in the British service has been transferred

to Germany, and that place will have to be filled. Mr. Larke's position is also vacant. Arrangements are being made to fill these now.

Administering Old Age Annuities Act, $35,000.

Mr. SPROULE. What accounts for the increase of $10,000?

Mr. FIELDING. The system is comparatively new, and as it extends its operations we must expect an increase from time to time.

Mr. G. TAYLOR. Are you paying the postmasters who are acting as agents?

Mr. FIELDING. The postmasters receive a small commission on any business they bring to the department.

Steam service, Atlantic ports and Australia and New Zealand, $120,000.

Mr. G. TAYLOR. This is a new service?

Mr. FIELDING. This is to provide for an Atlantic service to Australia.

Hitherto our service with Australia has been on the Pacific. This is to give us an Atlantic service. It is almost impossible to carry expensive freight across the continent and ship it by Vancouver.

Mr. GEO. TAYLOR. With whom was this contract made?

Mr. FIELDING. The New Zealand Shipping Co.

Mr. DANIEL. Where does it go from on the Atlantic coast?

Mr. FIELDING. From Montreal in the summer, and from St. John or Halifax in the winter.

Civil government—departments generally —contingencies—care and cleaning of departmental buildings, including an amount of $50 each to E. Snowden and W. H. Jeffrey, for firing noon gun, $54,000.

Mr. FIELDING. This is for the cleaning service of the various departments, and, as additional offices are rented, or additional buildings constructed, there must be additional employees in the cleaning service.

Mr. GEO. TAYLOR. This is a vote for departments generally. My hon. friend from North Essex (Mr. Wilcox) wishes to say a few words on the subject of fisheries.

Mr. OLIVER J. WILCOX (N. Essex). I appreciate fully the kindness of the House in affording me an opportunity at this time to make a statement on the subject of great importance to the people I represent. I had intended to speak at some length on the question of the international regulations for the preservation of food fishes in international waters, but, last week, I was very suddenly called home on what proved to be a very sad errand, and during my absence the Bill was brought down. These regulations affect the fisheries in the riding of N. Essex, and affect them very unjustly. They are said to be uniform regulations. In Essex there are twenty fish stations, and 150 men on the south side of the Detroit river engaged in the fishing business. They and their forefathers have been engaged in fishing for a hundred years. But under these regulations they will be absolutely deprived of this means of livelihood. On the American side of the Detroit river, there are no fishing stations and no fishing carried on. Consequently, the application of these regulations will deprive 150 men on the Canadian side of the opportunity to carry on their occupation, and there will be absolutely no giving up on the other side. Permit me to read from the address delivered by Mr. Wm. McGregor who represented N. Essex in 1895 upon this very question. He said:—

We have petitioned parliament and the government through the county councils of the counties in which we reside; we have petitioned through the town councils of the different towns along the borders; and we have petitioned this House through the townships. We have also had individual petitions asking for a change of policy in reference to the fishing regulations, but, Sir, we have had no answer to any one of them. We feel that this is a great grievance. We feel that our people having invested a very large amount of money in the purchase of land for fishing purposes and then being deprived of the fish, are obliged to suffer a great loss. They have not only invested in the lands, but they have cleared the rivers for the purpose of fishing, and the fact that they have not been able to utilize their means of livelihood has left many of them in debt. They have lost their boats, and their docks and many other investments they have made.

He says further:—

We feel that to be a great grievance. Talk about the Czar of Russia and his severity to Russian Jews. Sir, no Czar of Russia ever treated the Russian Jews as the people of Essex have been treated by these fishery laws.

There has been some relaxation of the laws since 1884, but under the regulations now proposed these fishermen will be deprived of the right of carrying on their operations. I will not detain the House at length, but I merely wish to put on record some petitions and letters in this case. The first is a resolution on this subject of the township of Sandwich East as follows:—

Sandwich, East, March 5, 1910.

Moved by Deputy Reeve Peter E. Ducharme, seconded by Councillor Israel Souillière, That the council of the township of Sandwich, East, approve the requisition made

by the Canadian Fishermen's Association, and that they also ask the honourable members for the north and south ridings of Essex to join their efforts in order to obtain the amendments asked for in said requisition. Carried unanimously.

I, John Dugal, clerk of the township of Sandwich, East, hereby certify that the foregoing is a true copy of a resolution passed by the said council on the 5th day of March, 1910.

Dated at Sandwich, East, this 10th day of March, 1910

JOHN DUGAL,
Clerk of Sandwich, East.

I have also received the following letter from the Essex county branch of the Canadian Fishermen's Association, as follows:—

Tecumseh, North Essex, Ontario,
March 7, 1910.

O. J. Wilcox, Esq., M.P.,
House of Commons,
Ottawa, Ont.

Dear Sir,—The Essex County Branch of the Canadian Fishermen's Association wish to call your attention to the manner in which the interests of the fishermen of your riding have been lost sight of by the framers of the International Fisheries Regulations, which it is proposed to enforce beginning next season and to request that you endeavour to have the regulations altered, even to the point of bringing the subject up in parliament if necessary.

The Americans, as usual in all international arrangements they have made with Canada, have secured all the advantage.

In Lake Erie where they fish 2,268 miles of gill nets (eleven strings stretching from the mouth of Detroit river to Buffalo) as against 290 miles fished by Canadians and 2,150 pound and hoop nets as against 272 pounds nets fished by Canadians, they have succeeded in having all close seasons done away with entirely; the same is true of Lake Huron and Superior.

In all these areas where the Americans catch many times as many fish as the Canadians, there will be no close seasons enforced, but on the Detroit river, where there are no commercial fisheries on the American side, they insist on the waters being close to fishing altogether because only the Canadians will suffer in consequence.

It happens that even though all this advantage has been secured by the Americans, still because the Saginaw bay fishermen find the mesh regulations will work to their disadvantage, they have demanded that the regulations shall be changed by the Senate before being adopted by that body, and they are to be changed accordingly. Now the new regulations contain two changes which are an absolute hardship to the Essex County fishermen, and we trust you will have the regulations changed in the same way the Saginaw bay fishermen can get them changed, one is to strike out the close season for sturgeon for Lake St. Clair, and the other the prohibition for net fishing in the Detroit river.

If the Americans can demand changes, surely the Canadians can insist on such changes as they desire before consenting to the American proposals. After all the Canadians have been hood-winked by the Americans in the whole matter.

The federal government has no jurisdiction or authority to regulate the fisheries which are State property, and Canada is agreeing to a set of international regulations which will never be enforced on the American side of the line.

The Amercians have contended that close seasons are unnecessary; if close seasons are unnecessary, if the lakes are provided with sufficient hatcheries and the international regulations are based on that contention, we therefore wish to recommend strongly that our Canadian hatcheries must at once be greatly increased in capacity and whitefish alone be propagated, and we would also point out that the only way to secure a proper supply of eggs for hatchery purposes is to allow net fishing in the Detroit river where the eggs can be secured from the fishermen in large numbers and in prime condition.

Yours truly,
ARSAS DROUILLARD, President.
H. C. LAFOREST, Vice-President,
ARCHIE LABUTE, Secretary.

These documents set forth the condition of affairs in relation to these fishery regulations. I will not detain the House further but it does seem to me that it would be reasonable for the government, before these regulations are brought into operation—and, I may say, they are brought into operation by proclamation of the Governor in council—to send an officer of the department to the Detroit river and investigate the conditions in order that justice may be done to the fishermen on the Canadian side of the Detroit river.

Public buildings—Quebec—Rigaud, $7,000.

Mr. LANCASTER. I would like to know what the population of that place is?

Mr. PUGSLEY. I think it is about 2,000.

Mr. LANCASTER. I do not protest against the expenditure of this money, but I desire to point out to the minister the unfairness of the way in which the public buildings are distributed. At the beginning of this session, on December 3, I drew the attention of the government for the fourth or fifth time to the need of a public building in the very up-to-date and prosperous village of Grimsby, in my county. Grimsby is the centre of the most flourishing part of the well-known fruit growing and garden district of the Niagara peninsula, a place of about the same population as Rigaud, and a place that is absolutely starving for the need of a new post office building. The postal revenue is $4,500, the postmaster is allowed a rental of $225, and a salary of $1,518. Rigaud has only a revenue of $1,177, the salary paid to the postmaster is $524 and he is allowed $50 for rent. Grimsby has just about four times the postal revenue of Rigaud, it is patronized by a very progressive agricultural population, who do an enormous amount of post office business, as well as

other business. Away back in 1904 the people were complaining of the need of a post office building, and the then Postmaster General saw the force of their complaints. If the hon. gentleman will look at pages 5585 to 5697 of 'Hansard' of that year, he will see that the then Postmaster General promised that before next spring a proper building would be furnished. These people are patient as well as progressive. They have constantly asked for this building. The Minister of Public Works will find that at the beginning of the present session I asked him a question about this post office, on page 967 of the 'Hansard,' and in his answer he said that if the place would be satisfied with a building worth $4,000 or $5,000 he would certainly take the matter into his favourable consideration with a view of complying with the request. Now, as the session is closing, I will be expected to report to these people what our authorities are doing. Look at the situation. The owner of the store who was also postmaster receives $220 a year rent for the post office. If the minister could spare the time to go up there I would like to take him into that post office; we could not both get in at the same time unless we went in in Indian file allowing him to go ahead.

Mr. PUGSLEY. We are both a good size.

Mr. LANCASTER. We are both a good size, and we would be expected to be good sized men if we lived or associated long with the people of Grimsby. They expect to have men of some size both mentally and physically. The post office is carried on in a space three and a half or four feet wide and about thirty feet long. That is all the room there is, and the people have to enter in single file and turn around and come out into the street like a lot of penitentiary convicts. If there are more than ten or fifteen people there the remainder have to stay out in the rain or snow at night because they cannot get inside. They get their mails three times a day, from one direction and twice from another direction. The postmaster is getting $220 rent while if you spent six or seven thousand dollars on a new building you would not only have room for the post office, but you would have accommodation upstairs for the Customs and Inland Revenue, and the interest on the cost of the building would not be more than you are paying in rent. The people are contributing three times as much to the revenue of the country as the post office is costing. The salary of the postmaster is $1,500, and the revenue is $4,573; 300 per cent profit is going to the country from the business that these people are doing at this post office. A $5,000 or $6,000 building would satisfy the people of Grimsby. I am satisfied that the Postmaster General is doing what he can to get us these post office facilities, but as he tells me, the matter is in the hands of the Minister of Public Works. The Minister of Public Works said that he would look into it and he certainly told us that he was going to give these people some accommodation. They are contributing a lot of money to the revenue. These people are producing thousands and thousands of dollars on every square mile of territory every year. They are an earning people, and they are a spending people. They highly educate their children, they live well, they earn a lot of money and they spend a lot of money. They are doing a great deal to contribute to the prosperity of this country and they are certainly entitled to have a building erected for the accommodation of the post office. I am not saying that Rigaud should not have a building. It certainly should have it if it requires it. But the hon. gentleman will see that that village which is getting a $7,000 building is contributing $1,100 to the revenue, while the post office at Grimsby is contributing $4,573, or four times as much, and is practically without a building, because you cannot call it a building that they have there now. The Minister of Public Works in 1904 undertook to see that proper accommodation was furnished in the next year; yet the people are in the same starved condition as they were in 1904. I trust the minister will supplement his general promise and meet the desire of the people of Grimsby for a public building.

Mr. PUGSLEY. I will take occasion to look up the 'Hansard' containing the statement of my predecessor. If he made the positive statement that my hon. friend refers to I shall feel it to be my duty to bring the matter before my colleauges. In so far as I am concerned, I stated that I would give the matter my careful consideration. I believe that my hon. friend has made out a strong case for a building at Grimsby. But I wish that he were Minister of Public Works for five minutes and had to deal with all the applications which come from all parts of the country, from hon. gentlemen on this side of the House, as well as hon. gentlemen on the other side. I am sure he would realize how many applications I am obliged to refuse because of not having money to meet them all. The country is growing rapidly, and the demands are very great. I will give the matter further consideration during recess.

Harbours and rivers, Nova Scotia—Pine Brook—wharf on St. Patrick's channel, $1,000.

Mr. PUGSLEY. I beg to move that that be struck out, because that is sufficiently

provided for by the Gillis Point appropriation. Then upon page 11 strike out 'Port Joli West, or Herring Rocks extension of wharf'. We have an amount in the main estimates which, my information is, will be sufficient.

Mr. JAMESON. I wish to ask the minister a question in regard to the breakwaters at Centreville, New Edinburgh and White's cove, for the necessity of which I have called his attention some time ago, and for which I see he has made appropriations. Will this work be done by tender or by day work, and will it be undertaken during the present summer or not?

Mr. PUGSLEY. The intention is to proceed with these three works during the present summer, but I cannot tell my hon. friend just at the moment whether they will be done by public tender or by day work. Centreville breakwater would be entirely repair work, and possibly it would be better done by day work. As to the New Edinburgh wharf, I would, as advised at present, suppose that that would be done by public tender, and I would think White's cove wharf extension would be better done by public tender, but I am not quite sure at the moment as my deputy is not present.

Mr. JAMESON. I hope the minister has made a note of Church point.

Mr. PUGSLEY. I have that in mind.

Mr. JAMESON. While this item is under discussion will the minister say what will be the distribution of the amount for dredging in the maritime provinces? He said he was going to give the committee that information.

Mr. PUGSLEY. I am sorry I have not that before me. I will send for my deputy, and we will come to an item for dredging when perhaps I will be able to give my hon. friend that information.

Mr. TURGEON. I see an item of $25,000 for dredging a ship channel at Bathurst. I would like to thank the minister for doing this work. I suppose the minister is aware of the immense interests which are there depending upon this work being completed. May I ask him if he intends to have contracts for dredging outside of that $25,000?

Mr. PUGSLEY. I have not yet decided whether that work will be done by contract or by a government dredge. If I can succeed in getting a government dredge available for the purpose. I would very much prefer that mode of doing the work. I think it is work that might better be done by a government dredge, but I am not able to give my hon. friend the information to-night. All I can say to him is that the work will be undertaken during the present season.

Public Works—Ontario, Harbours and Rivers, $140,350.

Mr. SPROULE. Are these all works that are under way?

Mr. PUGSLEY. No, not all under way; there are some new works. For instance, French river—Lake Nipissing regulating works at outlets, will be a new work; the Hamilton harbour improvements will be a new work, although it is a continuation of work that has been done; Huntsville, extension of wharf is a new work; Harwood, extension and repairs is the same; Lake Nipigon, improvement of navigable channel, and Lakefield, extension of wharf are new works, and Peterborough and several others.

Mr. SPROULE. Is Whitby a new work?

Mr. PUGSLEY. It is a new work in this sense, that we have made repairs at Whitby, but this vote is for further improvements, and also to acquire the water rights of the company at Whitby harbour.

Mr. BLAIN. My hon. friend the minister was to produce a list of newspapers in which there were certain advertisements.

Mr. PUGSLEY. Yes, I will get it in a moment. Let me say to my hon. friend from Digby (Mr. Jameson) that my deputy says he does not remember the information that my hon friend wants as to the apportionment of dredging in the maritime provinces. He has not the information with him, but would my hon. friend be good enough to write to the deputy minister, and he will give him the information?

Mr. JAMESON. Perhaps you could ask him if any provision has been made for dredging at Digby during the present year?

Mr. PUGSLEY. No, I do not think there is any dredging urgently required at Digby at present, but we are constructing a very fine pier there, as the hon. gentleman knows.

Post office, outside service—additional amount required, $6,400.

Mr. LEMIEUX. This is for the extension of the service in the west.

Mr. SPROULE. I have a letter from the owner of 'Cotton's Weekly,' who contradicts very flatly some of the Postmaster General's answers given to me a few weeks ago. On page 6032 of 'Hansard,' the Postmaster General, replying to my questions, said:

The case of Mr. Cotton is radically different. In the first place he has no subscribers, but he sends his papers to friends who distribute it.

I asked the question: how does it happen that papers like the Toronto 'World,'

or 'Mail,' or 'Globe,' or 'News' can send extra numbers to news agents who have no subscription lists, but who sell them out over the counter? The reply of the Postmaster General was that they had a regular subscription list, but this paper had no subscription list. This man says that he is prepared to make an affidavit that he has a subscription list of over 6,000—that he has a list over 37 feet long of subscribers' names, and that whenever additional papers are sent out they are paid for before they are sent out from the office, and he is adding to his subscription list all the time as the result of canvassing. He says his paper stands in the front rank in the Dominion of Canada in the matter of subscription lists. If this is so, the Postmaster General has been misinformed, and is doing a great injustice to this man's paper.

Mr. LEMIEUX. If the case were as my hon. friend has stated, certainly the publisher would have a real grievance against the department. I may tell my hon. friend that I ask nothing better than to investigate the facts at once, and if they are as stated, the publisher will be given all the mailing privileges granted to others. But we had a very serious investigation since this agitation took place, and we found that that was not the case.

Mr. SPROULE. He says:

I have before me a mailing list of Cotton's for Ontario, which, when put together, is 37 feet long, and hundreds have been added since I received this list from the publisher. I have personally taken and received payment for and sent in over 50 now.

He is operating in Berlin, Ontario, and he says he is prepared to make a solemn affidavit to the correctness of this statement.

Mr. LEMIEUX. If he does that and proves his statement, he is entitled to the regular mailing privileges granted to other papers. But the information of the department at the beginning of the agitation was that they were not really mailing subscribers.

St. Andrew's Rapid lock and dam, Red River, Man., $10,000.

Mr. PUGSLEY. I have a somewhat pleasing announcement to make to the House, and I am sure it will be interesting to hon. members, particularly those from the province of Manitoba. It is a telegram from the resident engineer, dated yesterday, received to-day, and reads as follows:

Government steamer 'Victoria' locked through St. Andrew's canal to-day. Everything successful. The canal now open to navigation.

Hudson Bay railway—construction, $500,000

Mr. LAKE. I would like a statement from the Minister of Railways in regard to that. What specific work of construction is it proposed to do, where is it proposed to start the work, and what is going to be the prairie terminus of the railway?

Mr. GRAHAM. The work as proposed will start at Le Pas on the south side of the river. We propose utilizing this vote or a portion of it immediately to ask for tenders for the construction of a bridge across the river at that point. We intend to do that specific construction at once. It is a little difficult to say what will be the terminus of the line, but for 160 miles the line will be common, whether Churchill or Nelson is selected. In the Marine and Fisheries estimates there is an amount for sending a steamer around the straits this year for the purpose of obtaining more information in regard to the two ports. I think it fair to say that from the railway standpoint the route to Nelson would be the shorter one and would afford the easier construction. There is some difference of opinion as to which is the better harbour. The engineers report that Nelson has the foundation for a safe harbour and a larger harbour, while on the other hand, Churchill has a harbour already made, but not so large.

Mr. SPROULE. Is all this vote to be taken for the construction of the bridge?

Mr. GRAHAM. The bridge proper will cost between $300,000 and $400,000, that is for a railway bridge. A question has arisen whether it would not be well to also include a roadway over it, and I have put in an extra amount so that if we want to include a highway as well as the railway on the bridge we can do so.

Mr. LAKE. Is the Canadian Northern railway in actual operation as far as the Pas Mission?

Mr. GRAHAM. I cannot tell my hon. friend that. It was brought to my attention once and I took it up with the Canadian Northern. I understood they had inaugurated a service.

Mr. SPROULE. As a matter of fact this is for the construction of a bridge, not for the construction of a railway, although it may be part of a railway.

Mr. GRAHAM. This bridge is primarily for the use of the railroad.

Mr. SPROULE. Is it seriously intended to go on with the grading and construction of the road beyond that point this season?

Mr. GRAHAM. I would hardly like to say that to my hon. friend. Circumstances may arise making it advisable to grade a short distance on both sides in order to get the approaches to the bridge and the amount for the bridge proper would not cover that.

Mr. SPROULE. So it is only built as a bridge for the convenience of those who want to cross the river and the railway may not be built beyond that point.

Mr. GRAHAM. It will be.

Quebec bridge—construction, $500,000.

Mr. SPROULE. We have not yet had anything like a definite statement as to what the Quebec bridge is expected to cost us when erected. The government must have some estimate of their own engineers or some idea of what it will cost. Whenever we ask for it there is a kind of indefinite putting off that seems to imply that the government have been indifferent as to the necessity of getting information or do not wish to give it. It makes it embarrassing because that is information we ought to have.

Mr. GRAHAM. Neither of these is the condition. The committee are familiar with the arrangement approved by the House by which the construction of the bridge has been entrusted to a board of engineers. These engineers have got to the point where the contract for the substructure has been let and the contractor is now at work. The superstructure, which is a vast undertaking having a span of 1,758 feet, has cost considerable money in plans, tests, and what the engineers call studies. Experiments have been carried on in the old country, in the United States and here. Compression tests are now being made in the United States under the supervision of one of the professors of McGill University. So careful are the board that they make full tests before taking any step, and no person who has not been in close touch with the work can have any conception of its magnitude and difficulties. We have arrived at the point where the board of engineers are prepared to advertise for tenders for the superstructure. They have not given me an estimate of the cost, and I do not suppose they will do so at present. I was asked in the committee some time ago if the cost would be $10,000,000. I said it would be at least that and possibly more, but I have been given no estimate.

Port Colborne—improvements, $113,000.

Mr. SPROULE. What are you doing at Port Colborne?

Mr. GRAHAM. This work is under construction and partially completed. A small amount is yet to be done in the removal of a certain ledge of rock from the channel to make it a few feet wider.

Welland canal—surveys and borings for proposed new or enlarged canal, $25,000.

Mr. EDWARDS. Are we to take this $25,000 as an evidence that the government has definitely decided either to enlarge the present Welland canal or to construct a new one?

Mr. GRAHAM. The policy of the government has been announced by the government once or twice, that when the finances of the country would warrant he hoped to see this work done. In the meantime we are taking practical steps to get a fair estimate what the work will cost. For the last two or three years surveying has been going on, but I thought it wise to put in an amount to clean it up and so be able to tell the country fairly accurately what the work will cost. I have three or four educated guesses as to the cost but they are not based on a completed survey.

Mr. EDWARDS. You expect to have sufficient information before the next session to be able to give the House a definite idea as to the cost of the new canal or of enlarging the canal.

Mr. GRAHAM. Yes.

Contribution of the government railways to the faculty of Polytechnic School, Montreal, for the advancement of learning in connection with railway engineering and transportation in general, provided that the railway companies contribute an equal amount, $2,500.

Mr. GERVAIS. I am bound as a governor of the Polytechnic school of Montreal, to say a few words in explanation of this vote. I see from this item there is a proviso reading: 'Provided that the railway companies contribute an equal amount.'

The school was first organized, on the 20th of November, 1873, when its curriculum was agreed to between the Minister of Public Instruction of the province of Quebec, Hon. Gédéon Ouimet—for the province of Quebec had such a luxury as a Minister of Public Instruction for a few months—under the Act 31 Vic., c. 10, 1868, repealed by the Act, 39 Vic., c. 15, 1875—and the Catholic School Commissioners of Montreal, for the establishment of a scientific and industrial school, called the 'Polytechnic School,' under the control of the Superintendent of Public Instruction.

That arrangement was afterwards confirmed by the Act 40 Victoria, chap. 22, sections 44 to 51.

Year after year amending Acts have been passed, the school has been made a corporation; and finally affiliated with Laval university.

The first professors who were appointed were Col. Emile Balête, who had been made a general on the battlefield, in 1870, a most learned scholar in mathematics, and a former graduate from the Polytechnic School of Paris, and Mr. C. A. Pfister, a French chemist of very great repute. General Balète left for America because he would not submit to a reduction of rank.

Both have lately died after giving the school 35 years of their life for its final success. Over 350 graduates from this school have made for themselves and for the country very good reputations. To-day, the teaching staff of the school is composed of very brilliant scientists under the remarkably able directorship of Mr. A. Fyen, who succeeded Mr. Balète.

The personnel includes now such men as Dr. Duval, Mr. A. André, Mr. Charles E. Leluau, a brother of the Chief Engineer of the Chemin de fer du Nord of France, Belgium and Germany; Mr. Poivert, a graduate of the Ecole des Beaux Arts of Paris, Mr. Emile Dulieux, a graduate from the Ecole des Mines of Paris, Mr. Flahault, a graduate from the University of Lille, Mr. F. C. Laberge, Mr. Haynes, Mr. Quéva, Mr. Manseau, Mr. Beaupré, Mr. Boucher, Mr. Frigon, Mr. McConville, Mr. Busquet, E. Dyounet, A. Beaulne, Raoul Lacroix, E. Desaulniers, A. Beaugrand-Champagne.

To the course of civil engineering, which was for over 30 years exclusively taught, those of mining enginering, of chemical engineering, of electrical engineering and of architecture have been lately added. About $500,000 have been expended in constructing new school buildings and laboratories and in equipping both. One finds to-day in the Polytechnic School 240 students, studying those five branches of engineering. But the Board of Governors have some other little ambition of their own. They wish to extend, enlarge and complete the courses of study on railway construction and railway management both technically and financially.

New buildings must be put up, new professors must be engaged, more money must be expended, to reach that goal. Hence, the move started about five years ago by the governors to secure the necessary funds.

The princely gifts made to the school by Senator Villeneuve, Mrs. Beaudry-Lehmann and Mr. J. E. Vanier, the first graduate of the school, as well as the continuous protection of that good and public spirited citizen, Mr. Trefflé Bastien, have proved insufficient to crystalize the plan of the school for the extension of its teaching of the Arts and Science of Railway construction and management.

For the second time in this House this session, I feel bound to recall the fact that Sir Lomer Gouin has done marvellous things for the school. To-day it is receiving a subsidy of $20,000 from the Provincial Exchequer; for it is Sir Lomer's plan to make the Polytechnic School of Montreal the best equipped of the now well-established special school system, composed of two technical schools, one higher commercial school, one forestry school, one agricultural school, one veterinary school and our Polytechnical School, side by side with the 17 classical colleges and the two universities of the province of Quebec. That, I think, is the pedagogic formula of to-day, that, in any country, a system of public instruction worthy of the name, must include a group of classical schools as well as such a group of special schools.

Every one to-day admits that, while it is fair that the four or five ideas or ideals which have been pursued by humanity for a great number of centuries, should have had and should continue to have their followers, their friends, their schools and their temples; it is also quite proper that the ideals of wealth and happiness coming out of chemistry and physics, the many applications of which have brought about the construction of railways, should have at the same time their own followers, their own students and schools, and their own temples. The Corporation of the Polytechnic school therefore wishes to erect a department where the Science and Art of Railways will be thoroughly taught.

This item of the Budget is to enable our school to go on with its new work. Mr. Speaker, I may say, that the new railway curriculum framed by Mr. Lebuau was corrected and approved of by railway expert men amongst others, Mr. R. S. Logan, Vice-President of the Grand Trunk Railway Company.

But let me quote by way of conclusion of my remarks, one letter and one telegram which are worth reading:

Montreal, April 15, 1910.

Dear Mr. Gervais,—Naturally, as a Governor of Laval University, I am pleased with any movement calculated to strengthen the university as one of our great educational institutions, and I am particularly interested in the adoption in the course of applied science of such technical training as will give the students by the time they graduate the requisite technical knowledge of the works in which they are to engage as to make them immediately valuable to their employers.

It would be very gratifying if a greater number of the young men who graduate from Laval took up the technical branches of railway work, and if, as I gathered from our conversation, you receive from the government the co-operation that you anticipate toward the establishment of a technical branch, we shall see what assistance we can give, although at the moment I am unable to make you anything in the nature of a specific promise.

Yours very truly,
(Signed) T. G. SHAUGHNESSY,
President.

Montreal, Que., April 20, 1910.

(Telegram.)
Honoré Gervais,
House of Commons,
Ottawa.

Referring to your favour of April 19 in re subsidy to Montreal Polytechnic School. You

are at liberty to state that we regard very highly the work of the institute and consider it worthy of the same measure of government and municipal support as any other institution of a similar character, and should such support be given I should be disposed to recommend that we should join the other railways in assisting the school to such extent as is practicable.

CHAS. M. HAYS,
President.

Mr. Speaker, here you find two transcontinental railway companies not only endorsing the action of the government, but paying over their own money to the Polytechnic School of Montreal, while Sir Lomer Gouin will give the school an increase of subsidy, equal to that secured by the school from the Parliament of Canada, the Canadian Pacific Railway Company and the Grand Trunk Railway Company.

For, Sir Lomer Gouin, at a public banquet of the students of the Polytechnic School of Montreal, and afterwards, in several letters written to the school, has declared that the government of the province of Quebec, will give to the Polytechnic school of Montreal an increase of subsidy equal to one dollar for every dollar the school can get from the government of Canada and our two great transcontinental railway companies.

Mr. Speaker, in the name of the school, though I should have liked better to receive a subscription of $5,000, as was their request which should have been granted in full— I must offer my sincere thanks to the House of Commons, to Sir Thomas Shaughnessey, Mr. Charles M. Hays, and also to Sir Lomer Gouin, for joining in such a laudable effort to promote public instruction.

That move must be noted as a turning point in the history of public instruction and education in Canada. Such a combination of public authorities friendly to education as the one I have just referred to, will go far towards giving the public the whole benefit of the natural resources of Canada, and make this century that of Canada.

Mr. PUGSLEY. I desire to submit a list of the newspapers in which the Leamington, Ont., the Welland, Ont., the Whitby, Ont., and the Dauphin, Man., public buildings were advertised, as follows:

Leamington, Ont., Public Building.

Ottawa, Ont., 'Danebrog'	$ 4 50
Amherstburg, Ont., 'Echo'	6 75
Brantford, Ont., 'Expositor'	9 00
Ottawa, Ont., 'Le Temps'	18 00
Chatham, Ont., 'Le Canadien'	7 80
Chatham, Ont., 'News'	9 00
Leamington, Ont., 'News'	4 50
Belleville, Ont., 'Ontario'	9 00
Blenheim, Ont., 'News'	5 85
Comber, Ont., 'Herald'	6 75
Dresden, Ont., 'Times'	$ 6 75
Essex, Ont., 'Free Press'	6 75
Highgate, Ont., 'Monitor'	6 75
Ridgetown, Ont., 'Plaindealer'	6 75
Kingston, Ont., 'Whig'	13 95
Brockville, Ont., 'Recorder'	8 10
Guelph, Ont., 'Mercury'	9 00
Peterborough, Ont., 'Times'	6 24
Hamilton, Ont., 'Times'	18 20
Kingston, Ont., 'Freeman'	9 00
Hamilton, Ont., 'Herald'	15 60
London, Ont., 'Echo'	9 00
London, Ont., 'Advertiser'	15 60
Ottawa, Ont., 'Free Press'	19 50
Toronto, Ont., 'Congregationalist'	5 20
Toronto, Ont., 'Globe'	23 40
Toronto, Ont., 'Star'	23 40
Toronto, Ont., 'Truth'	5 20
Sarnia, Ont., 'Observer'	9 00
Stratford, Ont., 'Beacon'	9 00
Thamesville, Ont., 'Herald'	6 75
Tilbury, Ont., 'Times'	6 75
Wallaceburg, Ont., 'Herald'	6 75
Wheatley, Ont., 'Journal'	6 75
Windsor, Ont., 'Record'	9 00
Woodstock, Ont., 'Sentinel Review'	9 00
Peterborough, Ont., 'Examiner'	10 40
	$ 362 94

Welland, Ont., Public Building.

Kingston, Ont., 'Freeman'	9 00
Peterborough, Ont., 'Times'	6 00
Peterborough, Ont., 'Examiner'	10 00
St. Thomas, Ont., 'Journal'	9 00
Windsor, Ont., 'Record'	9 00
Woodstock, Ont., 'Sentinel-Review'	9 00
Belleville, Ont., 'Ontario'	9 00
Beamsville, Ont., 'Express'	5 40
Brantford, Ont., 'Expositor'	9 00
Cayuga, Ont., 'Advocate'	5 85
Chatham, Ont., 'Le Canadien'	5 00
Chatham, Ont., 'News'	9 00
Dunnville, Ont., 'Reform Press'	4 50
Hamilton, Ont., 'Herald'	15 00
Hamilton, Ont., 'Times'	17 50
Ingersoll, Ont., 'Chronicle'	9 00
Kingston, Ont., 'Whig'	13 95
London, Ont., 'Advertiser'	15 00
London, Ont., 'Echo'	10 00
Niagara Falls, Ont., 'Review'	6 75
Niagara on the Lake, Ont., 'Times'	5 85
Ottawa, Ont., 'Free Press'	18 75
Paris, Ont., 'Star Transcript'	5 00
Stratford, Ont., 'Beacon'	9 00
St. Catherines, Ont., 'Journal'	9 00
Toronto, Ont., 'Canadian Contract Record'	5 00
Toronto, Ont., 'Globe'	22 50
Toronto, Ont., 'North Ender'	5 00
Toronto, Ont., 'Star'	22 50
Welland, Ont., 'Tribune'	5 40
Brockville, Ont., 'Recorder'	8 10
Caledonia, Ont., 'Haldimand Banner'	6 75
Dundas, Ont., 'Banner'	6 25
Dundas, Ont., 'Wentworth Light'	6 75
Guelph, Ont., 'Mercury'	9 00
Sarnia, Ont., 'Observer'	9 00
	$ 340 80

Whitby Public Building—1908-09.

Hamilton, Ont., 'Herald'	$ 5 00
Kingston, Ont., 'Freeman'	9 00
Kingston, Ont., 'Whig'	13 95
Ottawa, Ont., 'Le Temps'	17 40
Peterborough, Ont., 'Times'	6 00

Ottawa, Ont., 'Danebrog'	$ 4 50
St. Thomas, Ont., 'Journal'	9 00
Belleville, Ont., 'Ontario'	9 00
Brantford, Ont., 'Expositor'	9 00
Brockville, Ont., 'Recorder'	8 10
Windsor, Ont., 'Record'	9 00
Barrie, Ont., 'Gazette'	6 75
Bowmanville, Ont., 'Statesman'	6 75
Chatham, Ont., 'News'	9 00
Ingersoll, Ont., 'Chronicle'	4 50
Lindsay, Ont., 'Post'	9 00
Millbrook, Ont., 'Mirror'	6 50
Oshawa, Ont., 'Ontario Reformer'	6 75
Pickering, Ont., 'News'	6 75
Port Perry, Ont., 'Star'	6 75
Guelph, Ont., 'Mercury'	9 00
Hamilton, Ont., 'Times'	17 50
London, Ont., 'Echo'	9 00
London, Ont., 'Advertiser'	15 00
Ottawa, Ont., 'Free Press'	18 75
Peterborough, Ont., 'Examiner'	10 00
Toronto, Ont., 'North Ender'	5 00
Toronto, Ont., 'Globe'	22 50
Toronto, Ont., 'Star'	22 50
Sarnia, Ont., 'Observer'	9 00
Stratford, Ont., 'Beacon'	9 00
Uxbridge, Ont., 'Journal'	6 75
Whitby, Ont., 'Chronicle'	6 75
Whitby, Ont., 'Gazette'	6 75
Woodstock, Ont., 'Sentinel Review'	9 00
Barrie, Ont., 'Examiner'	6 75
Port Hope, 'Guide'	9 00
	$354 95

Dauphin, Man., Public Building.

Swan Lake, Man., 'Echo'	$ 6 00
Winnipeg, Man., 'Canada'	9 40
Winnipeg, Man., 'Commercial'	10 80
Winnipeg, Man., 'Canada Poster'	4 00
Brandon, Man., 'Sun'	13 16
Carberry, Man., 'News'	9 40
Dauphin, Man., 'Press'	9 40
Louis Bridge, Man., 'Elmwood Herald'	9 40
Neepawa, Man., 'Press'	9 40
Gladstone, Man., 'Age'	9 40
Norwood, Man., 'Press and St. Boniface Echo'	9 40
Portage la Prairie, Man., 'Manitoba Liberal'	9 40
Selkirk, Man., 'Expositor'	9 40
Stonewall, Man., 'Argus'	9 40
Treherne, Man., 'Times'	9 40
Winnipeg, Man., 'Central Catholic'	10 80
Winnipeg, Man., 'Free Press'	16 20
Winnipeg, Man., 'Logberg'	8 46
Winnipeg, Man., 'Nordwester'	9 40
Rapid City, Man., 'Reporter'	9 40
Russell, Man., 'Banner'	9 40
Winnipeg, Man., 'Town Topics'	3 85
MacGregor, Man., 'Herald'	9 40
Dauphin, Man., 'Press'	5 80
Dauphin, Man., 'Press'	3 84
Winnipeg, Man., 'Free Press'	6 60
Winnipeg, Man., 'Free Press'	6 40
	$236 91

Mr. GERVAIS. I desire to take advantage of the presence of the Minister of Finance to call his attention to the fact that a year ago a flat increase of $150 a year was given to every officer of this House. Every officer of the House got that increase, except one, that one being the clerk assistant, Mr. Laplante. I think that merely to call the attention of the Minister of Finance to the fact will be sufficient to ensure the removal of this discrimination.

Some resolutions reported.

INTERCOLONIAL RAILWAY—BRANCH LINES.

Mr. SPEAKER. I have the honour to inform the House that the following has been received from the Senate:

Resolved, that a message be sent to the House of Commons by one of the Masters in Chancery to communicate to that House the following reasons for their insisting upon their amendment to the Bill (17) from the House of Commons, intituled 'An Act to authorize the government to acquire by lease lines of railway connecting with the government railways.

The third clause of the Bill, as it passed the Commons, contained a proviso, intended to protect the public interests, to the effect that no such lease should have any force or effect until the Government Railways Managing Board and the chief engineer of the Department of Railways and Canals should have approved the terms and conditions of such lease and until the parliament of Canada had first ratified such lease. The amendment made by the Senate proposed to further protect the public interest by enacting that certain further information necessary to enable parliament to form an intelligent opinion should be submitted to parliament before the ratification of any such lease.

Hon. GEORGE P. GRAHAM (Minister of Railways and Canals). I desire to move a motion in reference to that message. I move, seconded by Mr. Pugsley:

The honourable the Senate, having sent a message to this House, agreeing to the Bill (No. 17), entitled 'An Act to authorize the government of Canada to acquire by lease, lines of railway connecting with government railways, with an amendment, which is as follows:—

Page 2, line 3. After 'lease' insert the following as clause 4:—

4. No such lease shall be ratified by parliament unless a return has been laid before both Houses for at least one month showing:

(a) The cost of the road proposed to be leased, together with the amount of stock subscribed and all moneys received from sale of bonds or by way of bonuses or otherwise;

(b) present equipment of road, together with the average rate of freight and charges for passengers on the same, and a statement showing approximately how above rates compare with those charged on the Intercolonial railway;

(c) present condition of the road and the estimated outlay required to put it in good running order;

(d) total receipts and expenditures for three years last past;
(e) list of shareholders and bondholders;
(f) other creditors of the road;
(g) estimates of future receipts and expenditures in the event of the road being leased by the Intercolonial railway.

Such return to be signed and certified to by the chief engineer and traffic manager of the Intercolonial railway and the deputy minister.

And this House, having taken the said amendment into consideration, it was resolved, that the said amendment be disagreed to, for the following reasons: Because the said amendment unnecessarily and ineffectually attempts to limit the power of future parliaments.

A message having been sent to the Senate to acquaint their honours therewith, and the Senate having sent a further message to this House informing this House that their honours adhere to the said amendment.

And this House being of the opinion that if a conference is held between the two Houses, it is possible that an agreement may be arrived at, in respect to the said Bill, which result, it is, in the opinion of this House, desirable to attain, if possible.

Therefore, on motion of Mr. Graham, seconded by Mr. Pugsley,

It is resolved that a message be sent to the Senate respectfully requesting a free conference with their honours, to consider the said Bill and any amendments which, at such conference, it may be considered desirable to make thereto.

Mr. SPROULE. This seems to be a new departure for which I do not know that there is any rule

Mr. GRAHAM. After a little conversation over this matter, and after fully going into the rules, I am advised that this is the orthodox manner to proceed; that the Senate, having returned a Bill disagreeing with the amendments, the Bill is now in the hands of this Chamber, and it becomes our duty to propose a conference, I believe this is what is known as a free conference, as outlined in this motion.

Mr. SPROULE. Under what rule is this procedure taken?

Mr. PUGSLEY. The rule will be found on page 40:

84. (1) In cases in which the Senate disagree to any amendments made by the House of Commons, or to which the House of Commons has disagreed, the House of Commons is willing to receive the reasons of the Senate for their disagreeing or insisting (as the case may be) by message, without a conference unless at any time the Senate should desire to communicate the same at a conference.

(2) Any conference between the two houses may be a free conference.

(3) When the House requests a conference with the Senate, the reasons to be given by this House at the same, shall be prepared and agreed to by the House before a message is sent therewith.

It is laid down in Bourinot that this conference may be held wherever the Senate amends a Bill which the House declines to agree to.

Mr. LANCASTER. Does this motion name who is to be the committee of the House to take part in the conference?

Mr. PUGSLEY. I think the Speaker names the committee; he must appoint three members of the House as managers to attend the conference.

Mr. GRAHAM moved:

That a message be sent to the Senate respectfully requesting a free conference with their honours to consider said Bill, and any amendments which, at such conference, it may be considered desirable to make thereto.

Mr. FIELDING. There have been such conferences before, although the proceeding is unusual. I have myself been associated with a conference of that kind. It is entirely proper.

Mr. LANCASTER. There was a conference in 1903 with regard to some amendments to the Railway Act, and the present Chief Justice of the Supreme Court was one of the conferees. But I think at the time, after the committee were appointed, the next day the Senate receded, as it was their duty to do.

Mr. EMMERSON. On the occasion to which my hon. friend refers, I was a member of the committee, and we met in the Senate. I think we are following on that procedure now that was followed on that occasion.

Motion agreed to.

HOURS OF LABOUR ON PUBLIC WORKS.

Mr. KING presented the fourth report of the special committee to which was referred Bill (No. 21) respecting hours of labour on public works.

The Clerk having read the report,

Mr. KING moved that the recommendations contained in the fourth report of said committee on Bill (No. 21) respecting the hours of labour on public works, be concurred in.

Motion agreed to.

THE HOUSE OF COMMONS STAFF.

Mr. FIELDING. There are several formal motions necessary in connection with the Civil Service Act as applied to the House of Commons. We have already passed the items appropriating sums to be paid to the various officers of the House, but it is necessary that we should formally confirm certain recommendations that were made by the Speaker at an earlier date, and which are now upon the journals. I therefore beg to move:

That the recommendations of the hon. the Speaker, laid on the table of the House on the 24th November, 1909, relative to the yearly increase in salary to certain officers and clerks of the House pursuant to section 37 of the Civil Service Amendment Act, 1908, be approved.

Motion agreed to.

Motions by Mr. Fielding that the recommendation of the Hon. the Speaker of the second inst relative to the yearly increase in salaries to certain officials of the House and also of the 29th November, 1909, relative to the payment to the clerks of the joint distribution office of the House of Commons and Senate of the yearly increase in salary were also agreed to.

COAL SUPPLY TO LIGHTKEEPERS.

Mr. TEMPLEMAN. The hon. leader of the opposition (Mr. R. L. Borden) quoted a letter from Nova Scotia yesterday complaining of the treatment which some lighthouse keepers had received with regard to coal. It was said that they had been receiving coal and that it had been taken away from them. I have here a statement from the department explaining that the salaries of the lighthouse keepers were increased, and that an allowance for coal is no longer made. The statement is as follows:

Under date 24th September, 1908, an order in council issued approving of a classification of light-stations throughout the Dominion together with regulations covering such classification.

The various light-stations were grouped into classes according to duties required to be performed, accessability, opportunity for supplementing income by other work in the neighbourhood, &c. Before this classification came into effect, some lightkeepers were remunerated in part by salary, in part by other allowances such as for fuel, water, horse-keep, &c. Under the classification a salary was allowed sufficient in itself without other allowances. Under this classification, many lightkeepers received inreases in salary, certain other lightkeepers were found to be in receipt of salary above the maximum allowed by the classification, but the classification provided that in such cases the salary of keepers then in the service would not be reduced and that such stations would come under the classification on the appointment of a new keeper. In many cases, the salary provided under the classification was equal to or more than the aggregate allowances hitherto obtaining. In such cases, allowances such as for fuel, &c., were discontinued, the new salary covering such. In other cases the salary under the classification was greater than the previous salary but not as great as the aggregate of salary and allowances, and in such cases the part of the allowances covered by the new salary was discontinued, the remainder being allowed to the keepers.

In the case referred to by the leader of the opposition, the keeper, no doubt, received an increase in salary which would cover former fuel allowance, and if the lightkeeper was offered coal for sale, he was in as good a position then as before the classification came into effect—that is, he received an increase in salary, which increase would at least pay for the coal and probably more.

With regard to the unfortunate drowning of the Marie-Joseph lightkeeper and his son, this can scarcely be chargeable to the discontinuance of fuel allowances, particularly in so far as the department is aware fuel had never been supplied to the Marie-Joseph lightkeeper by the department.

ADJOURNMENT — BUSINESS OF THE HOUSE—THE LUMSDEN CHARGES.

Mr. FIELDING moved the adjournment of the House.

Mr. SPROULE. May we expect anything to-morrow except concurrence?

Mr. FIELDING. I think the business of the session is virtually concluded except concurrence, and the passage of the Supply Bill. The conference with the Senate which was the subject of remark a few minutes ago will have to be considered in the morning, and the final stages of concurrence and of the Supply Bill will have to be taken.

Mr. G. TAYLOR. At what time do we expect that prorogation will take place?

Mr. FIELDING. I see no reason why prorogation should not take place at three.

Mr. MACDONALD. With the permission of the House I beg to move the motion in regard to the payment of counsel employed in connection with the Lumsden charges, and which is recommended by the committee. The motion is:

That in accordance with the recommendation contained in the sixth report of the Special Committee re Lumsden inquiry, proper fees and expenses be paid to counsel appearing before the said committee, and the clerk of the House and the law clerk are hereby authorized to tax the said fees and expenses and to pay the same when so taxed, out of any moneys voted by parliament for the expenses of committees.

Mr. SPROULE. I thought that was to stand until to-morrow?

Mr. FIELDING. It was brought to the attention of the House earlier in the day, and the leader of the opposition stated that he was not aware of any objection, but that he would prefer that the motion be not pressed at the moment. I have no objection to it standing till to-morrow if it is desired.

Mr. SPROULE. Carried.

Motion (Mr. Macdonald) agreed to.

Motion (Mr. Fielding) agreed to, and House adjourned at 10.55 p.m.

HOUSE OF COMMONS.

WEDNESDAY, May 4, 1910.

The SPEAKER took the Chair at Eleven o'clock.

RAILWAY COMMITTEE RULES.

Mr. TURRIFF. Mr. Speaker, I would ask permission to move that the portion of the 29th report of the Committee on Railways, Canals and Telegraph lines dealing with the proposed change in connection with the rules governing the bringing of railway Bills before the committee be adopted. A recommendation has been made by the committee, but I understand that some action is necessary in order to bring it into force.

Mr. SPEAKER. I understand that the matter will have to be dealt with in Committee of the Whole House.

Mr. TURRIFF. Then, I beg to move that Mr. Speaker do leave the Chair for the House to go into Committee of the Whole to consider the proposed amendments to the rules of the Railway Committee. I would like to ask whether it is the wish of the right hon. Prime Minister (Sir Wilfrid Laurier) to take up this matter now.

Sir WILFRID LAURIER. No. I have looked at the rules and for my part they seem to be unobjectionable. On the contrary, they seem to have a good deal of merit, but at this stage of the session I do not think anybody has been able to give them the consideration which they deserve. The matter may stand as a notice until next session.

Motion withdrawn.

PROROGATION.

Mr. SPEAKER. I have the honour to inform the House that I have received the following communication from the secretary of His Excellency the Governor General:

Ottawa, May 4, 1910.

Sir,—I am commanded by the Governor General to inform you that His Excellency will proceed to the Senate Chamber this afternoon at three o'clock for the purpose of proroguing the present session of parliament.

I have the honour to be, Sir,
Your obedient servant,
LANESBOROUGH,
Major,
Governor General's Secretary.

The Honourable
The Speaker of the House of Commons.

CONFERENCE WITH 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 accedes to their request for a free conference to consider the Bill to amend the Act relating to government railways, and any amendments which, at such conference, it may be desired to make thereto, and appoint the hon. Messrs. Dansereau, Beith and Power to act on behalf of the Senate, and that the meeting be held in his honour the Speaker of the Senate's apartments forthwith.

Sir WILFRID LAURIER moved:

That Messrs. Graham, Pugsley and Taylor (Leeds) be appointed managers on behalf of this House of the free conference of the Senate, and that a message be sent to the Senate acquainting their honours thereof.

Mr. HENDERSON. May I ask: Will these gentlemen have to appear in full dress this morning according to the ancient custom to face this conference?

Sir WILFRID LAURIER. In view of the advanced period of the session we will dispense with that ceremony.

Motion agreed to.

QUESTIONS.

OYAMEL COMPANY, ROBERVAL.

Mr. GIRARD:

Does the Minister of Public Works know that the account of $105 paid to the Oyamel Company for tamarack, as reported in 'Hansard' of the 25th April, page 8044, was said to have been paid under false pretence, as it is alleged the company did not sell that wood? If so, what action does he intend to take in this matter?

Hon. Wm. PUGSLEY. No.

UNIFORM CODE OF TRAIN RULES.

Mr. J. A. CURRIE:

1. Has the Railway Commission approved of a uniform code of train rules?
2. Have these rules been published by the government and are they available to the public and to trainmen without charge?
3. Has the right to publish these rules been granted to the St. Thomas 'Journal'? If so, what is the price per copy?
4. What railroads have adopted the rules and who gave the St. Thomas 'Journal' the right to publish them?
5. What are the rules to be put into force?

Hon. GEO. P. GRAHAM:

The following information is supplied by the Board of Railway Commissioners:

1. The board by order No. 7653, dated July 12, 1909, has approved of a uniform code of train rules for Canadian railways.
2. These rules have not, as far as the board has any knowledge, been published by the government, nor are they available to the public and trainmen without charge, except as to copy on file with board.

3. The board has not granted such right to the St. Thomas 'Journal,' or any other parties. The board understands the St. Thomas 'Journal' sells copies of the rules approved of by the board at fifty cents a copy.

4. As yet no railway companies have adopted the rules, but practically all the railway companies in Canada are arranging to adopt them, with the exception of two or three American lines which enter Canada for a short distance, in which case the rules in use, and known as the 'American code of standard rules,' have been approved by the board for use on such railways.

5. The order approving the rules did not provide a date for their coming into operation. It was thought after approval some reasonable time should elapse for further consideration and discussion before putting them in force. Some of the railways are arranging to bring them into operation very soon, and the board will doubtless soon require all railways to operate under them.

NATIONAL TRANSCONTINENTAL RAILWAY—SHOPS AT ST. BONIFACE.

Mr. J. A. CURRIE:

1. Did the Transcontinental Commission advertise for tenders for machine-shop tools and equipment for the railway shops at St. Boniface?

2. At what date were advertisements first inserted in the newspapers, and at what dates were tenders received?

3. Did the specifications allow for any tools being purchased except those of certain makers specified?

4. Did the time between when the advertisements were first published and the date of their being received allow of British makers tendering?

5. Were any tools except American tools and equipment specified?

6. What was the total amount of the tenders for tools and equipment?

Mr. GRAHAM:

The following information is supplied by the Transcontinental Railway Commissioners:

1. Yes.

2. The advertisement appeared first in the 'Canada Gazette' of March 5, 1910, and in Canadian newspapers immediately after. Tenders were to be received on or before April 12, 1910, at 12 o'clock noon.

3. Yes.

4. Yes.

5. Several Canadian manufacturers' products were referred to, but no particular machine of any firm, Canadian or American, was specified, simply referred to in schedule as types of machines.

6. The whole number of tenders have not yet been compiled and classified.

Mr. GRAHAM.

TELEGRAPH LINE BETWEEN L'ANSE ST. JEAN AND ST. ALEXIS.

Mr. GIRARD:

What amount did the Minister of Public Works spend in 1903, in repairing the telegraph lines between l'Anse St. Jean and St. Alexis?

Mr. PUGSLEY:

$976.88.

COLONEL B. A. SCOTT.

Mr. GIRARD:

Is it true, as alleged, that Colonel B. A. Scott, while he was in charge of the 18th Regiment, was a defaulter for a considerable amount? If so, what was the total amount, has he repaid it, and was the repayment made before or after his resignation?

Sir FREDERICK BORDEN:

The records at headquarters do not show that Lieut.-Col. B. A. Scott was a defaulter whilst he was in command of the 18th regiment.

PAYMENT TO MR. A. McLEAN.

Mr. GIRARD:

Does the Minister of Public Works know that it is alleged a person named A. McLean, mentioned on page V—165 of the Public Accounts, 1900, as having sold wood or timber for $130 never sold that wood? If so, is it his intention to demand repayment and oblige the paymaster to render an account?

Mr. PUGSLEY:

The answer is, no, to the first paragraph; the second paragraph is answered by reply to the first paragraph.

PAYMENTS TO J. TREMBLAY.

Mr. GIRARD:

1. Does the Minister of Public Works know that a person named J. Tremblay, mentioned in the Public Accounts, 1900, as follows, at page V—165 as having sold wood or timber for $690 and $348.50, a total of $1,038.50, it is alleged could not have sold this wood or timber?

2. If so, is it the minister's intention to demand repayment and oblige the paymaster to render an account?

Mr. PUGSLEY:

1. No.

2. Answered by reply to No. 1.

PAYMENTS TO CHARLES VEILLEUE.

Mr. GIRARD:

1. Does the Minister of Public Works know that a person named Charles Veilleue, reported in the Public Accounts of 1902 at page V—202 as having sold wood or timber at the wharf of St. Jerome for $1,947.74 is said to be unknown in that parish and could scarcely have sold wood or timber?

2. Does the minister know that at the time of payment for the works of that wharf, it is alleged the paymaster, Laroche, gave to a third party $300, to be divided among three persons?

3. If so, does the minister intend to demand the repayment and oblige the paymaster to render an account?

Mr. PUGSLEY:

1, 2. No.

3. Answered by reply to No. 1.

PAYMENTS TO P. A. POTVIN.

Mr. GIRARD:

1. Does the Minister of Public Works know that a person named P. A. Potvin, mentioned on page Q—146 of the Public Accounts for 1899, as having sold wood or timber for $232.75, is said to have never sold that wood or timber?

2. If so, does the minister intend to demand the repayment and oblige the paymaster to render an account?

Mr. PUGSLEY:

No to 1st paragraph.

2nd paragraph answered by reply to No. 1.

PAY-LISTS—18th REGIMENT.

Mr. GIRARD:

1. Are the names D. Gagné, A. Morin and Edward Limard on the pay-lists of the 18th Regiment of the camp of 1908 at Lévis?

2. If so, does the minister know that it is alleged the two first named did not go, and were impersonated by others at the request of the officers?

3. To whom has the money due to these persons been paid?

Sir FREDERICK BORDEN:

1. The following names appear on the pay-lists of the 18th Regiment for Levis Camp, 1908:—

Donizo Gagné on Regimental Staff;

Alfred Morin on 'F' Company, and there is also another A. Morin on 'H' Company.

No trace of any man named Edward Limard.

2. The Department has no information as to any alleged impersonation.

3. Pay of D. Gagné was included in payment to Lieutenant-Colonel Savard, and pay of Alfred Morin to Captain Gendron. Pay of A. Morin to Captain D. Tessier.

PAYMENTS TO ED. LEMIEUX.

Mr. GIRARD:

1. Is the Minister of Public Works informed that a person named Ed. Lemieux who appears in the Public Accounts for wood or timber sold as follows: 1898 (page Q—128), $14.78; 1899 (page Q—138), $75.15; 1899 (page Q—150), $87.60; 1899 (page Q—150), $110.45; 1900 (page Q—150), $74.36; 1901 (page V—204), $175; 1901 (page V—206), $50.50; 1902 (page V—192), $430.50; 1902 (page V—197), $99; 1902 (page V—200), $25; 1902 (page V—202), $85.50; total of $1,227.84, did not, it is alleged, sell that wood or timber at the places indicated?

2. If so, is it the minister's intention to make an inquiry in order to obtain a repayment and oblige the two paymasters concerned in these payments to render an account?

Mr. PUGSLEY:

1. No.

2. Answered by reply to No. 1.

APPOINTMENTS IN THE NAVAL SERVICE.

On the orders of the day being called:

Mr. EMMERSON. I desire some information from the Prime Minister with respect to securing appointments in the naval service of Canada. A friend of mine made application for a position for his son, and in reply received this letter:

I am directed to inform you that your son's name has been noted as being desirous of joining the Canadian Naval Service as a cadet, and that when the regulations concerning this have been drawn up a copy of them will be forwarded you.

As far as known at present a competitive examination will have to be passed for entry. As to fees these have not been decided upon yet but it is anticipated that they will not be very heavy and along the same lines as those for the Royal Military College, Kingston.

Referring to the latter part of your letter (which had reference to the application of a Canadian who had secured his certificate from the Royal Navy and who had afterwards served with credit upon merchant ships) I am to inform you that there is no vacancy to which he could be appointed, nor will there be until the ships which the government propose to build are completed in the course of four or five years. The only officers employed now are those for instructional purposes who have been lent from the royal navy.

P. J. LING,
Secretary to Naval Staff.

When the Naval Bill was before the House, it was distinctly understood that free access to the Canadian navy would be given to Canadian lads upon terms which were suited to the conditions in this country. I am, however, informed that Admiral Kingsmill has laid down regulations which will give opportunities to very few families of average means in this country to have their boys available for examination for admission as naval cadets, and I would like to know if this is the case, and if so why? It was understood in parliament that the Canadian navy was to offer a career for our sons, and are we to be told now that the boys shall not only have to pass an examination in the rudiments of education, but before they are given examinations to enter for the Canadian navy, their parents or guardians must contract

for an expense of several hundred dollars? If, as stated in the letter from the secretary of the naval service, the fees are to be as at Kingston, that involves some hundreds of dollars, and practically will shut out a very large number of deserving young men in this country. Our conditions here are quite different from what they are in England, as is well known, and it would be well if information could be disseminated broadcast throughout the country with respect to the prospects that young men will have in this regard.

Mr. SPEAKER. The hon. gentleman is putting a question?

Mr. EMMERSON. I am, for information, stating the facts. I think I am within the rules of the House.

Mr. SPEAKER. It is only as a matter of courtesy that a question can be put now, except relating to the business of the House. This is on the orders of the day.

Mr. EMMERSON. My question is whether young men, Canadians, who have qualified themselves by training on British ships by later service in British naval vessels and subsequently by service on British merchantmen in all parts of the seas are to be met with a declaration by the naval staff of Canada that there will be no vacancies in the naval service of Canada until the Canadian ships are completed, and is it understood that no Canadians, no matter how well qualified, shall be eligible until the ships which the government propose to build shall be competed? I do not think the understanding was that it would be years before young men could secure positions as cadets or otherwise, and it will be a very unfortunate circumstance if that is to be the case, and if the regulations involve that hardship upon Canadian boys.

Sir WILFRID LAURIER. My hon. friend stated that Admiral Kingsmill had laid down regulations which would prevent young Canadians from being admitted to the navy. I would like to know his authority for that statement.

Mr. EMMERSON. I say that statement is made, and I am asking if it is a fact. I know nothing about the matter myself.

Sir WILFRID LAURIER. No rules or regulations have yet been made for the conditions of admittance to the navy. I stated the other day when we were discussing the estimates that at present we had to officer the ships which would be immediately ready for commission, the 'Niobe,' and the 'Rainbow,' with English officers who had been borrowed from the imperial service, because we have no such officers now. It is, I need not say, a matter of course that young Canadians will be not only admitted but invited at once to the naval college, and in advance of the construction of the college, as cadets to the 'Niobe.' The 'Niobe' is fitted to be a training school immediately without waiting for the college to be constructed. As to the conditions of admittance to the college this matter has not been determined, nothing has been done, but of course we have intended to take as a model the Kingston Military College. My hon. friend takes exception to this, I shall take a note of what he says.

SUB-LAND AGENCY AT PINCHER CREEK.

Mr. HERRON. Is the Minister of the Interior now able to give any information as to the establishing of a sub-land agency at the town of Pincher Creek? The minister a few years ago pledged himself that he would re-establish it provided a suitable man could be found to take the position at the minimum salary of $25 a month. If the subagency were established a very large section of country would be accommodated. I hope the minister will be able to give a guarantee that he will establish such an agency.

Mr. OLIVER. I am not able to give my hon. friend the assurance he asks that the office will be opened. The business of a subagency as of an agency necessarily decreases as settlement goes on, and it is a matter of question from time to time whether we should close both our agency and our subagency. The subagency at Pincher Creek was closed because the subagency declined to do the work for the salary that we thought should be paid. My hon. friend asked me if we would re-open it if we could get a satisfactory agent at the minimum salary. I told him that was a matter to be considered. I have not been able to give the matter any attention recently, but so far as my memory serves me, it appears that the evidence that came to my attention was not such as would warrant us in re-opening the office.

Mr. HERRON. The hon. minister did promise me when I asked the question in the House, that he would open the office if we had a suitable man at the same salary. I have it here in 'Hansard.'

Mr. OLIVER. Will my hon. friend be good enough to read what was said?

Mr. HERRON. This is what the hon. minister said in answer to my question:

Mr. OLIVER. If we could get an efficient and reliable man to act as subagent, I think we would be willing to pay him the sum suggested, but, of course, as the difference is not as large as it was some years ago, there is not the same necessity for a subagent. If, however, we could get one satisfactory to us to do the work at a fair compensation, there would be no objection to reopening the office.

Mr. OLIVER. I do not altogether agree with my hon. friend that that is a statement that if we could get such an agent we would open the office. I said that the objection which has caused the closing of the office would be removed; but the question as to whether there is business to justify a salary and the opening of an office must be always a matter for consideration. We cannot guarantee to keep an office in a certain place always open, because there had been one there. These offices must in the nature of events be closed as the business ceases.

THE LUMSDEN INQUIRY.

Mr. R. L. BORDEN. Before the orders of the day are called, I wish to ask the Minister of Finance what is the total amount paid or to be paid to counsel employed in the Lumsden inquiry.

Mr. FIELDING. I have no information on the subject. The matter is in the hands of the committee. The resolution passed last night was that the payment should be taxed by the clerk of the House and the law clerk.

Mr. R. L. BORDEN. After it has been taxed, the information will be available?

Mr. FIELDING. Yes. I am informed that nothing has been arranged yet.

THE CUSTOM TRAIFF.

Mr. FIELDING moved second reading of Bill (No. 233), to amend the Customs Tariff, 1907.

Mr. DAVID HENDERSON (Halton). Mr. Speaker before this Bill is read a second time, I desire to say a few words on a question which I think is of very much interest to the country at the present time. Going back to the year 1895, we were told by hon. gentlemen now on the treasury benches that they were the party of low tariff, that when they came into power the tariff would be reduced. The first action of the government in connection with the tariff was largely to increase very many items, notably coloured cotton goods of almost every character from the finished muslin to the coarsest cotton tweeds and ducks and denims worn by workingmen. Woollen goods were also increased. Women's shoes were increased from 25 to 30 per cent. Fur goods were increased from 25 to 30 per cent. I need not go on and enumerate the many articles on which the duty was materially increased preparatory to the application of the British preference, which was intended to bring the tariff down again to a lower basis. However, the government seems to have overlooked the fact that all the goods imported of the classes I have referred to on which the duty was increased were not brought in from Great Britain, but from the United States and many other countries against which the higher tariff prevails, the result being that in many instances the duties were enhanced enormously, as I propose to show. I intend to refer only to a few articles, because time would not permit this morning that I should deal at any length with the question. I will take the case of watches, an article which every gentleman and every lady desires to have, and therefore an article of common consumption. Under the old tariff the duty on watches was 25 per cent; under the new tariff the duty is 27½ per cent.

Mr. FIELDING. From what countries?

Mr. HENDERSON. The schedule is 27½ per cent.

Mr. FIELDING. But there are three schedules.

Mr. HENDERSON. I am speaking of the general tariff.

Mr. FIELDING. But my hon. friend is not fair when he ignores the British preference.

Mr. HENDERSON. I am going to show the result even when you apply the British preference. I am going to be perfectly fair, because I want the people to understand something more of the nature of the tariff that we have at the present time. Taking all the watches that came in from other countries and including those that came in under the operation of British preference, the average rate of duty paid in 1909, the last year for which we have full returns, instead of being 25 per cent as under the old tariff was increased to 29·90 per cent. All the watches we imported under the British preference was $1,641 worth, whereas we imported under the general tariff $10,559 worth from Switzerland and $16,157 worth from the United States. So that the people paid the larger tariff, the general tariff, on the larger quantity of imports. Taking a common article like brushes, used in every household, we find that the old Conservative national policy duty that was so much complained of was 25 per cent, whereas under the present tariff the general rate is 27½ per cent. The average rate paid in 1909 was 27·4 per cent, an increase of 2·4 per cent over the duty under the national policy. Shawls were imported under the old tariff at 25 per cent, whereas under the new tariff, under the general schedule, the duty is 35 per cent; the average paid in 1909 was 33·64 per cent instead of 25 per cent under the much-abused National Policy. Ribbons, 30 per cent under the old tariff, 35 per cent under the new tariff, making an average of 35·20. I shall have something to say of this item a little later. Ladies' blouses and shirt waists, an article of

every-day use worn by the ladies, were 32½ per cent under the old tariff, that is the general rate; under the new tariff 35 per cent, the average rate of duty paid in 1909 being 33 per cent or one-half per cent more than under the old and much abused National Policy tariff. Take lead pencils, a small thing it may seem, yet an article that is in use in every household, an article that is extensively used in the province of Ontario by every child going to school, and yet even the little children are taxed higher than before; 25 per cent was the duty under the old tariff, 27½ per cent is the duty under the new tariff, that is the general duty, but taking into consideration all the various duties, British preference, general tariff, intermediate tariff, and surtax, the average rate of duty paid in 1909 was 29·22 per cent or nearly 4¼ per cent higher than under the much abused National Policy tariff. Railway rugs were 25 per cent under the old duty and were raised to 35 per cent, making an average in 1909 of 30·12 per cent. Then we have fishing rods. The sportsmen had to pay 30 per cent under the old tariff and 30 per cent under the new. That is a case different from the others where the duty was reduced to 26 per cent. Clocks were 25 per cent under the old tariff and 30 per cent under the new, I mean the general tariff, the average being 31·14 per cent. Corsets were 32½ under the old tariff and are 35 per cent under the new, making 34·31 as the average rate of duty in 1909 instead of 32½ paid prior to the advent of the present low tariff government. Ready-made clothing under the old tariff was 5 cents per pound and 30 per cent, equivalent in 1896 to 34¼ per cent. The present government raised the general duty to 35 per cent. Of course, the British preference has been applied, but notwithstanding that the duty in 1909 averaged 33·77 per cent. Baths, batting and sheet wadding was 22½ per cent under the old tariff and under the new tariff was increased to 25 per cent, making an average duty of 25·2 per cent as against 22½ under the old tariff. Then we come to the items of guns and firearms. These were 20 per cent under the old tariff, and were raised to 30 per cent. Then the British preference was applied and the deduction of one-third brought it back again to 20 per cent. However, as I stated before, the government omitted to take into consideration the fact that we do not import all the guns from Great Britain. We import largely from the United States, so that the average rate of duty paid on guns was 27½ per cent instead of 20 per cent as under the old tariff, and yet hon. gentlemen will tell us that they have reduced the tariff. Now, I have given these concrete examples, selected examples of various kinds of woollen goods; I have spoken of cotton goods and other articles of manufacture, so that the people may have their attention drawn to the fact that this government that promised a reduction in tariff has actually given us large increases. Now, we may demonstrate that in some other way, but before proceeding to give other statistics, I propose to give one or two illustrations of how the new tariff works. Take the article of lead pencils to which I referred a moment ago. There were imported last year, I mean in 1909, from Great Britain $11,091 worth. These came in under the British preference and got the benefit of the one-third off, and had we imported pencils from no other country than Great Britain certainly the duty would have been reduced. But we imported from the United States $117,303 worth as against $11,081 worth from Great Britain. Now, the result of that is that whilst under the old tariff the duty paid would have been $50,852, the new duty in 1909 was $59,446, making an increase on this little item alone of $8,594. And yet these gentlemen go through the country and boast that they are the low tariff party. Take the article of ribbons, which I think is a very good illustration of the effect of the tariff. This is an article used in every house. The ladies, the children, little girls, all like to be decked out in ribbons. The government seem to know this, and they say: if you will beautify yourselves by wearing ribbons, we will make you pay for them, and here is the way it works out. We imported from Great Britain in 1909, $13,584 worth of ribbons. We imported from France $320,553 worth. These came in under the general tariff of 30 per cent instead of 25 per cent. From the United States we imported $92,386 under the general or higher tariff. From Switzerland we imported $361,394 worth, all under the general tariff, whilst we imported from Great Britain under the British preference or reduced tariff only $13,584 worth. Altogether under the general tariff we imported $1,288,609 worth, whilst, as I stated before, under the British preference, all we imported from Great Britain was $13,584 worth. Now what is the effect when we compare this duty with what it would have been under the old tariff? The duty on ribbons under the old tariff would have been $402,616. On the $1,342,054 worth which we imported under the present tariff we paid a duty of $472,671, or in all, we paid $70,055 more duty on ribbons alone in 1909 than we would have paid had the old duty remained in force. And yet hon. gentlemen say they are the party of the low tariff.

On one single article of every day wear, every day purchase, the actual increase in duty is $70,055. I would think statements like this ought to be startling to the country, and to open the eyes of the people to

the fact that this government have not redeemed their pledges to give a reduced tariff. I would not complain so much if they had not increased it, but the duty has been increased, and that is what I complain of. I complain that the duties to-day are abnormally high as compared with what they were under the previous government. On certain articles they are reduced no doubt, but there are others on which they are largely increased and unfortunately the articles on which the tariff ought to be maintained are those on which the duties have been reduced. Had the government applied this increase of duty to support Canadian industries, there would have been a justification for it, but when you apply it to articles that are produced in this country or are produced to only a very limited extent, and compel the people to pay high taxation without giving the benefits of employment of labour in the country or of protection, I say that the people do not agree with that kind of tariff. We are told that taxation has been reduced. Time and again this has been said, and last session the Minister of Customs particularly boasted of it. I shall give a table which I think will conclusively demonstrate that taxation, on the whole, instead of being reduced has been increased. The Minister of Finance gave us an important table giving the population of the country from 1891 down to the year 1910. I propose to utilize that table to show how taxation has been increased. That table is as follows:

Year.	Customs Duties.	Excise duties.	Total Taxation.	Rate per Capita.
1896	$19,833,229	$ 7,926,006	$27,759,285	$ 5 46
1906	46,064,598	14,010,220	60,074,818	9 60
1910	61,031,336	15,108,633	76,139,969	10 21

Thus, the average per head of taxation for the year ending March 31, 1910, is $10.21 as against $9.60 in the fiscal year 1906, and as against $5.46 in the last year of Conservative rule, 1896.

I shall take another plan to show how taxation has been increased. Hon. gentlemen in making their comparisons in the increase of taxation put together the amount of dutiable, and the amount of free goods. The dutiable goods are the only goods with which we have to deal in the matter of taxation, for, as we all understand, free goods pay nothing. It may be argued that a number of articles have been put on the free list, and that that ought to be taken into consideration. I grant it. Corn, for example, has been put on the free list, but when corn was put on the free list the government, being anxious not to lose the revenue, largely increased the duty on sugar, making up the loss they had sustained by putting corn on the free list. In 1909 the duty on raw sugar was $2,673,423. Under the old rate of half a cent per pound the duty in 1909 would have been $2,267,125, an increase under the present tariff on the imports of raw sugar for 1909 of $406,298. That is the people of this country pay as duty on sugar $406,298 more than they would have paid had the tariff of the Conservative party remained in force. I remember that a year ago the Minister of Customs drew attention to the fact that this duty was on raw sugar. He said the people of this country did not consume raw sugar, that they were so well off that they consumed refined sugar. The Minister of Customs need not have made that statement, because it is well known that refined sugar is the article that goes into consumption in this country. He should have told us at the same time that the refined sugar is made from the raw, that the raw sugar is simply the basis from which the refined sugar is obtained, and the moment you increase the duty on the raw sugar you increase the duty on the refined sugar. I wish to make a comparison on the importation of corn. The importation of corn in 1909 amounted to $5,414,672. This came in free. Out of this we exported 303,321 bushels leaving 5,111,351 bushels as comsumed in Canada. The old duty on this amount of corn consumed in 1909 would have been, at the rate of 7½ cents per bushel, $383,351. Now, we take the added duty on raw sugar of $406,298, and deduct the loss on the corn of $383,351, and we find as between those two articles that the government takes out of the pockets of the people $22,947 more than they would have done had they left corn at the old rate of 7½ cents a bushel, and left sugar at the old rate of ½ cent a pound. What advantage is it to the people of the prairie provinces that corn should be put on the free list? They are not purchasers of corn. I do not understand that corn is imported from the United States into the great west, and consequently they get no advantage whatever

from the reduction of the duty on corn. But they are every one of them taxed heavily for the increased duty on sugar which they have to pay while they get no advantage from the reduced duty on corn. I submit that problem to hon. gentlemen from the west, and ask them if they have received fair treatment in the matter of these two items of corn and sugar.

There is one other consideration I desire to submit. As I said before, I am going to deal with the dutiable goods only, because it is rather a matter of no importance to many people who consume dutiable goods whether some other person gets an article free of duty. For example, what advantage is it to the lady who goes down Sparks street and buys a muslin dress, or any other dress, on which the duty has been increased; what advantage is it to that lady whether manufacturers of agricultural implements get their iron and steel free of duty, or at a reduced rate of duty? She gets no advantage out of the reduction of duty on iron and steel, but she is compelled to pay the high duty on all she purchases herself. Better would it be if these duties were so regulated that all parties would pay their fair share, and that the duty would not be taken off, or almost entirely taken off, to the benefit of only one class of the community, while another class is compelled to contribute to the revenue of the country. I say, therefore, we have only to deal with dutiable goods in order to ascertain what the taxation of the country is. In 1896, dutiable goods imported into this country amounted to $74,259,940, on which a duty of $20,290,037 was paid, making an average rate of duty that year on dutiable goods of 27·22 per cent. Now, I will come down to the year 1897, when there was a slight reduction. The amount of dutiable goods imported into the country was $74,108,590, paying a duty of $19,891,996, giving an average rate of duty of 26·84 per cent for that year, a slight reduction of the taxation of 1896. A revision of the tariff took place again in 1897, when the government seemed to need more revenue. In 1909, two years after the last tariff came into force, we imported in dutiable goods alone, $185,329,094; on these there was paid a duty of $52,670,287, making an average rate of taxation in 1909 of 28·28 per cent, as against 27·22 per cent in the last year of Conservative rule; and yet hon. gentlemen will tell us they have reduced the taxation.

Mr. M. CLARK. Are these calculations made only upon goods which pay duties? Do they take any notice of goods put on the free list? I am asking for information.

Mr. HENDERSON. I am only dealing with the dutiable goods, as I told the House.

Mr. HENDERSON.

Mr. M. CLARK. The hon. gentleman would surely give the government credit for being reducers of the tariff in respect to the articles on which they abolished the duty altogether.

Mr. HENDERSON. I have done so. I gave the government credit for reducing the duty on corn, putting it on the free list, and for increasing the duty on raw sugar at the same time; but the increase on raw sugar was more than the reduction on corn. Now, it so chances that the constituents of my hon. friend in Alberta do not buy corn; consequently, putting corn on the free list was of no advantage whatever to the people of Alberta.

Mr. M. CLARK. Corn is not the only article.

Mr. HENDERSON. I am giving that as an illustration, and I might give many others. But every man in the province of Alberta buys sugar, the hon. gentleman knows that.

Mr. M. CLARK. They do not all use it, a large number.

Mr. HENDERSON. I think there are very few who do not use it. I think if I were in the hon. gentleman's place, I would have hesitated to make that statement. Sugar is an article of household use, and the people who consume sugar pay the increased duty, and if they do not consume corn they get no advantage in respect to corn. As I said, the lady who goes down Sparks street and buys a dress which is subject to a heavy duty, gets no advantage whatever out of the reduction of duty given to the manufacturers of mowers and reapers on their iron and steel. Consequently, I am justified in dealing with dutiable goods, and those alone. Now, some people may question the propriety of my saying that the taxation in 1909 was $52,670,287. I desire to make plain what those figures mean. The actual customs duty paid that year was $48,059,791. But apart from that, there was an increased duty on tobacco paid as an excise duty; nevertheless it was taxation, and we must add that in order to determine what the taxation of the country was. There was also paid in that year as bounties, $2,467,308. Who will venture to say that that is not taxation? I may be told by the Finance Minister that this was paid out of revenue. So it is. The Postmaster General has a surplus, a large surplus, and a large amount of these bounties may be paid out of that surplus. There is revenue also from other sources; the public works of my hon. friend produce a revenue, and it may be out of this revenue that the bounties are paid. They may be paid out of various sources of revenue, and possibly not a dollar of these bounties is paid out of customs revenue; perhaps the larger

part is paid out of excise revenue. So I am not counting the item twice, I am perfectly fair, it is something added to the taxation. No man can question the fact that the payment of bounties is just another system of protection. It reduces the duties on iron and steel to give the manufacturers of iron and steel a bounty instead of the duty that was imposed. Practically it is a duty, to all intents and purposes. Therefore, I am perfectly justified in saying that the duty in 1909 was $52,670,287, making an average rate of 28·38 per cent, or about 1·16 higher than the average rate of duty on dutiable goods in the last year of Conservative rule.

Now I contend that there is a feeling abroad all over the country, and I sympathize with it, that there ought to be a hewing down of these extreme duties, more especially on articles which are not made in the country, but which people have to buy, and which are imported from other countries, and which constitute practically a direct taxation. I submit this proposition as a fair criticism of the government's tariff policy, and I have no doubt when they come to reduce their tariff they will take matters of this kind into consideration. Just fancy, on that one article of ribbons alone to-day the people of this country pay over $70,000 more in duty than they would have paid had the tariff of 1896 had remained in force. Examples such as I have given will tend to open the eyes of the people to the fact that they are being subjected to a system of high taxation that I do not think the circumstances warrant.

Hon. W. S. FIELDING (Minister of Finance). Mr. Speaker, I very much regret that my hon. friend (Mr. Henderson) did not do us all the honour of presenting this criticism of the tariff at an earlier stage of the session when we might have had an opportunity of doing him the courtesy of examining it in detail. Much of it, however, is a mere reproduction of the hallucinations which my hon. friend has permitted himself to entertain for a number of years and which, I suppose, he means to carry down to the end. Some features of his criticism, however, are somewhat new. We have reached a stage of the public business when I am sure we shall all desire condensation, and if I reply very briefly to him he will be aware that I have no desire to be discourteous to him, but that it is simply because time is precious. As to the general statement that there has been no reduction in the tariff I can only say that it is almost an amusing statement to me whenever I hear it made. We have discussed time and time again this question and I have presented to the House in detail lists of hundreds of items on which tariff has been reduced. They are all to be found in 'Hansard,' fully set forth and I shall not waste the time of the House by attempting to go into them. My hon. friend may select here and there some particular case. He says that there were some cases in which the tariff was increased but he forgets that if the general tariff was increased with regard to some items it was substantially reduced as respects the British preference, with a proper desire of turning trade towards Great Britain rather than towards foreign countries. Where goods coming under our tariff are not chiefly produced in Great Britain it is quite possible that in the cases of those particular articles the tariff works in the way of an increase. But take the standard staple articles, such as my hon. friend has mentioned, and what do we find? He says that the duties on cottons are higher than they were in former years and he makes the extraordinary statement that the duties on woollens are higher. The duties on woollen goods under the old tariff ran from 40 up to 50, 60 and 70 per cent. The duties on woollen goods under our present tariff were reduced. As every one knows woollen goods are articles which are, in a peculiar manner, the product of Great Britain, and if you have the duties reduced under the British preference, what folly it is to talk about these duties being increased under the general tariff which applies to countries which do not send us goods of the same class. Great Britain is the greatest competitor in woollen goods. Germany is a competitor to some extent, but Germany has not such favourable rates of duty. The duties on woollen goods have, if I may use the expression, been enormously reduced. Perhaps I should qualify that and say that they have been largely reduced—reduced so much, that from the other side of the House time and time again, the complaint has been made that we have reduced these woollen duties. But after all, we have to deal with the tariff as a whole and not with any particular individual item. My hon. friend asks what value is it to the lady who goes down to buy her ribbons if she has to pay a higher price? What concern is it of hers that the duty on agricultural implements is reduced? If the lady could deck herself out in ribbons only and be received in respectable society my hon. friend's criticism might be useful, but if that lady decked herself out in ribbons only—

Mr. HENDERSON. You would not have her deck herself out in mowing machines.

Mr. FIELDING. No, but it is the mowing machine of the husband that enables her to buy ribbons.

Mr. HENDERSON. Suppose she had no husband.

Mr. FIELDING. Then she had better get one, and in this country she will get one very quickly. In the happy days prevailing now, any good woman can readily get a good husband. There might be some excuse for her not having a husband in the olden times when every man could not support a wife, but in these happier days which now prevail she can get a husband readily and he can support her well and afford to buy her ribbons and silk dresses. Then my hon. friend enunciates the most extraordinary doctrine with regard to duties on dutiable goods only. My hon. friend says that all you have to consider is the duties on dutiable goods. What folly! Suppose we should put 90 per cent of our importations on the free list and to the remainder add 5 per cent in duties, what would be the result? True, the duties would be increased on one-tenth of our imports, but on nine-tenths of them we would pay no duty at all, and then my hon. friend would say that it would make no difference what we did in regard to the free list, that it is only the dutiable list that we have to do with. Then he points out that the duty on ribbons has been increased. If you make 90 per cent of the imports free and only take the dutiable list it might be easy to show that there has been an increase on particular articles. But, the payment of duties must be determined in the aggregate. We have discussed that matter over and over again in the House. It has been shown that, taking the imports into Canada of goods which have been brought from other countries, if the old tariff had remained in operation the people of Canada would have paid tens of millions of dollars more in duties during the last fourteen years than they have paid. It is not necessary to take up the time of the House by going into that matter in detail, but that fact will be apparent to any person who looks at the figures. Another argument that my hon. friend has brought in here is that bounties mean an increase of taxation in addition to. Could anything be more ridiculous? I was surprised to find my respected friend bringing that old yarn in here again. I would have thought that he had got over that delusion. He says we do not know where these bounties come from, whether they are taken out of the post office revenue, customs revenue or excise. He does not and we do not. Nobody can tell what particular source of revenue pays any particular item of expenditure. The revenue all goes into the common pot and it is paid out of the common pot for the benefit of the public services of the country. There is no difference between the fund out of which you pay a bounty and the fund from which you take the indemnity of a member of this House. They both come from the same source.

Mr. J. A. CURRIE. Are they charged to the same account?

Mr. FIELDING. That is another question. We are not now discussing the question of charges against income and capital.

Mr. J. A. CURRIE. My hon. friend does not charge them to the same account. He eliminates them from the same account in order to show a surplus.

Mr. FIELDING. That is another question, which I will be happy to discuss with my hon. friend when I have more time. I intend now to confine myself to the points made by my hon. friend from Halton (Mr. Henderson) and to only a few of them because I have not the time to deal with them in detail. There is no means of determining what particular source of revenue pays the bounty. The revenue all goes into the common treasury, and the charges upon that revenue come out of the common treasury. A merchant may go into a customs house and pay $10,000 in duties and it goes into the revenue account. Next day one of the steel companies comes along and makes application for $10,000 in bounty and the money goes out. My hon. friend says that makes $20,000 of taxation. The $10,000 collected from the merchant went into the revenue and next day it went out to pay the bounty. There is $10,000 of taxation, but my hon. friend calls it $20,000 and he puts that in as a part of his statement. Surely my hon. friend must see that the thing is too ridiculous to admit of a monent's legitimate discussion.

Mr. HENDERSON. Where do you put it?

Mr. J. A. CURRIE. That is a kindergarten argument.

Mr. FIELDING. Then if it is I am addressing kindergarten pupils. It is the old story of the amount of taxation that a man pays. My hon. friend, in his delusion, takes the amount of revenue collected, and the various sources of taxation, and makes up what he calls a statement of taxation. I am not going to inquire whether the figures are correct or not; I am going to assume that they are correct. It is not a question of the amount of taxation that a man pays, but it is a question of the burden that it levies upon him. If in former times he could afford only one suit of clothes at a certain season of the year, he bought but one suit of clothes, and paid perhaps $5 into the customs on it. In these more prosperous times he will buy perhaps two suits of clothes and pay $10 in customs. He pays more taxation, but is he not better off? The rate of taxation is lower than it was before, but by reason of the

greater prosperity, by the better times that have come to him, he can buy more goods, and instead of regretting that kind of increased taxation, I am glad that the prosperity of the people is so great that they are buying more goods, even although they thereby pay more taxes.

My hon. friend talks about there being no reductions. The curious thing is that whenever he comes to individual items, when we are dealing practically with these matters, he is generally commenting on our reductions.

Mr. HENDERSON. The minister misquotes me if he says I contended there were no reductions. I could not have been more plain than I was. What about the corn? Did I not say it was made free, and that there were reductions under the British preference?

Mr. FIELDING. Yes, but my hon. friend insists on misleading the House, as well as himself. I know he does not do so intentionally, but he deceives himself. The hon. gentleman lays down the most marvellous doctrines of political economy. He says that when you increase the duty on raw sugar you thereby increase the duty on refined. Could anything be more preposterous? You increase the duty on raw sugar, but the duty on refined is fixed in the tariff, you increase it or not as to amend the tariff in respect to it.

Mr. HENDERSON. I think the minister will find I spoke of the price.

Mr. FIELDING. Then let us take it at that. The price of sugar in Canada is not governed by the duty on raw sugar. The price of the raw sugar affects the profits of the manufacturer, but the people, as my hon. friend says, do not eat raw sugar, but refined, and the price of refined sugar in Canada is largely governed by the tariff on refined sugar. My hon. friend says we have increased the duty on refined sugar.

Mr. HENDERSON. On the raw sugar.

Mr. FIELDING. He does not eat any raw sugar. What difference for our argument whether the manufacturer is making more or less money; the difference between the raw and refined affects the manufacturers profits. As a matter of fact when this government came into power the duty on refined sugar was $1.14 per 100 pounds, and the duty on British refined sugar—and it is only from Great Britain it comes practically—is 72 cents per 100 pounds. Yet my hon. friend goes out and tells the people that we have increased the duty on the sugar the people eat.

Mr. HENDERSON. Certainly.

Mr. FIELDING. The people do not use the raw sugar; the difference is that the refiner has less protection than before, but I believe that owing to the greater consumption and the increased business of the country he has been able to do very well. Whenever we do make a reduction my hon. friend is found to complain. In the little schedule we have had before us yesterday he regretted the decrease in the duty on leather.

Mr. HENDERSON. You allowed the Americans to do it.

Mr. FIELDING. Never mind how it is done, my hon. friend is complaining about there being no reductions and yet when we make reductions he complains. We reduced the duty on lime, but when we make the reductions,—and the hon. gentleman only mentioned these two items of leather and lime—he regretted that we had made them. How are we to satisfy my hon. friend? When we reduce the duties he will not be pleased, and when we increase them he is displeased.

Mr. HENDERSON. My complaint in regard to lime was that it was not properly classified. I claim that there is no reduction in this article if we classify it right. In the other article, of leather, two years ago you increased the duty and suddenly, after men had put their capital in the business, without notice, you decreased the duty.

Mr. FIELDING. As to their being no notice, tariffs are introduced for increase or reduction without notice; that is one of the advantages of our system that no one knows in advance of any changes. This arrangement with the United States does not affect the classification of anything. My hon. friend's complaint is that we are reducing the duty on this according to our custom classification and yet the whole trend of his speech to-day is that we are to make no reduction at all. There are many other points in my hon. friend's speech that I would gladly take up, but I feel that I should not detain the House.

Motion agreed to, Bill read the second time, considered in committee, reported, read the third time and passed.

I. C. R. BRANCH LINES.

Hon. G. P. GRAHAM. Mr. Speaker, the managers on the part of the House of Commons have the honour to report that they have met the managers on the part of the Senate at the free conference, which on their part was managed by the Honourable Senator Beique and others, for the purpose of further considering the amendments to the Bill (No. 17) intituled 'An Act to authorize the Government of Canada to acquire, by lease, lines of railway connecting with the Government Railways.'

The managers on the part of the Senate did not insist on the Senate amendment but agreed that the following be substituted therefor:—

Wednesday, May 4, 1910.

Resolved, that a message be sent to the House of Commons by one of the Masters in Chancery to acquaint that House that the following amendment made by the free conference to the Bill (No. 17), intituled 'An Act to authorize the government to acquire, by lease, lines of railway connecting with the government railways,' has been agreed to by the Senate.

Add to section 3 the following as subsection 2:—

2. The said board shall in their report to the minister recommending the lease of any line of railway—

(a) give their estimate of the cost of such line, and such information as they are able to give of the moneys received by the company owning the line from the sale of bonds or by way of bonuses or otherwise;

(b) state the then present equipment of the road, together with the average rate of freight and charges for passengers on the same and a comparison of such rates with those charged on the Intercolonial railway;

(c) the total receipts and expenditures for three years last past;

(d) an estimate of future receipts and expenditures in the event of the road being leased as a branch of the Intercolonial railway.

Attest.

S. E. ST. O. CHAPLEAU,
Clerk of the Senate.

PERSONAL EXPLANATION.

Mr. MAGRATH. I would like to make an explanation to the House. A few weeks ago I complained here that the Postmaster General had not brought down some papers. I find on looking in the office this morning that the hon. gentleman brought down these papers some time ago. I wish to withdraw my remarks and I sincerely apologize for the statements I then made.

Mr. LEMIEUX. I can only say, thank you.

CONCURRENCE.

House proceeded to consider resolutions reported from Committee of Supply.

Resolutions reported, read the second time and agreed to.

INTERCOLONIAL RAILWAY BRANCH LINES.

Mr. SPEAKER. I have the honour to inform the House that a message has been received from the Senate acquainting this House that the amendment made by the free conference to Bill (No. 17) intituled an Act to authorize the government to acquire by lease lines of railways connecting with the government railways, has been agreed to by the Senate.

Mr. PUGSLEY moved that said amendment be now taken into consideration.

Motion agreed to, amendment read first and second time, and concurred in.

WAYS AND MEANS—SUPPLY BILL.

House went into committee on Ways and Means.

Mr. FIELDING. I beg to move:

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 31st of March, 1911, the sum of $58,093,999.44 be granted out of the consolidated revenue fund of Canada.

These are based on the main estimates.

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 31st of March, 1911, the sum of $5,197,781.63 be granted out of the consolidated revenue fund of Canada.

These are based on the supplementary estimates.

Resolution reported, read the second time, and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 235) for granting to His Majesty certain sums of money for the public service of the financial year ending March 31, 1911.

Motion agreed to, Bill read the first and second time, and House went into committee thereon.

Mr. FIELDING. The various items that have been from time to time adopted by the House in Committee of the Whole have been consolidated in the resolutions which we have just adopted, and have now carried in the form of a Supply Bill. The Bill has been prepared by the officers of the House, it follows the usual form, and is in all respects free from any objection.

Bill reported, read the third time, and passed.

At one o'clock the House took recess.

House resumed at three o'clock.

THE PUBLIC BUSINESS.

Mr. G. TAYLOR. Mr. Speaker, as the hon. leader of the opposition is not in the Chamber, I want to impress upon the hon. Minister of Finance, now that the fiscal year ends on the 31st of March, that he have the Auditor General's Report ready to lay on the table at the beginning of next session. We lost several weeks this session owing to the delay in bringing down that report. And as the new rules will be

in force next session, I hope we shall get through with the work of the session in two or three months, so that we shall have two or three months more in which to riddle the government with hot shot, which they richly deserve. We had not much time this year to deal with many matters that ought to be dealt with in the Public Accounts Committee, owing to the delay in the Auditor General's Report coming down. Several of these matters on which I am sure the government will be called on to answer have been held up, and in order that these may be attended to next session, I hope the government will be ready with the business of the session when the session opens.

PROROGATION.

A message from His Excellency the Governor General by the Gentleman Usher of the Black Rod:

Mr. Speaker,—His Excellency the Governor General desires the immediate attendance of your 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:

An Act to incorporate the Montreal, Kapitachuan and Rupert's Bay Railway Company.

An Act to incorporate the Northern Quebec Colonization Railway Company.

An Act respecting the Canadian Northern Railway Company

An Act respecting the Sovereign Trust Company, and to change its name to 'The Federal Trust Company.'

An Act to incorporate 'The Protectorate Life Assurance Company of Canada.'

An Act respecting the Dominion Bank.

An Act respecting the Hudson Bay Insurance Company.

An Act respecting the Montmagny Mutual Fire Insurance Company, and to change its name to 'Factories Insurance Company.'

An Act to incorporate the Burrard Inlet Tunnel and Bridge Company.

An Act respecting the Kingston, Smith's Falls and Ottawa Railway Company.

An Act respecting the Vancouver, Victoria and Eastern Railway and Navigation Company.

An Act to incorporate the Ottawa, Rideau Valley and Brockville Railway Company.

An Act to incorporate the Morrisburg Ferry and Dock Company.

An Act to incorporate the Ontario and Ottawa Railway Company.

An Act for the relief of Elmore Walker Scott.

An Act for the relief of Helena Mellor Fleming.

An Act to incorporate Laurentian Insurance Company of Canada.

An Act respecting the Canadian Northern Ontario Railway Company.

An Act to correct a clerical error in the French Convention Act, 1908.

An Act to amend the Gas Inspection Act.

An Act to amend the Royal Military College Act.

An Act to authorize the sale or other disposal of certain public lands, and the acquisition of certain other lands in or in the vicinity of the cities of Toronto and Winnipeg, respectively.

An Act to provide for the Testing of Glassware used in connection with Milk Tests.

An Act to amend the Customs and Fisheries Protection Act.

An Act respecting the payment of bounties on lead contained in lead-bearing ores mined in Canada, and to promote the production of Zinc.

An Act to amend the Act respecting the National Battlefields at Quebec.

An Act to provide for further advances to the Harbour Commissioners of Montreal.

An Act to provide for the adjudication of small claims arising in respect of the operation of the Government Railways.

An Act respecting the Hamilton, Waterloo and Guelph Railway Company.

An Act respecting the Prince Albert and Hudson Bay Railway Company.

An Act to incorporate the Toronto Eastern Railway Company.

An Act to amend the Meat and Canned Foods Act.

An Act respecting the Commission for the Conservation of Natural Resources.

An Act respecting the Currency.

An Act to amend the Indian Act.

An Act respecting the Royal Guardians.

An Act to amend the Irrigation Act.

An Act to amend the Militia Pension Act.

An Act to prevent the introduction or spreading of Insects, Pests and Diseases destructive to vegetation.

An Act to incorporate the Nelson River Railway Company.

An Act respecting the Trust and Loan Company of Canada.

An Act to incorporate the Rainy River Radial Railway Company.

An Act respecting the Dominion Millers' Association.

An Act to incorporate the James Bay and Eastern Railway Company.

An Act respecting the Vancouver Island and Eastern Railway Company.

An Act respecting the Restigouche Boom Company, and to change its name to 'The Restigouche Log Driving Boom Company.'

An Act for the relief of John Green.

An Act for the relief of James Thornton Brownridge.

An Act to amend the Post Office Act.

An Act to incorporate the Gatineau and Ungava Railway Company.

An Act to control the rates and facilities of Ocean Cable Companies, and to amend the Railway Act with respect to Telegraphs and Telephones and the jurisdiction of the Board of Railway Commissioners.

An Act to amend the Telegraphs Act.

An Act to amend the Land Titles Act.

An Act respecting Immigration.

An Act to amend the Criminal Code.

An Act respecting the Naval Service of Canada.

An Act respecting the Water-Carriage of Goods.

An Act to amend the Industrial Disputes Investigation Act.

An Act to amend the Judges Act.

An Act to amend the Canada Temperance Act.

An Act to amend the Prisons and Reformatories Act.

An Act to amend the Navigable Waters Protection Act.

An Act to amend the Fisheries Act.

An Act respecting Escheats.

An Act respecting Insurance.

An Act to provide for the payment of Bounties on Crude Petroleum.

An Act to incorporate the Retail Merchants' Association of Canada.

An Act respecting the Brandon, Saskatchewan and Hudson Bay Railway Company.

An Act respecting the Alberta and British Columbia Railway Company.

An Act respecting the Guelph Junction Railway Company.

An Act for the relief of Federation of Chambers of Commerce of the Province of Quebec.

An Act for the relief of James Alexander Hurst Forster.

An Act for the relief of Emily Maud Nicoll.

An Act for the relief of Edna Shibley De Mar.

An Act for the relief of Clifford Buell Lillie.

An Act for the relief of Roland James Botterill.

An Act to amend the Criminal Code.

An Act to amend the Volunteer Bounty Act.

An Act respecting the Essex Terminal Railway Company.

An Act respecting the Buctouche Railway and Transportation Company.

An Act to incorporate the Pioneers Loan Company.

An Act respecting the British Northwestern Fire Insurance Company.

An Act to incorporate the Alberta, Peace River and Eastern Railway Company.

An Act to authorize the granting of subsidies in aid of the construction of the lines of railway therein mentioned.

An Act to incorporate the Canadian Northern Alberta Railway Company, and to aid in the construction of its railway.

An Act to authorize the erection of certain wharfs and buildings in the Harbour of St. John.

An Act to amend the Railway Act.

An Act to incorporate the Ottawa and Montreal Transmission Company, Limited.

An Act to amend the Criminal Code respecting injuries to persons due to Motor Vehicles.

An Act to amend the Winding-up Act.

An Act to amend the Criminal Code.

An Act to amend the Government Annuities Act, 1908.

An Act to correct an error in the Telegraphs Act.

An Act to assist in maintaining an independent and efficient service of telegraphic news from Great Britain for publication in the Canadian Press.

An Act to encourage the construction of Dry-Docks.

An Act respecting the City of Ottawa.

An Act to amend the Government Railways Act.

An Act respecting Bounties on Iron and Steel made in Canada.

An Act respecting the Central Canada Manufacturers Mutual Fire Insurance Company.

An Act respecting the Eastern Canada Manufacturers Mutual Fire Insurance Company.

An Act to amend the Civil Service Act.

An Act to provide for the investigation of Combines, Monopolies, Trusts and Mergers.

An Act to incorporate L'Institut de Notre-Dame des Missions.

An Act to incorporate the St. Lawrence Power Transmission Company, Limited.

An Act to authorize the Government of Canada to acquire, by lease, lines of Railway connecting with the Government Railways.

An Act to amend the Customs Tariff, 1907.

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 the supplies required to enable the government to defray the expenses of the public service.

In the name of the Commons, I present to Your 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, 1911.

to which Bill I humbly request Your Excellency's assent.

To this Bill the Clerk of the Senate, by His Excellency's command, did thereupon say:

In His Majesty's name, His Excellency the Governor General thanks His Loyal Subjects, accepts their benevolence, and assents to this Bill.

After which His Excellency the Governor General was pleased to close the second session of the Eleventh parliament of the Dominion 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 the most important character.

The measure for the establishment of a naval service, which has become of pressing necessity, in view of the extraordinary advance, within recent years, of Canada as a nation within the British empire, is the crowning development of a policy which was anticipated from the earliest days of confederation.

The Act to amend the law respecting the Aid of Dry-docks will, it is believed, lead to the early construction of docks capable of receiving the largest warships and thus assist the movement for naval defence.

The Act making provision for the lease of lines connecting with the Intercolonial railway, and for their operation as a part of the system of government railways, will enlarge the sphere of usefulness of the Intercolonial, and tend to increase the development and prosperity of an important section of the Dominion.

The appointment of a commission to inquire into the needs and present equipment of the Dominion as respects industrial training and technical education should prove an important contribution to the work of the provinces in advancing the industrial development of Canada and the welfare of its working classes.

The measure to revise and amend the Insurance Act, which engaged the attention of parliament in the previous session, has now been completed and is likely to prove an effective and satisfactory law.

The amendments made to the Currency Act, with special reference to the production of a Canadian gold coinage at the Ottawa branch of the Royal Mint, marks another step in the advance of Canada.

The arrangement lately made between the United States and Canada, averting a threatened tariff conflict and opening the way for negotiations which give promise of further improvement in the commercial relations of the two countries, has, I am glad to know, given much satisfaction to the people on both sides of the boundary line.

Equally gratifying is the termination of the long standing tariff dispute with Germany upon terms which fully recognize the important principle for which Canada contended, and which encourages the expectation of an extended and mutually beneficial trade, between the German empire and the Dominion.

The Act for the investigation of combines, monopolies, trusts and mergers, will, it is hoped, without injuriously interfering with commercial and industrial enterprises, effectively protect the public against attempts to restrain trade unduly.

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:

My official connection with Canada is drawing to a close. My interest in it, however, will not be severed. I shall continue to watch its progress and development, with the sincere hope and belief that under God's providence it will ever increasingly prosper.

The Speaker of the Senate then said:

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

It is His Excellency the Governor General's will and pleasure, that this parliament be prorogued until Monday, the 13th day of June next, to be here holden, and this parliament is accordingly prorogued until the 13th day of June next.

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SECOND SESSION—ELEVENTH PARLIAMENT, 1909-1910.

Abbreviations of well known words and Parliamentary expressions are used in the following:—1°, 2°, 3°, First Reading, Second Reading, Third Reading; 3 m. h., 6 m. h., 6 w. h., Three Months' Hoist, Six Months' Hoist, Six Weeks' Hoist; *, without remarks or debate; Accts., Accounts; Adjn., Adjourn; Adjd., Adjourned; Amt., Amendment; Amts., Amendments; Amalg., Amalgamation; Ans., Answer; Ass., Assurance; B., Bill; B.C., British Columbia; Can., Canada or Canadian; C.P.R., Canadian Pacific Railway; Com., Committee; Co., Company; Conc., Concur, Concurred, Concurrence; Consd., Consider, Consdn., Consideration; Cor., Correspondence; Deb., Debate; Dept., Department; Depts., Departments Div., Division; Dom., Dominion; Govt., Government; His Ex., His Excellency the Governor General; Hse., House; H. of C., House of Commons; Incorp., Incorporation; Ins., Insurance; I.C.R., Intercolonial Railway; Man., Manitoba; Mess., Message; M., Motion; m., moved; Neg., Negatived; N.B., New Brunswick; N.W.T., Northwest Territories; N.S., Nova Scotia; O.C., Order in Council; Ont., Ontario; P.E.I., Prince Edward Island; P.O., Post Office; Par., Paragraph; Prop., Proposed; Q., Quebec; Ques., Question; Recom., Recommit; Ref., Refer, Referred, Reference; Rep., Report, Reported; Reps., Reports; Res., Resolution; Ret., Return; Ry., Railway; Rys., Railways; Sel., Select; Sen., Senate; Sp., Special; Stmt., Statement; Sup., Supply; Suppl., Supplement, Supplementary; Wthdn., Withdrawn; Wthdrl., Withdrawal; Y.N., Yeas and Nays; Names in Italics and parentheses are those of the mover.

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Clean Currency, &c. (remarks) 7190 (iv).

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Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5553, 5861 (iii).

Industrial Disputes Investigation Act Amt. B. 198 (Mr. King) in Com. on Res., 6605 (iv).

Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 8461 (v).

BICKERDIKE, Mr. R.—*Con.*

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6291 (iv).

Retail Merchants' Association B. 216 (Mr. Gervais) in Com., 8051, 8423, 8596 (v).

BLACK, Mr. J. B., *Hants.*

Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. for 2°, 888 (i).

Dominion Atlantic Ry. Co.'s (B. 172) 1°*, 5617 (iii).

Fisheries Act (regulations) Amt. B. 192 (Mr. Templeman) in Com. on Res., 5907 (iii).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5803 (iii).

Insects, Pests, Diseases Prevention B. 20 (Mr. Fisher) in Com., 5657 (iii).

I.C.R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1108 (i).

I.C.R., Sale of to other Ry. Cos. (prop. res.) 2299 (ii).

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Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6293 (iv).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5407 (iii).

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Bay St. Lawrence Light-keeper, Complaints *re* (Ques.) 4311 (iii).

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Canadian Northern Alberta Ry. Co.'s Subsidy B. 227 (Mr. Graham) in Com. on Res., 8487 (v).

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Civil Service Act Amt. B. 205 (Mr. Fisher) in Com., 7296 (iv).

Combines Investigation Act B. 101 (Mr. King) on M. for Com. on Res. 6874; in Com., 6923 (iv); 7905 (v).

Conservation of Natural Resources Commission, B. 185 (Mr. Fisher) in Com. on Res. 5885 (iii).

Crude Petroleum Bounty, B. 208 (Mr. Graham) in Com. on Res., 6997 (iv).

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Currency Act Amt. B. 195 (Mr. Fielding) in Com., 6624 (iv).

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3921 (ii); 5774 (iii).

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Govt. Steamers purchased by Marine Dept. since 1896 (Ques.) 3484 (ii).

House of Commons and Senate Officials, Estimated Cost of Occupancy of Living Rooms, &c. (M. for ret.*) 1023 (i).
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Immigration Act Amt. B. 102 (Mr. Oliver) on M. for 2°, 5504; in Com., 5829 (iii).

Industrial Disputes Investigation Act Amt. B. 198 (Mr. King) in Com. on Res., 6604 (iv).

Inland Revenue Act (cigarettes) Amt. B. 9 (Mr. Templeman) on M. for 3°, 523, 811 (i).

Insects, Pests, Diseases Prevention B. 20 (Mr. Fisher) in Com., 5646 (iii).

Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 7943 (v).

International Waterways Canal and Construction Co.'s incorp. B. 119 (Mr. Conmee) in Com., 3152 (ii).

Inverness Harbour Improvements, Expenditure *re* (Ques.) 4513 (iii).

James Bay and Eastern Ry. Co.'s incorp. B. 128 (Mr. Graham) in Com., 5764 (iii).

Labour Hours on Public Works, 2nd Rep. of Com., on M. (Mr. King) to conc., 2425, 2887 (ii).

Lethbridge Post office (remarks) in Com. of Sup., 955 (i).

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Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6279 (iv).

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Naval Defence B. 95 (Sir Wilfrid Laurier) in Com., 7435 (v).

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 5675 (iii).

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Nelson River Ry. Co.'s B. 52 (Mr. Rutan) in Com., 4821 (iii).

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Post Office Regulations *re* Mails to Members, &c. (remarks) in Com. on C. S. Bill, 6961 (iv).

Prince Albert and Hudson Bay Ry. Co.'s B. 69 (Mr. Neely) in Com., 4753 (iii).

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St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5363 (iii), 6227, 6341 (iv).

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'Christine,' Str., Purchase of (Ans.) 1201 (i).

Cold Storage Plant at Barrington, N.S. Govt. Assistance, Application *re* (Ans.) 1973 (ii).

Cullum, Wm., Apptmt. as Boiler Inspector (Ans.) 1529 (i).

Deep Water Weirs, Number of Licenses issued, &c. (Ans.) 1782 (i).

BRODEUR, Hon. L. P.—*Con.*

Esquimalt Naval Station, Continuous Maintenance (Ans.) 633 (i).

——— Negotiations *re* Transfer (Ans.) 266 (i).

Fisheries Commission, Completion of Rep. and Evidence (Ans.) 276 (i).

——— on Inquiry for (Mr. Campbell) 1302 (i).

Fisheries Commissions since 1896, Number, &c. (Ans.) 1198 (i).

Fisheries, Revenue in Alberta and Sask. (Ans.) 1021 (i).

Fish Hatcheries in Man., Cost of Construction, Revenue, &c. (Ans.) 384 (i).

Fish Hatcheries at Berens River, &c., Total Cost (Ans.) 633 (i).

Fishermen's Bait Associations, Amounts paid per ton (Ans.) 1015 (i).

Flag for Canada, Distinctive Ensign (Ans.) 133 (i).

Govt. Steamers, Tenders *re* Building, &c. (Ans.) 1004 (i).

Halifax Harbour Master, Notification *re* Vacancy, Apptmt., &c. (Ans.) 2430 (ii).

Herring Fisheries in Charlotte, Quantity packed, Value, &c. (Ans.) 1782 (i).

'Hestia,' Str., Wreck, Condition of Proprietor Light Buoy (Ans.) 107, 108, 130 (i).

——— Reps., &c., on M. (Mr. Daniel) for Copies, 302 (i).

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——— (presented) 1297 (i).

——— Total Expenditure (Ans.) 640 (i).

'Leebro,' Str., Emplymt. by Govt., Expenditure *re* (Ans.) 788 (i).

Life-Saving Station in Bay of Fundy, Equipment *re* Wreck of Str. 'Hestia' (Ans.) 107 (i).

Light-house Keepers, Increase in Salaries (Ans.) 1589 (i).

Lobster Canning Factories, Failure to send Returns (Ans.) 259 (i).

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Manitoba Grain Act Amt. B. 49 (Mr. Fisher) on Prop. Res., 520 (i).

Marine and Fisheries Rep. (presented) 7 (i).

Naval Cadets, Instruction *re* Seamanship, Rate of Pay, &c. (Ans.) 1971 (ii).

Naval Service, Number of Applicants, Policy of Appointments, &c. (Ans.) 1970 (ii).

Naval Ships, Purchase by Govt., Cost &c., (Ans.) 1972 (ii).

BRODEUR, Hon. L. P.—*Con.*

Old Proprietor Buoy Light, Defective Condition, &c., (Ans.) 108 (i).

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Ottawa and Quebec East Representation, on Amt. (Mr. Meighen) to Com. of Sup., 1323 (i).

Public Wharfs leased under Act of 1909 (Ans.) 260 (i).

Quebec Water Lots, Sale to Private Individuals (remarks) on Ques. (Mr. Monk) 431 (i).

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Seal Cove Life Boat, Inspection *re* Condition, &c. (Ans.) 2147 (ii).

Sealing on Pacific, Negotiations *re* Closing, Compensation, &c. (Ans.) 2294 (ii).

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Water Carriage of Goods (B. 25) 1° m., 258; 2° m., 1299; (M.) to ref. to Sel. Com., 1302 (i); in Com., 8004 (v).

'William Joliffe,' Str., Date of Charter for Service, Pay, &c. (Ans.) 2187 (ii).

Wrecks on Lake Erie, Negligence *re* Signals, on M. (Mr. Macdonell) to adjn. House, 1599 (i).

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Wrecking Plants on Pacific and Atlantic Coasts, Tenders, Subsidies, &c. (Ans.) 444 (i).

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BUREAU, Hon. JACQUES (Solicitor General) *Three Rivers and St. Maurice.*

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Manitoba Boundaries vote, on Amt. (Mr. A. Haggart) 8168 (v).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4546 (iii).

Race Track Gambling B. 6 (Mr. Miller) in Com., 7266 (iv).

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Justice—Administration of N.W. Ters. (stipendiary magistrate) 8799; Supreme Court (law books) 8798 (v).

BUREAU, Hon. JACQUES—*Con.*

SUPPLY—*Con.*

Public Works—Buildings, Que. (Shawinigan Falls) 949 (i); Harbours and Rivers Que., (Becancour) 3870; (Doucet's Landing) 3890 (ii).

Water Carriage of Goods B. 25 (Mr. Brodeur) in Com. 8004 (v).

BURRELL, Mr. M., *Yale-Cariboo.*

Agriculture Dept., Adminstration of, on M. for Sup., 7242 (iv).

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——— Surveys, &c., (M. for field notes*) 4315 (iii).

Combines Investigation Act B. 101 (Mr. King) in Com., 7899 (v).

Currency Act Amt. B. 195 (Mr. Fielding) in Com., 6623 (iv).

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1285 (i).

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Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 3°, 812 (i).

Garden Fruits and Vegetable Tariff, Pet. against Removal of Duties (remarks) on M. for Sup., 6648 (iv).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5846 (iii).

Insurance Act B. 16 (Mr. Fielding) in Com., 8470 (v).

Kamloops and Yellow Head Pass Ry. Co.'s (B. 31) 1°*, 380 (i).

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Labour, Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2900 (ii).

National Anthem, Singing *re* Naval Debate (remarks) 3208 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3245 (ii); in Com., 7472; on M. for 3°, 7540 (v).

BURRELL, Mr. M.—*Con.*

Nechaco and Stewart Rivers, Dredging, &c. (remarks) in Com. of Sup., 4727 (iii).

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Post Office Act (ry. mail clerks) Amt. B. 197 (Mr. Lemieux) in Com., 7322 (iv).

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Race Track Gambling B. 6 (Mr. Miller) on Amt. (Mr. McColl) in Com., 6584 (iv).

Scott, Mr., Expulsion from Saxony, Rep. *re* to Can. Govt., &c. (remarks) 1444 (i).

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Vancouver, Victoria and Eastern Ry. and Nav. Co.'s (B. 99) 1°*, 1878 (i); 2° m., 2101 (iii); in Com., 4841 (iii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 2°, 6380 (iv).

Water Power in Ry. Belt, B.C., B. 187 (Mr. Oliver) in Com., 8438, 8721 (v).

Watson, R. J., Emplymt. by Govt. (Ques.) 2488 (ii).

CAMPBELL, Mr. G. L., *Dauphin.*

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Central Canada Manufacturers Mutual Fire Ins. Co.'s (B. 123) on Senate Amts.. 8657 (v).

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CAMPBELL, Mr. G. L.—*Con.*

Coal Lands alienated from the Crown, Total Acreage, &c. (Ques.) 5000, 5560 (iii).

Combines Investigation B. 101 (Mr. King) in Com., 6914 (iv).

Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. for 2°, 870 (i); in Com., 7264 (iv).

Dauphin Post Office, Date of Opening (remarks) 3136 (ii).

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Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 2°, 744 (i).

Franking Privilege and Political Literature, &c. (remarks) 7821 (v).

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Immigration Act Amt. B. 102 (Mr. Oliver) on M. for 2°, 5504; in Com., 5532; on Ques. of Order, 5540 (iii).

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Manitoba Fisheries Commission, Ques. of Privilege *re* 'up to date,' 2151 (ii).

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Mossy River Dredging (remarks) in Com. of Sup., 4272 (iii).

Natural Resources Conservation B. 185 (Mr. Fisher) in Com., 6360 (iv).

Naval Defence B. 95 (Sir Wilfrid Laurier) on Amt. (Mr. Northrup) to M. for 2°, 5175 (iii).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 4835 (iii).

CAMPBELL, Mr. G. L.—*Con.*

North Atlantic Trading Co., Pet. *re*, on M. (Mr. Monk) for Copy, 1573 (i).

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Snake Island Fish Hatchery, Contracts, &c. *re* Spawn (M. for copies*) 277 (i).

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Canals—Trent (Newmarket) conc. (M.) to reduce vote, neg. (Y. 46; N. 91) 5604 (iii).

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Public Works—Buildings—Que. (Marieville) 686; (St. Lambert) 956; Harbours and Rivers—N. S. (Sydney Mines) 1178 (i).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver on M. for 2°, 6381 (iv); in Com., 8072 (v).

CARRIER, Mr. L. A., *Lévis*

Quebec-Lévis Mail Service, Contract *re* (Ques.) 6390 (iv).

CARVELL, Mr. F. B., *Carleton, N.B.*

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Criminal Code Act (motors) Amt. B. 75 (Mr. Harris) on Order for 2°, 8729; in Com., 8732 (v).

Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. for 2°, 896 (i); in Com., 6546 (iv).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5878 (iii).

Improved Paper Machinery Co.'s B. 67 (Mr. Worthington) in Com., 3137 (ii).

I. C. R., Sale of, on prop. Res. (Mr. Black) 2323 (ii).

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CARVELL, Mr. F. B.—*Con.*

Interest Act Amt. B. 73 (Mr. Miller) on M. for 2°, 2047; in Com., 2154 (ii).

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Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5241, 5282 (iii).

Public Accounts Com., on M. to ref. Aud. Gen.'s Rep., 607 (i).

Restigouche Log Driving and Boom Co.'s. B. 150 (Mr. J. Reid) 2° m., 4842 (iii); in Com., 6169 (iv).

Richibucto Wharf, on Amt. (Mr. Crocket) to Com. of Sup., 7650 (v).

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——— Ques. of Order *re* Discussion, 3847 (ii).

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CASH, Mr. E. L., *Mackenzie.*

Canadian Northern Ry. Co.'s (B. 61) 1°*, 1192 (i); in Com., 3150 (ii).

Edmonton and Slave Lake Ry. Co.'s (B. 42) 1°*, 515 (i).

Manitoba and Northwestern Ry. Co. of Canada (B. 63) 1°*, 1192 (i).

CHISHOLM, Mr. T., *East Huron.*

Airships, development of for Militia Purposes, Govt. Assistance, &c. (Ques.) 446, 1369 (i).

Budget, The, 1858 (i).

Franco-Canadian Treaty B. 12 (Mr. Fielding) in Com. on Res., 186; on M. for 2°, 725; on M. for 3°, 822 (i).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5807, 5839 (iii).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6306 (iii).

CHISHOLM, Mr. T.—*Con.*

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3697 (ii).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5240 (iii).

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com., 2660 (ii).

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Arts, Agriculture, &c. (experimental farms) 5727 (iii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com., 8396 (v).

CHISHOLM, Mr. W., *Antigonish.*

Fisheries Act (regulations) Amt. B. 192 Mr. Templeman) in Com. on Res., 5907, 5911 (iii).

Post Office Act (ry. mail clerks) Amt. B. 197 (Mr. Lemieux) in Com., 7327 (iv).

P.E.I. Winter Communication, Memorials, &c., on M. (Mr. Warburton) for Copies, 3202 (ii).

SUPPLY—

Arts, Agriculture, &c. (experimental farms) 7352 (iv).

CLARE, Mr. G. A., *South Waterloo.*

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4922 (iii).

CLARKE, Mr. A. H., *South Essex.*

Crude Petroleum Bounty B. 208 (Mr. Graham) in Com on Res., 7005 (iv).

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3915 (ii), 5772 (iii).

Erie, London and Tilsonburg Ry. Co.'s (B. 137) 1°*, 3296 (ii).

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Fisheries Act Amt. B. 192 (Mr. Templeman) in Com., 8062 (v).

Grand Trunk Ry. Co.'s (B. 164) 1°*, 5103 (iii).

Guelph Junction Ry. Co.'s (B. 218) 1°*, 7975; 2° m., 8055, 8380; in Com., 8618 (v).

Lillie, Clifford Buell Relief (B. 224) 1°*, 8361 (v).

N.T. Ry. Co., Classification of Material, Lumsden Charges, 2nd Rep. of Com., (M.) to conc., 3985 (iii).

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——— on M. (Mr. Lennox) to conc in 4th Report of Com., 6037 (iv).

——— Changes in Report, &c., on M. for Sup., 5595 (iii).

St. Clair River Sand, Lease by Ont. Govt. to Detroit Co. (remarks) 5820 (iii).

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com., 2651 (ii).

CLARKE, Mr. A. H.—*Con.*

Water Carriage of Goods B. 25 (Mr. Brodeur) in Com., 8006 (v).

CLARK, Mr. M., *Red Deer.*

Budget, The, 1880 (i).
Combines Investigation Act B. 101 (Mr. King) on M. for Com. on Res., 6862 (iv.)
Customs Tariff Act Amt. B. 233 (Mr. Fielding) on M. for 2°, 8847 (v).
Easter Adjournment, on M. (Sir Wilfrid Laurier) 5688 (iii).
Guelph Junction Ry. Co.'s B. 218 (Mr. A. H. Clarke) in Com., 8629 (v).
Immigrants, Treatment of (remarks) 6611 (iv.)
Labour, Hours on Public Works on M. (Mr. King) to conc. in 2nd Rep. of Com., 2912 (ii).
Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3269 (ii).
Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8426, 8598 (v).
St. Peter's Indian Reserve, Ques. of Order, 7147 (iv).

CONGDON, Mr. F. T., *Yukon Territory.*

Budget, The, 1903 (i).
Criminal Code (race track gambling) B. 6 (Mr. Miller) in Com., 6587 (iv).
Franking Privilege and Political Literature, &c. (remarks) 7829 (v).
I.C.R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1122, in Com., (amt.) 1131 (i).
Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3720, 3748 (ii); in Com. 7417 (iv).
Water Power in Ry. Belt, B.C., B. 187 (Mr. Oliver) in Com., 8444, 8710 (v).

CONMEE, Mr. J., *Thunder Bay and Rainy River.*

Combines Investigation B. 101 (Mr. King) in Com. 6912 (iv), 7939 (v).
Criminal Code (ore thefts) Amt. B. 85 (Mr. Gordon) in Com., 2166 (ii).
Criminal Code Race Track Gambling B. 6 (Mr. Miller) in Com., 7267 (iv).
Dom. Elections Act (ry. employees) Amt. (B. 109) 1° m., 2184 (ii).
Fisheries Act (regulations) Amt. B. 192 (Mr. Templeman) in Com. on Res., 5918 (iii); in Com., 8065 (v).
International Waterways, Canal and Construction Co.'s incorp. (B. 119) 1°*, 2329; 2° m., 2672; in Com., 3151 (ii).
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CONMEE, Mr. J.—*Con.*

L'Institut de Notre Dames des Missions incorp. B. 80 (Mr. Martin) in Com., 3141 (ii).
Natural Resources Conservation B. 185 (Mr. Fisher) in Com., 6368 (iv).
Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6964 (v).
Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5296 (iii).
Nickel Mines in Canada, Control by Americans, Evidence of Mr. A. Wilson (remarks) 2191 (ii).
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Ottawa and Montreal Power and Transmission Co.'s incorp. B. 178 (Mr. Perley) in Com., 8599 (v).
Rainy River Radial Ry. Co.'s incorp. (B. 108) 1°* 2184 (ii); in Com., 5765 (iii).
St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5326 (iii), 6269 (iv).
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Public Works—Harbours and Rivers—Man. (St. Andrew's Rapids) 6105 (iv); Ont. (Christian Island) 3467; (Sibley) 3475 (ii).
Railways—I.C.R. (Pintsch gas) 2944 (ii).
Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com., 8097 (v).
Western Power Co.'s B. 86 (Mr. Taylor) in Com., 3435 (ii).

COWAN, Mr. G. H., *Vancouver City.*

B.C. Expenditure by Govt. on Public Works, Discrimination, &c., (remarks) in Com. of Sup., 4219, 4281 (iii).
Burrard Inlet Tunnel and Bridge Co.'s incorp. (B. 118) 1°*, 2329, 2° m., 2671 (ii).
Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. for 2°, 879 (i); in Com., 7266 (iv).
Hours of Labour on Public Works B. 21 (Mr. Verville) on M. for 2°, 1256 (i).
Kitsilano Reserve Sale (remarks) in Com. of Sup., 7859 (v).
'Leebro,' Str., Emplymt. by Govt., Expenditure *re* (Ques) 788 (i).
Milk Standards, Rep. *re* (remarks) in Com. of Sup., 1341 (i).
Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3962 (ii); on M. for 3°, 7543 (v).
Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5304 (iii).

COWAN, Mr. G. H.—*Con.*

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5394 (iii).

SUPPLY—

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Excise (travelling expenses) 1341 (i).
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Public Works—Buildings—Ottawa (military stores) 599 (i).
Public Works—Harbours and Rivers—B.C. (Columbia river) 4281; (Lockport) 4715; (new dredging plant) 4769, 4772; (Queen Charlotte) 4716; (Stewart) 4726 (iii).

Vancouver, Victoria & Eastern Ry. & Nav. Co.'s B. 99 (Mr. Burrell) in Com., 4842 (iii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 1°, 4999 (iii).

CROCKET, Mr. O. S., *York, N.B.*

Agriculture Dept., Administration of, on M. for Sup., 7221 (iv).

Bathurst Dredging (remarks) in Com. of Sup., 4798 (iii).
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Dalhousie Dredging Contract, Charges *re* Inspectors (remarks) in Com. of Sup., 1188 (i).

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Dalhousie Wharf (remarks) in Com. of Sup., 3407 (ii).

Douglas Island, Purchase by Govt. (Ques.) 3165 (ii).

Dredging at Bathurst and Campbellton, N.B., Contract of A. & R. Loggie (Ques.) 6508 (iv).
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Eastern Dredging Co., Contracts, Payments by P. W. Dept. (Ques.) 2717 (ii).

French Floods, Relief Fund (remarks) *re* Grant to, 3060 (ii).

French Treaty B. 12 (Mr. Fielding) in Com. on Res., 188 (i).

Gaspereau Dredging, Demand for Papers read by Minister (remarks) 2489 (ii).

—— Total Payment to Mar. Dredging Co. (Ques.) 2487 (ii).

—— (remarks) in Com. of Sup., 3840 (ii).

Govt. Railways Pension Amt. B. 19 (Mr. Graham) in Com., 1140 (i).

G.T.P. Construction Contracts, N.B., Provisions *re* sub-letting, &c. (Ques.) 383 (i).

—— (M. for cor.*) 643 (i).

'Hestia,' Str., Wreck, Reps. *re* Investigation, &c., on M. for Papers (Mr. Daniel) 318 (i).

CROCKET, Mr. O. S.—*Con.*

I.C.R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1104; in Com., 1131 (i).

I. C. R., on Annual Stmnt., 2814 (ii).

Labour, Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2915 (ii).

Loggie, A. & R., Amounts paid *re* Dredging, &c. (Ques.) 5622 (iii).

—— Total Payments to (Ques.) 2488 (ii).
See 'Bathurst,' 'Dredging,' 'Gaspereaux.'

Mails between Montreal and Lower Provs., Delays, &c. (remarks) 8581 (v).

Mar. Dredging and Construction Co., Date of Work at Gaspereaux (Ques.) 2928 (ii).
See 'Loggie.'

Mar. Provs., Representation in H. of C., Pet. *re* B .N. A. Act, on prop. Res. (Mr. Kyte) 2761 (ii).

Mayes Contracts, Charges *re* Min. of Public Works (remarks) in Com. of Sup., 589 (i).

Militia Pension Act Amt. B. 194 (Sir Frederick Borden) in Com., 6192 (iv).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4873 (iii).

Party Patronage System, on prop. Res. (Mr. Foster) 2462 (ii).

Pink Rock Wharf, Par. in 'Globe,' on Ques. of Priv. (Mr. Pugsley) 3740 (ii).

—— Ques. of Priv, *re* 'Globe's' criticism, 3476 (ii).

—— (remarks) in Com. of Sup., 588 (i).

Quebec City Newspapers, Payments to (Ques.) 3486 (ii).

Richibucto Wharf, Sale of, (amt.) to Com. of Sup., 7592, neg. (Y. 63 N. 111) 7746 (v).

—— (remarks) in Com. of Sup., 3840 (ii).

Rules of the House, in Com. on Rep., 8370 (v).

St. John River Channel Survey, Accounts, Vouchers, &c. (M. for copies*) 154 (i).

—— Inquiry for Ret., 6394 (iv); 8118, 8580 (v).

St. John River Valley Ry., Consideration by Govt. *re* Construction (remarks) 122 (i).

SUPPLY—

Arts, Agriculture, &c. (census) 7376 (iv).
Civil Govt.—Justice (salaries) 254; Labour (salaries) 236; Marine and Fisheries (contingencies) 253; Railways and Canals (contingencies) 247 (i).
Militia (arms, &c.) 8557 (v).
Public Works—Buildings—Mar. Provs. (renewals, &c.) 596 (i).
Public Works—Buildings—N. B. (Fredericton) 581; (Grand Falls) 582; (Hartland) 587; (Hillsborough) 587 (i).
Public Works—Buildings—N. S. (Halifax) 575; (Parrsboro) 577; (Shelburne) 579 (i).
Public Works—Buildings—Ottawa (astronomical observatory) 416, 542 (i);

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SUPPLY—*Con.*

(deptl. buildings, new) 549 (i), 7169 (iv); (Museum) 566; (Royal Mint) 559 (i).

Public Works—Buildings—Que.—(Quebec ordnance stores) 968; (Roberval) 927 (i); (St. Roch) 831 (i).

Public Works—Dredging, Generally (plant) 4780; Mar. Provs. (generally) 4780 (iii).

Public Works—Harbours and Rivers—N.B. (Bayside) 2697; (Buctouche) 2697; (Campbellton) 2703; (Cape Bald) 2704; (Cape Tormentine) 2706; (Chance Harbour) 2706; (Dalhousie) 2707; (Dipper) 3391; (Kouchibouguac) 3392; (Lameque) 3393; (Lorneville) 3394; (Moncton) 3394; (Neguac) 3395; (New Mills) 3395; (Petit Rocher) 3396; (Pink Rock) 3396 (Pointe du Chene) 3427; (Quaco) 3428; (Richibucto) 3428, 3439; (St. John tributaries) 3447; (Tracadie) 3452; (Traynor's Cove) 3452 (ii).

Public Works—Harbours and Rivers—N.S. (Port Hood) 1163; (Port Maitland) 1166; (Port Malcolm) 1164; (Shelburne) 1176; (South Ingonish) 1177; (Sydney Mines) 1178; (The Wharfs) 1179; (West Advocate) 1179; (West Dublin) 1180 (i).

Railways—Hudson Bay (surveys, &c.) 3069 (ii).

Railways—I. C. R. (Chatham diversion) 2947; (Halifax) 2884; (Indiantown) 2884; Loggieville) 2885; (Moncton-cut-off) 2933; (Moncton shops) 2934; (Riviere du Loup) 2945 (ii).

Railways—N. T. Ry. (construction, &c.) 5260 (iii).

Railways—P. E. I. (Charlottetown) 3065; (Harmony-Elmira) 3064 (ii).

Railways (Quebec bridge) 3070 (ii).

CROSBY, Mr. A. B., *Halifax.*

Allan SS. Co., Calling at Halifax (remarks) 3057, 3209 (ii).

Apples grown in Prov. of Quebec (remarks) in Com. on Bill, 5650 (iii).

Britton, Hon. Mr. Justice, and National Trust Co., &c. (Ques.) 6799 (iv.)

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com. on Res., 6954 (iv.)

Combines Investigation Act B. 101 (Mr. King) in Com., 7893 (v).

Cotton's Weekly, Discrimination *re* Postage (remarks) in Com. of Sup., 5756 (iii).

Criminal Code (race track gambling) B. 6 (Mr. Miller) in Com., 6560 (iv).

Dry Dock Subsidies B. 229 (Mr. Fielding) in Com. on Res., 8690 (v).

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1289 (i).

Fisheries Act Amt. B. 192 (Mr. Templeman, in Com., 8033, 8058 (v).

Govt. Railways Pension Amt. B. 19 (Mr. Graham) in Com., 1145 (i).

Halifax Customs House, Repairs, Payments *re* (Ques.) 3672 (ii).

CROSBY, Mr. A. B.—*Con.*

Halifax Harbour Master, Notification *re* Vacancy, Apptmt., &c. (Ques.) 2430 (ii).

Halifax Post Office, Reconstruction, &c., (Ques.) 3483 (ii).

Hours of Labour on Public Works B. 21 (Mr. Verville) on M. for 2°, 1249 (i).

Hours of Labour on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2093 (ii).

House of Commons Corridors, Ejecting of Coloured Clergyman (remarks) 7182 (iv).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5804, 5538; Ques. of Order, 5538 (iii).

Insects, Pests, Diseases B. 20 (Mr. Fisher) in Com., 5650 (iii).

I.C.R. Cunard Property, Halifax, Acquisition by Govt. (remarks) in Com. of Sup., 2938 (ii).

Lobster Fisheries Rep., on M. (Mr. Sinclair) to conc., 8236 (v).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6310 (iv).

Natural Resources Conservation B. 185 (Mr. Fisher) in Com., 6366 (iv).

Negro Clergymen: *See* 'House of Commons.'

Ottawa Improvement Commission B. 230 (Mr. Fielding) in Com. on Res., 8698 (v).

Party Patronage System, on prop. Res. (Mr. Foster) 2473 (ii).

Port Dufferin Wharf, Repairs, &c. (Ques.) 4082 (iii).

Post Office Clerks Salaries (remarks) in Com. on C. S. Bill, 6960 (iv).

Quarantine Boat for Halifax Harbour, Contract *re* Construction (Ques.) 2429, 3292 (ii).

St. John Harbour, Wharfs B. 204 (Mr. Pugsley) in Com., 8126 (v).

Supply B. 173 (Mr. Fielding) in Com., 5531 (iii).

SUPPLY—

Canals—Lachine (wharfs and basins) 3103; Soulanges (leakages) 3106 (ii).

Civil Govt.—Aud. General (salaries) 7768; Militia (salaries) 7767 (v).

Fisheries (Canadian exhibit) 8544, (cold storage) 8545; (customs bureau) 8551; (dog fish) 8545 (v); (protection service) 5752 (iii); (provincial jurisdiction) 8547 (v).

House of Commons (sessional indemnities) 7778 (v).

Immigration (agents) 8206 (v).

Mail Subsidies and SS. Subventions (Canada and Cuba) 5692; (Rivere du Loup) 5712; (Riviere du Loup and Tadousac) 5713 (iii).

Militia (pay, &c.) 8560 (v).

Miscellaneous (conservation commission) 7866 (v).

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SUPPLY—*Con.*

Post Office—Outside Service (R. G. Mercer) 5756 (iii).

Public Works—Buildings—Ottawa (Parliament driveway) 8173 (v).

Public Works — Dredging — Mar. Provs. (generally) 5612, 5716 (iii).

Public Works—Harbours and Rivers—N.S. (Annapolis) 976; (Black Point) 977; (Burk's Head) 979; (Dover) 989; (Eastern passage) 990; (generally, repairs, &c.) 993; (Pictou Island) 1000; (Porter's Lake) 1161; (Port Maitland) 1172; (West Dublin) 1190 (i).

Public Works—Harbours and Rivers—Que.—(Yamaska and Richelieu) 5721 (iii).

Quarantine (steamers) 7766 (v).

Railways—I.C.R. (new machinery) 2943; (revenue) 3091; (St. John) 2946 (ii).

Railways—P.E.I. (Harmony-Elmira) 3063 (ii).

Railways (Quebec Bridge) 3070 (ii).

Trade and Commerce (Grain Inspection Board) 5713 (iii).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1059 (i).

—— Postponement of Debate, Letter from Mr. King to Hamilton Board of Trade (remark) 3208 (ii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 2°, 6380 (iv); in Com., 8100 (v).

CROTHERS, Mr. T. W., *West Elgin*

Allard & Provost, Govt. Contracts, &c. (Ques.) 2488 (ii).

—— (remarks) 2635 (ii).

Budget, The, 1894 (i).

Chief Justices, Apptmt. of by Govt., Ques. of Priv., 7293 (iv.)

Lumsden Charges, Change in Report, on M. for Sup., 5574 (iii).

—— on M. to conc. in 4th Rep. of Com., 6060 (iv).

N. T. Ry. Classification, &c., on M. (Sir Wilfrid Laurier) for Com., 2587 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4583 (iii).

—— on Ques. of Priv. (Mr. King) *re* Speech of Minister of Militia, 4711 (iii.)

Ottawa and Quebec East Representation, on Amt. (Mr. Meighen) to Com. of Sup., 1327 (i).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7134 (iv).

Seed Control Act Amt. Bill 55 (Mr. Fisher) in Com., 2644 (ii).

SUPPLY—

Civil Govt—Indian Affairs (salaries) 367; Labour (salaries) 238 (i).

Toronto Eastern Ry. Co.'s incorp. B. 116 (Mr. Fowke) in Com., 6796 (iv).

CROTHERS, Mr. T. W.—*Con.*

Trent Canal Damage Floods, Charges *re* L. F. Clarry (remarks) 5211 (iii).

CURRIE, Mr. J. A., *North Simcoe.*

Apples grown in Provs., &c. (remarks) in Com. on Bill, 5640 (iii).

Artillery Re-armament, Reasons for (Ques.) 1371 (i).

Baby Farm Sale B. 181 (Sir Frederick Borden) in Com., 5942 (iv).

Bread: *See* 'Inspection.'

Budget, The, 1701 (i).

—— (remarks) 1806 (i), 2076 (ii).

Canadian Navy Shipbuilding, Tenders *re* Great Lakes Shipyards, and Rush-Bagot Treaty (Ques.) 844 (i).

Canadian Northern Alberta Ry Co.'s Subsidy B. 227 (Mr. Graham) in Com. on Res., 8487 (v).

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com., 7295 (iv).

Combines Investigation Act B. 101 (Mr. King) on M. for Com. on Res., 6880; in Com., 6911 (iv), 7882; on M. for 3°, 7985 (v).

Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. for 2°, 913 (i); in Com., 7265 (iv).

Crude Petroleum Bounty B. 208 (Mr. Graham) in Com. on Res., 6989 (iv).

Currency Act Amt. B. 195 (Mr. Fielding) in Com., 6637 (iv).

Customs Tariff Act Amt. B. 233 (Mr. Fielding) on M. for 2°, 8852 (v).

Dom. Lands Act (homesteads) Amt. Bill, on M. (Mr. Turriff) to introduce, 1688 (i).

Dry Dock Subsidies B. 229 (Mr. Fielding) in Com. on Res., 8690 (v).

Fisheries Act (regulations) Amt. B. 192 (Mr. Templeman) in Com. on Res., 5915 (iii); in Com., 8068 (v).

French Treaty B. 12 (Mr. Fielding) in Com. on Res., 186 (i).

Garden Fruits and Vegetables, Ret. *re* Removal of Duty (remarks) on M. for Sup., 6649 (iv).

Gas Inspection Act (tests) Amt. B. 132 (Mr. Templeman) in Com., 5681 (iii).

Govt. Railways Act Amt. B. 232 (Mr. Graham) in Com., 8773 (v).

Govt. Steamers, Tenders *re* Building (Ques.) 1004 (i).

Guelph Junction Ry. Co.'s B. 218 (Mr. A. H. Clarke) in Com., 8621 (v).

Hamilton, Waterloo and Guelph Ry. Co.'s B. 79 (Mr. Harris) in Com., 6139, 6753 (iv).

Horse Racing: *See* 'Criminal Code.'

CURRIE, Mr. J. A.—*Con.*

House of Commons Classification, Discussion *re* (remarks) 7071 (iv), 7520 (v).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5802, 5849 (iii).

Insects, Pests, Diseases Prevention B. 20 (Mr. Fisher) in Com., 5640 (iii).

Inspection and Sales Act (bread) Amt. Bill, on M. to introduce, 516 (i).

Insurance Act B. 166 (Mr. Fielding) in Com., 7945, 8473 (v).

I.C.R., Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1121 (i).

—— Low Rates, &c. (remarks) in Com. on Ry. Subsidy Bill, 8482 (v).

I.C.R. and N.T. Ry. Estimates, Discussion *re* (remarks) in Com. of Sup., 3132 (ii).

Iron and Steel Bounties B. 231 (Mr. Fielding) in Com. on Res., 8705; in Com., 8766 (v).

Kitchener, Lord, Cor. *re* Visit to Canada (Ques.) 7519 (v).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2903 (ii).

Liquor Compounding, Fraudulent Charges, &c. (remarks) in Com. of Sup., 1336 (i).

Manitoba Grain Act Amt. B. 49 (Mr. Fisher) on prop. Res., 520 (i).

Manitoba Grain Act Amt. (B. 88) 1° m., 1689 (i).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6284 (iv).

Military Lands: *See* 'Baby.'

N.T. Ry., Tenders *re* Shops at St. Boniface (Ques.) 8835 (v).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 5042 (iii); in Com., 7400 (v). *See* 'Can. Navy.'

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6212 (iv).

Ottawa Improvement Commission B. 230 (Mr. Fielding) in Com., 8771 (v).

Petroleum: *See* 'Crude.'

Post Office Act (ry. mail clerks) Amt. B. 197 (Mr. Lemieux) in Com., 7318 (iv).

Pure Food Act (B. 131) 1° m., 2792 (iii).

Quebec Judges Superior Court Act Amt. B. 207 (Mr. Aylesworth) in Com. on Res., 6984 (iv).

Rabies, Number of Cases reported to Govt. (Ques.) 2926 (ii).

—— (remarks) 4533 (iii).

Railway Act Amt. B. 145 (Mr. Graham) in Com., 8408 (v).

Ry. Act (crossings) Amt. (B. 174) 1° m., 5621 (iii).

Ry. Code of Train Rules, Approval of Ry. Commission (Ques.) 8834 (v).

—— (remarks) 8585 (v).

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Railway Subsidies B. 266 (Mr. Graham) in Com., 8480 (v).

Ross Rifles, Regulations *re* National Rifle Association, on M. (Mr. Hughes) to adjn., 4526 (iii).

Rules of the House, Rep. *re* (remarks) 7527 (v).

—— in Com. on Rep., 8371 (v).

St. Lawrence Power Transmission B. 115 (Mr. Pardee) in Com., 6737; on M. for 3° (amt. 6 m. h.) 7256 (iv).

—— Plans, &c. (remarks) 5560 (iii).

St. Peter's Indian Reserve, on Ques. of Priv. (Mr. Bradbury) 7525 (v).

SUPPLY—

Adulteration of Food (prosecutions) 1348 (i).

Canals, Ont.-Quebec (macadamizing roads) 3122; Sault Ste. Marie (iron mooring posts) 3124; Trent (improvements) 3125 (ii).

Customs—Outside Ports (contingencies) 8807 (v).

Excise (distilleries) 1331; (extra hours) 1336 (i).

Fisheries—Miscellaneous (fish transportation) 5748 (iii); (protection service) 8509 (v).

Mail Subsidies and SS Subventions (Canada and Cuba) 5697; (Riviere du Loup and Tadousac) 5712 (iii).

Militia (annual drill) 8566; (gratuities) 8571; (monuments) 8575; (rifle ranges) 8561 (v).

Naval Service (maintenance) 8499 (v).

Ocean and River Service (steamers) 8511; (tidal service) 8512; (wireless stations) 8513 (v).

Public Works—Buildings—Ottawa (Royal Mint) 561; Que. (Quebec ordnance stores) 969 (i).

Public Works—Harbours and Rivers—Ont. (Port Arthur and Fort William) 5736; (Victoria) 5747 (iii).

Railways—G. T. P. (director's remuneration) 3131 (ii).

Railways—Miscellaneous (ry. commission) 3130; (statistical officers) 3131 (ii).

Tariff Negotiations with U. S., on M. (Mr. Fielding) for Com. on Ways and Means, 5945, 5982 (iv).

Telegraph Act Amt. B. 234 (Mr. Lemieux) in Com., 8777 (v).

Tonnage Tax imposed on Can. Vessels on Great Lakes by U. S. (Ques.) 1530 (i).

Toronto Eastern Ry. Co.'s incorp. B. 116 (Mr. Fowke) in Com., 6768 (iv).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 1°, 4998 (iii); in Com., 8091 (v).

War Vessels on Great Lakes, Rep. to Imp. Govt. *re* Building, &c. (Ques.) 1367 (i). *See* 'Can. Navy.'

Water Power in Ry. Belt, B. C. B. 187 (Mr. Oliver) in Com., 8458, 8706 (v).

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Zinc Ores Bounty B. 182 (Mr. Templeman) in Com., 5936 (iv).

CURRIE, Mr. M., *Prince Edward.*
Barriefield Camp, Objections to Site, Removal of Ranges, &c. (Ques.) 3934 (ii).
Combines Investigation Act B. 101 (Mr. King) on M. for Com. on Res., 6897 (iv).
Fort Henry Reserve, Condition at Time of Lease to R. J. Dunlop (Ques.) 3934 (ii).
SUPPLY—
Public Works—Harbours and Rivers—Que. (Laprairie) 4221 (iii).
Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1079 (i).

DANIEL, Mr. J. W., *St. John City.*
Arts, Agriculture, &c. (tobacco) 7380 (iv).
Bathurst Dredging (remarks) in Com. of Sup., 4201 (iii).
Civil Service Act Amt. B. 205 (Mr. Fisher) in Com., 7303 (iv).
Courtenay Bay, G. T. P. Terminals, Tenders, &c., *re* Dredging (Ques.) 3156 (ii).
Currency Act Amt. B. 195 (Mr. Fielding) in Com., 6621 (iv).
Dry Dock Subsidies B. 229 (Mr. Fielding) in Com. on Res., 8693 (v).
Fisheries Act Amt. B. 192 (Mr. Templeman) in Com., 8036 (v).
Govt. Railways Pension Act Amt. B. 19 (Mr. Graham) in Com., 1146 (i).
'Hestia,' Str., Wreck, Reps., Cor., &c., *re* Maintenance of Old Proprietor Ledge Buoy (M. for copy) 290, 326 (i).
—— Inquiry for Ret., 1880 (i).
See 'Life,' &c.
'Hudson,' Str., Purchase of by Govt. (Ques.) 4518 (iii).
Imperial Export Co., Application *re* Service between Canada and Australia (Ques.) 1100 (i).
Insurance Act B. 166 (Mr. Fielding) in Com., 7942 (v).
I. C. R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1129 (i).
I. C. R. Employees Passes, Number issued for Sept., Oct. and Nov. (Ques.) 2716 (ii).
—— Management, Instructions *re* Alcoholic Goods (remarks) 1208 (i).
Life-Saving Station in Bay of Fundy, Equipment *re* Wreck of Str. 'Hestia' (Ques.) 107 (i).
See 'Hestia,' 'Old Proprietor.'
L'Institut de Notre Dame des Missions, incorp. B. 80 (Mr. Martin) in Com., 3141 (ii).
Lobster Fisheries Investigation, Report *re* (Ques.) 2149 (ii).
—— on M. (Mr. Sinclair) to conc., 8106 (v).

DANIEL, Mr. J. W.—*Con.*
Mar. Provs., Representation in H. of C., on prop. Res. (Mr. Kyte) 2746 (ii).
Militia Pension Act Amt. B. 194 (Sir Frederick Borden) in Com., 6192 (iv).
Milledgevile, Holderville, N.B., Mail Route, Tenders *re* (Ques.) 4518 (iii).
Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4367 (iii); in Com., 7434 (v).
Navigable Waters Protection Act Amt. B. B. 103 (Mr. Pugsley) in Com., 6968 (iv).
Old Proprietor Light Buoy, Defective Condition, &c. (Ques.) 108 (i).
See 'Hestia.'
Pink Rock Wharf Ownership (remarks) in Com. of Sup., 4737 (iii).
Post Office Act (ry. mail clerks) Amt. B. 197 (Mr. Lemieux) in Com., 7318 (iv).
Private Cars, Expenditure *re* Hauling (remarks) in Com. of Sup., 234 (i).
Railway Subsidies B. 266 (Mr. Graham) in Com. on Res., 8479 (v).
Restigouche Log Driving and Boom Co.'s B. 150 (Mr. Reid) in Com., 6169 (iv).
Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8431 (v).
Returns, Inquiry for, 924 (i).
St. John Harbour, Wharfs, &c., B. 204 (Mr. Pugsley) in Com., 8120 (v).
See 'Courtenay.'
St. John River Survey, Inquiry for Ret., 8737 (v).
Sailing Directions to Capt. of Steamers (remarks) in Com. of Sup., 8533 (v).
Seal Cove Life Boat, N.B., Inspection *re* Condition, &c. (Ques.) 2146 (ii).

SUPPLY—
Arts, Agriculture, &c. (census) 7373, 7376; (Dom. exhibitions) 7388; (tobacco) 7380 (iv).
Civil Govt—Justice (salaries) 254; Labour (salaries) 237; Fisheries (contingencies) 253; (salaries) 251 (i); Post Office (salaries) 6650 (iv); Railways and Canals (contingencies) 248 (i); R.N.W.M. Police (salaries) 415 (i).
Fisheries (protection service) 8509 (v).
Lighthouse and Coast Service (aids to navigation), 8525; (pensions) 8528; (salaries) 8523; (signal service) 8527 (v).
Mail Subsidies and SS. Subventions (Atlantic ports to Australia) 8811 (v).
Marine (St. Lawrence ship channel) 8522 (v).
Militia (arms, &c.) 8557 (v).
Naval Service (maintenance) 8504 (v).
Ocean and River Service (ice-breakers, saving life) 8515; (patrol vessels) 8521 (v).
Public Works—Buildings—N.B. (Fairville) 580; (Fredericton) 581; (Hartland) 587; (Moncton) 591; (Partridge Island) 595; (St. John) 591 (i).

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SUPPLY—*Con.*

Public Works—Buildings—N.S. (Halifax) 574; (Lawlor's Island) 576; (Parrsboro') 577 (i).

Public Works—Buildings—Ont. (Toronto) 8178 (v).

Public Works—Buildings—Ottawa (astronomical observatory) 416, 542; (deptl. buildings, new) 552; (Museum) 566, 572; (standarizing room) 573 (i).

Public Works—Buildings—Que. (Grosse Isle) 666; (Quebec ordnance stores) 967 (i).

Public Works—Harbours and Rivers—Dredging, B.C. (new plant) 4776; Generally (new plant) 4738, 4760; (vessel repairs) 4737 (iii); Que. and Ont. (generally) 6136 (iv).

Public Works—Harbours and Rivers—N.B. (Bayside) 2697; (Buctouche) 2698; (Campbellton) 2703; (Cape Bald) 2704; (Cape Tormentine) 2706; (creosoted timber) 3453; (Cumming's Cove) 2706; (Dalhousie) 2707; (New Mills) 3395; (Partridge Island) 3451; (Petit Rocher) 3396; (Richibucto) 3445 (ii); (St. John) 6106 (iv); (St. John tributaries) 3447; (St. John wharf property) 3451; (Seal Cove) 3449 (ii).

Public Works—Harbours and Rivers—N.S. (Annapolis) 976; (Yarmouth) 1191 (i).

Public Works—Harbours and Rivers—Ont. (Fiddler's Elbow) 3836; (St. Lawrence River channel) 3834 (ii).

Public Works—Harbours and Rivers—P.E.I. (Rustico) 2696; (Souris) 2696; (Summerside) 2697; (Tignish) 2697 (ii).

Public Works—Harbours and Rivers—Que. (Cabano) 3880 (ii); (Shigawake) 4227; (Three Rivers) 4248 (iii).

Railways—I.C.R. (Moncton shops) 2941; (Pintsch gas) 2943; (St. John) 2945 (ii).

Veteran Land Grants, Number taken up, Assignments, &c. (Ques.) 447 (i).

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DELISLE, Mr. M. S., *Portneuf.*

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DEMERS, Mr. M. J., *St. John and Iberville.*

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Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4396 (iii).

DEVLIN, Mr. E. B., *Wright.*

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Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4197, 4316 (iii).

DEVLIN, Mr. E. B.—*Con.*

Quebec and Ungava Ry. Co.'s incorp (B. 190) 1°*, 5929 (iv).

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DOHERTY, Mr. C. J., *Montreal, St. Anne.*

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Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1276 (i).

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DONNELLY, Mr. J. J., *South Bruce.*

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DUBEAU, Mr. J. A., *Joliette.*

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ECREMENT, Mr. A., *Berthier.*

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——— Replies from Provl. Premiers (Ques.) 3160 (ii).
Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com., 8096 (v).
Water Powers in Ry. Belt, B.C., B. 187 (Mr. Oliver) in Com., 8439, 8706 (v).
Western Power Co.'s B. 86 (Mr. Taylor) in Com., 3435 (ii).

HAGGART, Mr. A., *Winnipeg.*
Address, The, 67 (i).
Congregational Union of Canada incorp. (B. 142) 1°*, 3481 (ii); in Com., 4754 (iii).
Dubuc, Mr. Justice, Apptmt. of Successor (remarks) 2277 (ii).
——— Date of Resignation, Apptmt. of a Successor (Ques.) 1975 (ii).
Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 2°, 751 (i).
Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5549 (iii).
Insurance Act B. 166 (Mr. Fielding) in Com. 8468 (v).
Interest Act Amt. B. 73 (Mr. Miller) in Com., 2154 (ii).
Manitoba Bench Vacancy, Delays, &c. (remarks) 5624 (iii).
Manitoba Boundaries, on M. for Sup., 8131; (amt.) 8141; Neg. (Y. 63; N. 102) 8166 (v).
Manitoba Grain Act Amt. B. 49 (Mr. Fisher) in Com. on Res., 661 (i).
Manitoba King's Bench, Arrears of Work, &c. (Ques.) 4846 (iii).
Nelson River Ry. Co.'s incorp. B. 52 (Mr. Ruttan) in Com., 4817, 5240 (iii).
Northern Mortgage Co. of Canada (B. 33) 1°*, 380 (i); on order for 3°, 2279 (ii).
Post Offices opened on Sundays to Boxholders (M for cor.*) 4315 (iii).
Prendergast, Mr. Justice, Transfer to Man. Bench (Ques.) 3489 (ii).
St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7088 (iv).
SUPPLY—
Canals—Trent (construction) 3106 (ii).
Public Works—Buildings—Man. (Winnipeg) 8185 (v).
Public Works—Harbours and Rivers—Man. (generally) 4261; (Lake Winnipeg wharfs) 4263; (Winnipeg beach) 4267 (iii).
Railways—I.C.R. (board of commissioners) 3099 (ii).
Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1039 (i).
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——— Representations *re* (M. for cor.*) 4315
——— (remarks) 4134 (ii).

HAGGART, Hon. J. G., *South Lanark.*
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Budget, The, 2067 (ii).
——— on Ques. of Order (Mr. Dep. Speaker) 2230 (ii).
Civil Service Act Amt. B. 205 (Mr. Fisher) in Com. on Res., 6951; in Com., 7313 (iv).
Clarry, L. F., Charges *re* Trent Canal, Damages, &c. (remarks) 5217 (iii).
Combines Investigation Act B. 101 (Mr. King) on M. for Com. on Res., 6869 (iv); in Com., 7904 (v).
Crude Petroleum Bounty B. 208 (Mr. Graham) in Com. on Res., 6987 (iv).
Currency Act Amt. B. 159 (Mr. Fielding) in Com. 6636 (iv).
Dominion Millers' Association B. 111 (Mr. Harris) in Com. 3920 (ii); 5772 (iii).
Escheats to the Crown B. 206 (Mr. Aylesworth) in Com. on Res., 6975 (iv).
Fisheries Act (regulations) Amt. B. 192 (Mr. Templeman) in Com. on Res., 5906 (iii).
Franking Privilege and Political Literature, &c. (remarks) 7833 (v).
Govt. Railways Act Amt. B. 232 (Mr. Graham) in Com., 8772 (v).
Guelph Junction Ry. Co.'s B. 218 (Mr. A. H. Clarke) in Com., 8619, 8636 (v).
Hamilton, Waterloo and Guelph Ry. Co.'s B. 79 (Mr. Harris) in Com., 6765 (iv).
Indian Act Amt. B. 141 (Mr. Oliver) on M. for 2°, 5922, in Com., 5926 (iii).
Inland Revenue Act (warehouses) Amt. B. 9 (Mr. Templeman) on Prop. Res., 98; in Com. on Res., 152 (i).
I.C.R., on Annual Stmnt. (reply) 2840 (ii).
I.C.R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1103 (i).
Irrigation Act Amt. B. 186 (Mr. Oliver) on M. for 1°, 5886 (iii); in Com., 6201 (iv).
L'Institut de Notre Dame des Missions, incorp. B. 80 (Mr. W. M. Martin) in Com., 3139 (ii).
London and Lake Erie Railway and Transportation Company incorp. B. 91 (Mr. Harris) in Com., 3930 (ii).
Lumsden Charges, Changes in Report, on M. for Sup., 5598 (iii).
Montreal Harbour Commission Subsidy B. 191 (Mr. Fielding) in Com. on Res., 5900; in Com. on B., 5904 (iii).
N.T. Ry., Classification, &c., on M. (Sir Wilfrid Laurier) for Com., 2582 (ii).
——— (remarks) 2417 (ii).

HAGGART, Hon. J. G.—*Con.*

Naval Defence B. 95 (Sir Wilfrid Laurier) in Com., 7454 (v).

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6202, 6970 (iv).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5236, 5284 (iii).

New York State Canals, Reciprocal Use of by Canadians (remarks) 5203 (iii).

Ottawa and Montreal Power and Transmission Co.'s incorp. B. 178 (Mr. Perley) in Com., 8617 (v).

Ottawa and Quebec East Representation, on Amt. (Mr. Meighen) to Com. of Sup., 1322 (i).

Post Office Act (ry. mail clerks) Amt. B. 197 (Mr. Lemieux) in Com., 7321 (iv).

Quebec Judges Superior Court Act Amt. B. 207 (Mr. Aylesworth) in Com. on Res., 6977 (iv).

Race Track Gambling B. 6 (Mr. Miller) in Com., 6571 (iv).

—— Procedure *re* Discussion, 6559 (iv).

Railway Act Amt. B. 145 (Mr. Graham) in Com., 8407 (v).

Rainy River Radial Ry. Co.'s incorp. B. 108 (Mr. Conmee) in Com., 5768 (iii).

Restigouche Log Driving and Boom Co.'s B. 150 (Mr. Carvell) on M. for 2°, 4843 (iii).

Rocky Mountains Park Regulations (Mr. Oliver) in Com. on Res., 6197 (iv).

Royal Military College Act Amt. B. 180 (Sir Frederick Borden) in Com. on Res., 5783 (iii).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7100 (iv).

Senate, Abolition of, &c., on prop. Res. (Mr. Lancaster) 1999 (ii).

SUPPLY—

Justice, Administration of, Supreme Court (law books) 8798 (v).

Mail Subsidies and SS. Subventions (Canada and Cuba) 5692; (Canada and Mexico) 5690; (Riviere du Loup and Tadousac) 5711 (iii).

Public Works—Dredging—Mar. Provs. (generally) 5716 (iii).

Public Works—Harbours and Rivers—Man. (St. Andrew's Rapids) 6104 (iv).

Public Works—Harbours and Rivers—N.B. (Pink Rock) 3406 (ii); (St. John) 6107 (iv).

Public Works—Harbours and Rivers—Ont. (Fiddler's Elbow) 3851 (ii).

Public Works—Harbours and Rivers—Que. (Yamaska and Richelieu) 5720 (iii).

Railways—Hudson Bay (surveys) 3069 (ii).

Railways—I. C. R. (Moncton cut-off) 2933; (Moncton shops) 2935 (ii).

Railways—N. T. Ry. (construction, &c.) 5231, 5249 (iii); 8359 (v); (surveys, &c.) 3065 (ii).

Railways (Quebec Bridge) 3070 (ii).

HAGGART, Hon. J. G.—*Con.*

Trade and Commerce (Grain Inspection Board) 5714 (iii).

Water Power in B. C. Ry. Belt, B. 187 (Mr. Oliver) on M. for 1°, 5888 (iii).

HARRIS, Mr. L., *Brantford.*

Co-operation (B. 50) 1° m., 705 (i).

Criminal Code (automobiles) Amt (B. 75) 1° m., 1363 (i); in Com., 8731 (v).

Dominion Millers' Association (B. 111) 1°*, 2221; in Com., 3481, 3872, 3915 (ii); 5772 (iii).

Hamilton, Waterloo and Guelph Ry. Co.'s (B. 79) 1°*, 1529 (i); in Com., 6139; 6739 (iv).

London and Lake Erie Ry. and Transportation Co.'s incorp. (B. 91) 1°*, 1731 (i); in Com., 3929 (ii).

Toronto Central Terminal Ry. Co.'s incorp. (B. 70) 1°*, 1360 (i).

Toronto Eastern Ry Co.'s incorp. B. 116 (Mr. Fowke) in Com., 6783 (iv).

HARTY, Mr. W., *Kingston.*

Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 8468 (v).

Kingston, Smiths Falls and Ottawa Ry. Co.'s (B. 146) 1°*, 4128 (iii).

SUPPLY—

Public Works—Dredging (new plant) 4763 (iii); Harbours and Rivers—Ont. (Fiddler's Elbow) 3851; Que. (Aylmer) 3864 (ii).

HENDERSON, Mr. D., *Halton.*

Agriculture, Dept., Administration of, on M. for Sup., 7224 (iv).

Agriculture, Machinery imported into Canada, 1909 (Ques.) 382 (i).

Bank Shareholders List, &c. (Ques.) 4846 (iii).

Budget, The, on Ques. of Order (Mr. Dep. Speaker) 2229 (ii).

Burlington Beach Protection Piers, &c. (remarks) in Com. of Sup., 3854 (ii).

Canadian Northern Alberta Ry. Co.'s Subsidy B. 277 (Mr. Graham) in Com. on Res., 8486 (iv).

Combines Investigation B. 101 (Mr. King) on M. for 3°, 7993 (v).

Crude Petroleum Bounty B. 208 (Mr. Graham) in Com. on Res., 6995 (iv).

Currency Act Amt. B. 195 (Mr. Fielding) in Com., 6622 (iv).

Customs Tariff Act Amt. B. 233 (Mr. Fielding) on M. for 2°, 8841 (v).

Fisheries Act (regulations) Amt. B. 192 (Mr. Templeman) in Com., 5912 (iii), 8071 (v).

HENDERSON, Mr. D.—*Con.*

Fisheries, Regulations *re* International Fishing, Inquiry for Rep., 1880 (i).
See 'International.'

Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 2°. 770 (i).

—— B. 126 (Mr. Fielding) on M. for 2°, 6620 (iv).

French Floods, Relief Fund (remarks) *re* Grant, 3062 (ii).

German Tariff, Agreements, &c., *re* Rys. (remarks) 3832 (ii).

Govt. Annuities Act Amt. B. 155 (Mr. Fielding) in Com., 6330 (iv).

Hamilton, Waterloo and Guelph Ry. Co.'s B. 79 (Mr. Harris) in Com., 6762 (iv).

Horse Races and Race Track Gambling B. 6 (Mr. Miller) in Com., 6593; on M. for 3°, 7270 (iv).

Inland Revenue Act (cigarettes) Amt. B. 9 (Mr. Templeman) on M. for 3°, 812 (i).

Inspection and Sales Act (bread) Amt. Bill, on M. (Mr. Currie) to introduce, 519 (i).

Insurance Act B. 166 (Mr. Fielding) in Com., 7947 (v).

Interest Act Amt. B. 8 (Mr. Miller) on M. for 2°, asks for Names of Companies, 502 (i)

I. C. R. and N. T. R. Estimates, Discussions *re* (remarks) in Com. of Sup., 3132 (ii).

I. C. R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1109; in Com., 1136 (i).

International Fisheries Regulation, Rep. *re* (Ques.) 381 (i).

—— (remarks) 1880 (i), 2153 (ii).

International Waterways Canal and Construction Co.'s incorp. B. 119 (Mr. Conmee) in Com., 3155 (ii).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2893 (ii).

Lobster Fisheries Rep., on M. (Mr. Sinclair to conc., 8229 (v).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6279 (iv).

Montmagny Fire Insurance Co.'s B. 51 (Mr. Lavergne) on M. for 3° 2280 (ii).

Montreal, Ottawa and Georgian Bay Canal Co.'s B. 58 (Mr. McGiverin) in Com., 2258 (ii).

N. T. Ry. Classification, Lumsden Charges, on M. (Mr. Clarke) to conc. in 2nd Rep., 3985 (iii).

N. T. Ry. from Winnipeg to Superior Jct., Open for Traffic, &c. (Ques.) 165 (i).

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6205, 6966 (iv).

HENDERSON, Mr. D.—*Con.*

Newspapers in Ont., Patronage *re* Advertising (remarks) in Com. of Sup., 6148 (iv).

Northern Mortgage Co. of Canada B. 33 (Mr. A. Haggart) on M. for 3°, 2280 (ii).

Oakville Harbour Dredging (remarks) in Com. of Sup., 4809 (iii), 6148 (iv).

Post Office Act (ry. mail clerks) Amt. B. 197 (Mr. Lemieux) in Com., 7313 (iv).

Private Bills, on M. (Mr. Miller) to suspend Rules, 8362 (v).

Private Cars, Expenditure *re* Hauling (remarks) in Com. of Sup., 232 (i).

Ry. Act (appeals) Amt. B. 3 (Mr. Lancaster) on M. to ref. to Ry. Com., 466 (i).

Railway Subsidies B. 266 (Mr. Graham) in Com., 8480 (v).

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8434 (v).

Royal Guardians B. 120 (Mr. Fielding) in Com., 7257 (iv).

Rules of the House in Com. on Rep., 8367 (v).

St. Lawrence Power B. 115, on M. for 3°, 7256 (iv).

SUPPLY—

Arts, Agriculture, &c. (census) 7375; (farm bulletins) 7377 (iv); (live stock industry) 7751 (v); (tobacco) 7380 (iv).

Canals—Cornwall (cribwork) 3124; (repairs) 3123 (ii).

Canals—Quebec (macdamizing roads) 3122 (ii).

Canals—Trent (Newmarket) 3112 (ii).

Canals—Welland (elevators) 3120 (ii).

Civil Govt.—Aud. General (salaries) 7768 (v); Customs (salaries) 246; Indian Affairs, (salaries) 346; Inland Revenue (contingencies) 232 (i); Interior(salaries) 8194 (v); Justice (salaries) 253; Marine and Fisheries (contingencies) 253; Marine and Fisheries (salaries) 250 (i); Militia (salaries) 7767 (v); Railways and Canals (contingencies) 247 (i); Secretary of State (salaries) 7767 (v).

Excise (tobacco stamps) 1342 (i).

House of Commons (sessional indemnities) 7777 (v).

Immigration (agents, &c.) 8200 (v).

Indians—Man. (live stock) 7848 (v).

Indians—Ont. and Que. (surveys) 7837; (medical attendance) 7836 (v).

Indians—P.E.I. (relief, &c.) 7847 (v).

Militia (annual drill) 8565; (monuments) 8575 (v).

Mines (peat bogs) 8553 (v).

Public Works—Buildings—Alta. (Strathcona) 8189 (v).

Public Works—Buildings—B.C. (Vancouver) 8191 (v).

Public Works—Buildings—Generally— (tobacco curing) 8191 (v).

Public Works—Buildings—Man. (Portage la Prairie) 8183 ; (Winnipeg) 8184 (v).

Public Works—Buildings—N.B. (Hartland) 584 (i).

Public Works—Buildings—N.S. (Lunenburg) 576 (i).

HENDERSON, Mr. D.—*Con.*

SUPPLY—*Con.*

Public Works—Buildings—Ont. (Elora) 7174; (Fergus) 7179 (iv); (Guelph) 8169; (Waterloo) 8178, (Whitby) 8179 (v).

Public Works—Buildings—Ottawa (astronomical observatory) 422; (deptl. buildings, new) 553 (i); (grounds) 8191 (v); (Royal Mint) 558 (i); (ventilation) 8172 (v).

Public Works—Buildings—Que. (Maisonneuve) 669; (Marieville) 688 (i).

Public Works—Dredging—Ont. (generally) 4809 (iii).

Public Works—Harbours and Rivers—Man. (St. Andrew's rapids) 6103 (iv).

Public Works—Harbours and Rivers—Ont. (Burlington) 3457 (ii).

Public Works—Harbours and Rivers—Que. (Cabano) 3881; (Gaspe) 3892; (Godfroy) 3899 (ii).

Public Works—Miscellaneous (Lake Nipissing floods) 6165; (McGee, Hon. D'Arcy, monument) 6159; (Tilley, Sir Leonard, memorial) 6161 (iv).

Railways—Miscellaneous (ry. commission) 3127 (ii).

Senate (sesional indemnities) 7771 (v).

Toronto Eastern Ry. Co.'s incorp. B. 116 (Mr. Fowke) in Com., 6769 (iv).

Union Life Assurance Co.'s B. 36 (Mr. McGiverin) in Com., 2098 (ii).

Vancouver, Victoria and Eastern Ry. and Nav. Co.'s B. 99 (Mr. Burrell) on M. for 2°, 2101 (ii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com., 8397 (v).

Ways and Means, on M. (Mr. Fisher) to report Progress, 2277 (ii).

Ways and Means—Tariff with U. S., in Com., 8757 (v).

Wharfs transferred to Marine Dept. (remarks) in Com. of Sup., 3882 (ii).

HERRON, Mr. J., *Macleod.*

Agriculture Dept., Administration of, on M. for Sup., 7209 (iv).

Alberta and B. C. Ry. Co.'s (B. 214) 1°*, 7650 (v).

Combines Investigation Act B. 101 (Mr. King) in Com., 7908 (v).

'Cotton's Weekly,' Discrimination *re* Postage, &c. (Ques.) 4517 (iii).

——— (remarks) 5894 (iii).

Gervais, Mrs. C., Issue of Scrip, Location, &c. (Ques.) 6934 (iv).

Immigrants from U. S., Remarks of Mr. Bruce Walker (remarks) in Com. of Sup., 8202 (v).

Immigration Act Amt, B. 102 (Mr. Oliver) in Com., 5548, 5817, 5847 (iii).

Indian Lands in Alberta, Disposal by Govt. (remarks) on M. to adjn., 119 (i).

Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 8473 (v).

HERRON, Mr. J.—*Con.*

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6321 (iv).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4888 (iii).

Peigan Indian Reserve, Disposal or Sale of, &c. (M. for ret.*) 172 (i).

——— Inquiry for Ret., 1801 (i).

——— Open for Homesteading Purposes, &c. (Ques.) 6936 (iv).

——— (remarks) in Com. of Sup., 7856 (v).

Pincher Creek Sub-Land Agency (remarks) 8840 (v).

Post Office Act (ry. mail clerks) Amt. B. 197 (Mr. Lemieux) in Com., 7326 (iv).

Rocky Mountains Park Regulations (Mr. Oliver) in Com. on Res., 6200 (iv).

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com., 2641 (ii).

SUPPLY—

Arts, Agriculture, &c. (cold storage) 7363; (experimental farms) 7348 (iv).

Public Works—Buildings—Alta. (Macleod) 8189 (v).

Public Works—Harbours and Rivers—Alberta (North Saskatchewan river channel) 4273; B.C. (Chilliwack) 4299 (iii).

Immigration (agents, &c.) 8202 (v).

Indians—Alberta (Peigan reserve) 7856 (v).

Militia (arms, &c.) 8558 (v).

Railways—Miscellaneous (ry. commission) 3130 (ii).

Tariff Negotiations with U. S., on M. (Mr Fielding) for Com. on Ways and Means, 5999, Res. *re* Farmers, 6000 (iv).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 1°, 4999 (iii); on M. for 2°, 6388 (iv); in Com., 8099, 8400 (v).

Whitford, Mr. James, Issue of Scrip, Location, &c. (Ques.) 6935 (iv).

Zinc Ores Smelting Investigation B. 182 (Mr. Templeman) in Com. on Res., 5801 (iii).

HODGINS, Mr. G. F., *Pontiac.*

Combines Investigation Act B. 101 (Mr. King) on M. for Com. on Res., 6825 (iv).

Georgian Bay Canal, Construction, on M. (Mr. White) for O. C.'s, &c., 3539 (ii).

Ottawa, Northern and Western Ry Co.'s B. 34 (Mr. McGiverin) in Com., 1366 (i).

HUGHES, Mr. S., *Victoria and Haliburton.*

'Air Brake Magazine,' Postal Arrangements, &c. (remarks) 6694 (iv), 8118 (v).

Baby Farm Sale B. 181 (Sir Frederick Borden) in Com. on Res., 5793 (iii); in Com., 6005 (iv).

Boy Scouts, Visit to Canada, Information *re* (remarks) 3057 (ii).

Budget, The (remarks) 2069 (ii).

Can. Associated Press Subsidy B. 228 (Mr. Fielding) in Com. on Res., 8685 (v).

HUGHES, Mr. S.—*Con.*

Champlain, Samuel de, Monument, &c. (remarks) in Com. of Sup., 7511 (v).

Civil Service Amt. B. 205 (Mr. Fisher) in Com., 7304 (iv).

Civil Service Apptmts., Number Passing Examinations, &c. (Ques.) 2286 (ii).

—— Apptmts. under the C. S. Act, Temporarily, &c. (M. for ret.*) 3170 (ii).

Combines Investigation Act B. 101 (Mr. King) in Com., 7885, 7900; on Amt. (Mr. King) *re* Title, 8003 (v).

Convicts in Penitentiaries, Segregation of, on prop. Res. (Mr. Monk) 150 (i).

Cotton's Weekly, Discrimination *re* Postage (remarks) 5897 (iii).

Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. for 2°, 897 (i).

Crude Petroleum Bounty B. 208 (Mr. Graham) in Com. on Res., 6993 (iv); in Com., 8129 (v).

Debates, Official, on M. (Mr. Gervais) to conc. in 2nd Rep., 3053 (ii).

Dry Dock Subsidies B. 229 (Mr. Fielding) in Com. on Res., 8688 (v).

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1276 (i).

Fenelon Falls Dry Dock, Construction of (Ques.) 1207 (i).

Franking Privilege, and Political Literature &c. (remarks) 7804 (v).

French Floods Relief Fund (remarks) *re* Grant, 3061 (ii).

French, Sir John, Inspection of Militia Camps (Ques.) 133 (i).

Govt. Railways Pension Amt. B. 19 (Mr. Graham) on M. for 2°, 1137; in Com., 1139 (i).

Horse Racing: *See* 'Criminal.'

Immigration Act Amt. B. 102 (Mr. Oliver) on M. for 1°, 2135 (ii); in Com., 5810, 5834 (iii).

Industrial Disputes Investigation Act Amt. B. 198 (Mr. King) in Com., 8031 (v).

I.C.R., on Annual Stmnt., 2810 (ii).

International Waterways Canal and Construction Co.'s incorp B. 119 (Mr. Conmee) in Com., 3152 (ii).

Japan-United States Treaty, Safeguarding Canada's Rights (remarks) 5761 (iii).

Labour Hours on Public Works B. 21 (Mr. Verville) on M. for 2°, 1236 (i).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2893 (ii).

L'Institut de Notre Dames des Missions incorp. B. 80 (Mr. Martin) in Com. 3140 (ii).

Manitoba Grain Act Amt. B. 49 (Mr. Fisher) in Com. on Res., 660 (i).

HUGHES, Mr. S.—*Con.*

Militia Pension Act Amt. B. 105 (Sir Frederick Borden) in Com. on Res., 6014 (iv).

Montreal Harbour Commission Subsidy B. 191 (Mr. Fielding) in Com. on Res., 5902 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3760 (ii); in Com., 7399; on M. for 3°, 7562 (v).

—— on Ques. of Order *re* Ref. to Gov. Gen., 4206 (iii).

North Atlantic Trading Co., Pet. of Right, &c., on M. (Mr. Monk) for Copy, 1572 (i).

North Pole Territorial Rights, Request of Capt. Bernier (remarks) 2711 (ii).

Ochre River Forest Reserve, Pet. *re* (remarks) 8583 (v).

Ottawa Improvement Commission B. 230 (Mr. Fielding) in Com. on Res., 8699 (v).

Petroleum Fields in N.W., Royalty Charges, &c. (Ques.) 133 (i).

Ry. Act (cable rates) Amt. B. 104 (Mr. Lemieux) on M. for 1°, 2137 (ii).

Railways and Canals, Dep. Min., Apptmt. of, Duties, &c. (Ques.) 2718 (ii).

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8598 (v).

Ross Rifle, Ques. of Privilege, 338 (i).

—— Regulations of National Rifle Association re (M.) to adjn. Hse., 4519 (iii).

R.M.C. Cadets, Visit to Ottawa (remarks) 8584 (v).

Royal Military College Act Amt. B. 180 (Sir Fredrick Borden) in Com. on Res., 5785 (iii).

Rules of the House, on M. (Sir Wilfrid Laurier) for Special Com., 1443 (i).

St. John Harbour, Wharfs, &c., B. 204 (Mr. Pugsley) in Com., 8122 (v).

St. Johns, Que., Govt. Land, Occupation by Militia (Ques.) 3494 (ii).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5336 (ii), 6226, 6343, 6663, 6724 (iv).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7084 (iv).

S.A. Veterans' Scrip, Amendment *re* Issue (Ques.) 133 (i).

—— Issue of to Relatives (remarks) 8580 (v).

SUPPLY—

Arts, Agriculture, &c. (census) 7375; (experimental farms) 7348; (farm bulletins) 7378 (iv).

Civil Govt.—External Affairs (salaries) 337, Finance (salaries) 336; Indian Affairs (salaries) 356; Mines (salaries) 336; Public Works (salaries) 333 (i).

House of Commons (sessional indemnities) 7773 (iv).

HUGHES, Mr. S.—*Con.*

SUPPLY—*Con.*

Militia (annual drill) 8564; (armouries) 8570; (gratuities) 8571; (instructions) 8573; (pay, &c.) 8559; (rifles, &c.) 8563; (topographical survey) 8574 (v).

Public Works—Buildings—Ont. (Guelph) 7497; (Port Arthur) 8177; (Sarnia) 8178 (v).

Public Works—Buildings—Ottawa (ventilation) 8171 (v).

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LEWIS, Mr. E. N.—*Con.*

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MACDONELL, Mr. A. C., *South Toronto.*

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McCARTHY, Mr. M. S.—*Con.*

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McKENZIE, Mr. D. D., *Cape Breton, North.*

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Central Canada Manufacturers' Mutual Fire Ins. Co.'s B. 123, on Senate Amts, 8657, (v).

Combines Investigation Act Amt. B. 101 (Mr. King) in Com., 6916 (iv), 7892 (v).

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3873, 3919 (ii).

Green, Ada Ann Relief (B. 158) 1°*, 5103 (iii).

Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 7946, 8465 (v).

I. C. R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1124 (i).

Interest Act Amt. B. 73 (Mr. Miller) on M. for 2°, 2052 (ii).

Kingston, Smith's Falls and Ottawa Ry. Co.'s B. (M.) to ref, back to Sel. Com., 5235 (iii).

Naval Defence Bill, Ques. of Order *re* quoting King's Speech, 5100 (iii).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 4832, 5309 (iii).

Race Track Gambling B. 6 (Mr. Miller) in Com., 7268 (iv).

Reid, Ada Ann Relief (B. 158) 2° m, 5490 (iii).

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8053 (v).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5355 (iii).

South Ontario Pacific Ry. Co.'s (B. 35) 1°*, 380 (i).

SUPPLY—

Immigration (contingent expenses) 8210 (v).

Public Works—Harbours and Rivers—Dredging (new plant) 4768 (iii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 2°, 6383 (iv); in Com., 8095 (v).

Western Ontario Pacific Ry. Co.'s (B. 38) 1°*, 380 (i).

NORTHRUP, Mr. W. B., *East Hastings.*

Belleville and North Hastings Ry., Grievance *re* Operation by G. T. Ry., Remedy *re* (Ques.) 102 (i).

See 'Ry. B. 5.'

Bow River Coal Lands, &c. (M. for cor.*), 3170 (ii).

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French Treaty B. 12 (Mr. Fielding) in Com. on Res., 180 (i).

NORTHRUP, Mr. W. B.—*Con.*

Guelph Junction Ry. Co.'s B. 218 (Mr. A. H. Clarke) in Com., 8625 (v).

Interest Act Amt. B. 73 (Mr. Miller) in Com., 2154 (ii).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2916 (ii).

Lumsden Charges, on M. to conc. in 4th Rep. of Com., 6055 (iv).

Ministers of the Crown and Public Gifts (remarks) on M. for Sup., 8792 (v).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2° (amt.), 5107; Neg. (Y. 78; N. 119) 5191 (iii); in Com., 7396 (v).

—— Notice of Amt., 5102 (iii).

Ottawa and Quebec East Representation, on Amt. (Mr. Meighen) to Com. of Sup., 1317 (i).

Public Accounts Com., on Amt. (Mr. Blain) to ref. Aud. Gen.'s Rep., 615 (i).

Race Track Gambling B. 6 (Mr. Miller) in Com., 6595 (iv).

Ry. Act (contracts) Amt. (B. 5) 1° m., 96; 2° m., 480; Neg. (Y. 107; N. 60) 494 (i).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5447 (iii); 6236 (iv).

Tariff Negotiations with U. S., on M. (Mr. Fielding) for Com. on Ways and Means, 5963 (iv).

OLIVER, Hon. FRANK (Minister of the Interior) *Edmonton.*

Alberta Coal Areas, Total Tonnage of, &c. (Ans.) 1010 (i).

Armstrong, Dr., Emplymt. by Govt. (Ans.) 443 (i).

Barge, W. R., Application *re* Licenses, Extension of Time, &c. (Ans.) 5002 (iii).

Becher, Chas. D. T., Homestead Patent, &c. (Ans.) 7290 (iv).

Blackfoot Reserve, Medical Attendant (remarks) in Com. of Sup., 7853 (v).

Brandon Agency, Number of Persons employed, Absence, &c. (Ans.) 2950 (ii).

Brandon City, Land purchased from Govt., Title, &c. (Ans.) 6182 (iv).

B. C. Ry. Belt, Govt. Title to Beds of Streams, &c. (Ans.) 2951 (ii).

See 'Water Power.'

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Canadians entering U. S., Action of U. S. Immigration Agents (remarks) 1101 (i).

Chu-chu-way-ha Reserve, Instruction to Capt. Jemmett (Ans.) 5499 (iii).

Coal Lands alienated from the Crown, Total Acreage (Ans.) 5000, 5561 (iii).

Crosbie, Mr. W. F., Refund of Money *re* Purchase of School Lands (Ans.) 4617 (iii).

OLIVER, Hon. FRANK—*Con.*

Dom. Lands, Alberta and Sask., Aggregate Revenue (Ans.) 3291 (ii).

Dom. Lands in Man., Sask., Total Area of Arable Lands (Ans.) 2925 (ii).

See 'Half Sections,' 'Homesteads,'

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3875, 3916 (ii).

Doukhobors, Comparison with h. m. for Dauphin (remarks) 5532 (iii).

Emigration to U. S. from Canada, Rep. of American Consul at Kingston (Ans.) 432 (i).

Emigration from Canada, System of Record-keeping (Ans.) 268 (i).

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Garden River and Mississagua Indian Reserve, Negotiations *re* Construction of Roads (Ans.) 636 (i).

Gervais, Mrs. C. Issue of Scrip, Location, &c. (Ans.) 6935 (iv).

Giant's Tomb Island, Estimate of Timber Tenders *re* (Ans.) 4617 (iii).

Grain Trade: *See* "Western."

G. T. R. Ry. and Land Sales along the Line (Ans.) 1966 (ii).

Half-Breed Scrip, Commission *re* (Ans.) 5931 (iv).

—— Location since Jan. 1910 (Ans.) 6937 (iv).

Half Sections in Man., N. ½, Sale of, &c. (Ans.) 5890 (iii).

Hay and Wood Permits from Dom. Lands, Man., Amounts collected (Ans.) 3678 (ii).

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Homestead Entries in Man., 1908-9, Original Entrants, &c. (Ans.) 1784 (i).

Homestead Fees, Amount collected in Alberta and Sask. (Ans.) 848 (i).

Homestead Lands open for Settlement, Number of Acres, &c. (Ans.) 270 (i).

Homestead Patent for S. W. ¼, 18-19-20 W. 4th Meridian, Issue of (Ans.) 6936 (iv).

Homestead Pre-emptions, available for Settlers, Conditions, &c. (Ans.) 6935 (iv).

—— Total Acreage sold since 1908 (Ans.) 275 (i).

—— Total Acreage, Moneys received, &c. (Ans.) 2951 (ii).

Homesteading on Section 34, Twp. 12, Settlement Duties (Ans.) 4080 (iii).

Homesteads for Women (remarks) in Com. of Sup., 8489 (v).

Hudson Bay Ry., Land Sales, Number of Acres (Ans.) 2144 (ii).

Hydrographic Survey, Irrigation Rep. (presented) 5103 (iii).

Immigration Act Amt. (B. 102) 1° m., 2133 (ii); 2° m., 5502; in Com., 5532, 5802, 5822 (iii); on Senate Amts., 8400 (iv).

OLIVER, Hon. FRANK—*Con.*

Immigration Act Amt.—*Con.*

——— in Com., on Ques. of Order, 5540 (iii).

Immigration Agents in France, Names, Salaries, &c. (Ans.) 102 (i).

——— Rep. of Mr. Wiallard (Ans.) 790 (i).

Immigrants contributed by Five Nationalities, Total Number (Ans.) 128 (i).

Immigrants deported, Number of (Ans.) 1374 (i).

Immigrants from Europe, Number for 1908, 1910 (Ans.) 7872 (v).

Immigrants and S.S. Passengers landing at St. John, N.B., Treatment of (remarks) 7977, 8477 (v).

——— Letter from Supt. (read) 8579 (v).

Immigrants located on Bay of Quinté Ry., Number, &c. (Ans.) 7872 (v).

Immigrants, Treatment *re* Deportations (remarks) 6946 (iv).

——— Treatment of at Halifax (remarks) 7977, 8477 (v).

Immigration into Eastern Townships, Total Number, Agents, &c. (Ans.) 638 (i).

Immigrants at Medicine Hat, Facilities for Housing (Ans.) 2294 (ii).

Immigration Official Dr. Lavoie, Charges *re* (Ans.) 8109 (v).

Immigrants at Quebec, Treatment by Officials (remarks) 6610 (iv).

Indian Act Amt. (B. 141) 1° m., 3390 (ii); 2° m., 5922; in Com., 5925 (iii); in Com., 5934 (iv).

Indian Industrial School, Regina, Closing of (Ans.) 6179 (iv).

See 'School,' &c.

Indian Lands Sale in Alberta, Disposal of by Govt., on M. (Mr. Herron) to adjn., 120 (i).

Indian Lands in Algoma, Terms, &c., of Sale (Ans.) 635 (i).

Indian Lands, Total Number of Acres sold, Receipts, &c. (Ans.) 784 (i).

Industrial Schools for Indians, Govt. Policy *re* (Ans.) 6390 (iv).

Interior and Indian Affairs, Deptl. Rep. (presented) 7 (i).

Irrigation Act Amt. (B. 186) 1° m., 5886 (iii); in Com., 6201 (iv).

Kitsilano Indian Reserve Sale, &c., (remarks) in Com. of Sup., 7859 (v).

La Butte Indian School, Payments to (Ans.) 6179 (iv).

Land Titles Act Amt. (B. 125) 1° m., 2485 (ii); 2° m., 5921 (iii); on Senate Amts., 8401 (v).

Leech, R. E. A., Emplymt. by Govt. (Ans.) 4081 (iii).

——— (remarks) in Com. of Sup., 8490 (v).

OLIVER, Hon. FRANK—*Con.*

Lilly, Wm., Homestead Preemption of S.W. ¼, 32-7-5, &c. (Ans.) 6936 (iv).

McConnell, Dr., Emplymt. by Govt. (Ans.) 443 (i).

McLeod, Alex., Payments to *re* Yukon Trip (Ans.) 5890 (iii).

McQuarrie, W. L., Apptmt. in Dom. Lands Office, &c. (Ans.) 4081 (iii).

Manitoba Federal Subsidy *re* School Lands (Ans.) 4310 (iii).

Manitoba School Lands, Sale of (Ans.) 4309 (iii).

National Park, Sask., Disposition of Buffalo Herd (Ans.) 790 (i).

Naval Defence, Lands available for defraying Cost (Ans.) 1367 (i).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 4835, 5294 (iii).

New Westminster District Lands, Disposal of contrary to Regulations (Ans.) 3169 (ii).

Norris, Mr. T. C., Payments to by Govt. (Ans.) 851 (i), 2718 (ii).

North Atlantic Trading Co., Claims for Damages, Fiat, &c. (Ans.) 640 (i).

——— on M. (Mr. Monk) for Copy, 1563 (i).

Northwest Lands in Townships 52, 53, 54, Terms of Sale (Ans.) 1374 (i).

Oka Indians (remarks) in Com. of Sup., 7844 (v).

Oka River Reserve, Pet. *re* (remarks) 8582 (v).

Peace River Col. and Land Development Co., Cancellation of Land Grant (Ans.) 1376 (i).

——— Disposal of Lands by Govt. (Ans.) 1535 (i).

Peace River Country, Portions opened up for Settlement (Ans.) 4313 (iii).

——— Total Acreage of Arable Land, &c. (Ans.) 2925 (ii).

Peigan Indian Agency, Winding up Sale (remarks) in Com. of Sup., 7856 (v).

Peigan Reserve, Sale of Lands (Ans.) 6936 (iv).

Petroleum Fields in N.W., Royalty Charges, &c. (Ans.) 134 (i).

Petroleum Locations on Athabasca River, Reports *re* (Ans.) 3493 (ii).

Pincher Creek sub-Land Agency (remarks) 8840 (v).

Pitt Meadows, Lease of Land on Special Terms, &c. (Ans.) 274 (i).

Pointe Bleue Indian Agent W. Donohue, Removal of (Ans.) 4515 (iii).

Pre-emption Payments, Notice *re* Interest (Ans.) 432 (i).

Riding Mountain Reserve, Removal of Squatters (Ans.) 1369 (i).

OLIVER, Hon. FRANK—*Con.*

Rocky Mountains Park Regulations, prop. Res., 3057 (ii); in Com. on Res., 6194, 6372 (iv).

R.N.W.M. Police Barracks, Calgary, Application *re* Transfer to Ry. Corporations (Ans.) 1206 (i).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5447 (iii).

St. Peter's Indian Reserve, Investigation *re* Charges, on Amt. (Mr. Bradbury) to Com. of Sup., 7071 (iv).

——— Claims *re* Speculators, &c. (Ans.) 129 (i).

——— Inquiry for Report (Mr. Bradbury) 5762 (iii).

——— Investigation *re* Surrender, &c. (Ans.) 2296 (ii).

——— Instruction to Chief Justice Howell, on Inquiry for Ret., 2636 (ii).

——— Letter of Mr. Ernest Raynor (explanation) 1963 (ii).

——— Negotiations with Mr. W. Frank (Ans.) 7065 (iv).

——— on Ques. of Priv. (Mr. Bradbury) 7527 (v).

——— Surrender (remarks) in Com. of Sup., 348 (i).

School Lands, Area sold at Regina, Fees, &c. (Ans.) 433 (i).

School Lands, Sale of, Conditions, Terms, &c. (Ans.) 5930 (iii).

See 'Indians.'

Seed Grain Distribution, Average Price paid, Additional Cost (Ans.) 1003 (i).

——— Distribution to Homestead Holders in Quarter Section 24 (Ans.) 1196 (i).

S. A. Volunteers Bounty Act Amt. *re* Surgeons, &c. (Ans.) 3732 (ii).

——— Amt. *re* Issue of (Ans.) 133 (i).

——— Issue of to Relatives (remarks) 8581 (v).

——— Number issued, &c. (Ans.) 107 (i), 2144 (ii).

See 'Volunteers.'

SS. Passengers: *See* 'Immigrants.'

SUPPLY—

Civil Govt.—Indian Affairs (salaries) 344, 415 (i); Interior (contingencies) 8194; (salaries) 8194 (v).

Dom. Lands (printing, &c.) 8493; (salaries) 8489; (timber protection) 8492 (v).

Immigration (agents, &c.) 8195; (contingent expenses) 8207; (salaries) 8494 (v).

Indians—Alta. (Peigan reserve) 7856 (v).

Indians—B.C. (salaries) 7858 (v).

Indians—Generally (land management fund) 7837; (schools) 7861 (v).

Indians—Man. (annuities, &c.) 7848; (clothing, &c.) 7851; (general expenses) 7853; (grist mills) 7853; (live stock) 7848; (medical attendance) 7849; (Sioux) 7853; (supplies) 7849 (v).

Indians—N.B. (salaries) 7846 (v).

Indians—N.S. (roads, &c.) 7845 (v).

Indians—Ont. (medical attendance) 7835 (v).

Indians—Ont. and Que. (legal expenses) 7843; (surveys)) 7837 (v).

Indians—P.E.I. (Lennox island wharf) 7847; (relief, &c.) 7847 (v).

Public Works—Buildings—Ottawa (astronomical observatory) 427 (i).

Public Works—Buildings—Que. (immigration sheds) 960 (i).

Public Works—Buildings—Sask. and Alberta (immigration) 5607 (iii).

Yukon Ter. Govt. (administrator) 5615 (iii); (adminstration salaries) 8487 (v).

Surrey, B.C., Land Sales, Dates and Terms, &c. (Ans.) 2291 (ii).

Surveys in Township Nine, Man., Alterations, &c. (Ans.) 272 (i).

Swan Lake Medical Attendant (remarks) in Com. of Sup., 7849 (v).

Trachoma in Regina Schools (remarks) 3391 (ii).

Turtle Mountain Timber Reserve, Tree Planting, Expenditure re (Ans.) 5932, 6181 (iv).

U.S. Govt. Officials, Interference with Travelling Citizens (remarks) 6943 (iv).

Veteran Land Grants, Number taken up, Assignments, &c. (Ans.) 447 (i).

See 'S. A.'

Victoria Immigration Building, Number of Inmates, &c. (Ans.) 2187 (ii).

Volunteer Bounty Act Amt. (B. 163) 1° m., 4996 (iii) 2°., 6376 (iv); in Com., 8072 8389 (v).

Wakefield, A. G., Emplymt. by Immigration Dept. (Ans.) 5890 (iii).

Walton, Geo., Payments to by Govt. (Ans.) 3734 (ii).

Warwick, Thos. G., Value of Improvements on Entry (Ans.) 275 (i).

Water Powers in Ry. Belt, B.C. (B. 187) 1° m., 5887 (iii); in Com., 6373 (iv); 8435, 8706 (v).

Watha Indian Reserve, Sale of Timber Lands, &s. (Ans.) 844 (i).

Watson, R. J., Emplymt. by Govt. (Ans.) 2488 (ii).

Western Grain Trade, Deputations *re* (remarks) 8584 (v).

Western Grain Trade, Over-classification of Grades (remarks) on M. for Sup., 8344 (v).

——— Over-classification of Grades (remarks) 8363 (v).

Westminster District, Land leased to B.C. Mill and Trading Co. (Ans.) 2292 (ii).

OLIVER, Hon. FRANK—*Con.*

Whitford, James, Issue of Scrip, Location, &c. (Ans.) 6935 (iv).

Wood Permits to Residents for Fuel in Twp. 50, &c. (Ans.) 4079 (iii).

See 'Hay.'

OSLER, Mr. E. B., *West Toronto.*

Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. for 2°, 888 (i).

I. C. R., Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1129 (i).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2901 (ii).

North Atlantic Trading Co., Pet. of Right, &c., on M. (Mr. Monk) for Copy, 1571 (i).

OWEN, Mr. C. L., *East Northumberland, Ont.*

Budget, The (remarks) 2246 (ii).

Campbellford Post Office (remarks) in Com. of Sup., 930 (i).

Dominion Elections, Total Cost for 1908 (Ques.) 2285 (ii).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6285 (iv).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 5079 (iii).

Parcel Post Delivery, Signing for, &c. (remarks) 3682 (ii).

Race Track Gambling B. 6 (Mr. Miller) in Com., 6588 (iv).

Richibucto Wharf, &c., Ques. of Order *re* Discussion, in Com. of Sup., 3844 (ii).

SUPPLY—

Public Works—Buildings—Que. (Roberval) 930 (i); Harbours and Rivers—Ont. (Fiddler's Elbow) 3850 (ii).

Trent Canal, Expenditure on Sections 1, 2, 3, 5 and 7, &c. (Ques.) 446 (i).

U.S. Tariff Negotiations *re* Canada (remarks) 4712 (iii).

PAPINEAU, Mr. L. J., *Beauharnois.*

Fenian Raid Veterans, Request *re* Indemnity (Ques.) 5560 (iii).

Ry. Act (fires) Amt. (B. 48) 1° m., 621 (i); 2° m., 2032 (ii).

PAQUET, Mr. E., *L'Islet.*

Agricultural Bulletins, Number distributed, &c. (Ques.) 789 (i).

Agriculture Dept., Administration of, on M. for Sup., 7282 (iv).

Archives, Protection *re* Fire (Ques.) 1019 (i).

Auctil, J. Napoleon, Emplymt. by Govt. (Ques.) 1193 (i).

Budget, The, 1929 (i).

Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 2°, 742 (i).

PAQUET, Mr. E.—*Con.*

Historial Manuscripts Commission, Members, Results, &c. (Ques.) 790 (i).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5823 (iii).

Immigration Agents in Belgium, Reps. *re* (M. for papers*) 1022 (i).

Immigration Agents in France, Names, Salaries, &c. (Ques.) 101 (i).

Immigration Medical Inspection, Cor. since 1st Jan. 1908 (M. for copy*) 1380 (i).

Imperial Naval Conference, Distribution of French Edition (Ques.) 276 (i).

I. C. R. Board of Commissioners, Names, Date of Apptmt., Salaries, &c. (Ques.) 99 (i).

——— Dismissals by Commissioners, &c. (Ques.) 128, 164 (i).

——— Employees, Number in 1907-8-9 (Ques.) 835 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4678 (iii).

Quebec City Newspapers, Payments to, &c. (M. for ret.*) 4315 (iii).

Race Track Gambling B. 6 (Mr. Miller) in Com., 6529 (iv).

St. Simeon-Tadousac Mail Service, Tenders *re* (Ques.) 3936 (ii).

Tuberculosis, Prevention of, on prop. Res. (Mr. Perley) 1425 (i).

Year Book, Expenditure *re*, French Distribution (Ques.) 1020 (i).

PARDEE, Mr. F. F., *West Lambton.*

Brandon, Saskatchewan and Hudson Bay Ry. Co.'s (B. 213) 2° m., 7868 (v).

Combines Investigation Act Amt. B. 101 (Mr. King) on M. for Com. on Res., 6877 (iv); in Com., 7912 (v).

Criminal Code (ore thefts) Amt. B. 85 (Mr. Gordon) in Com., 2167 (ii).

Hamilton, Waterloo and Guelph Ry. Co.'s B. 79 (Mr. Harris) in Com., 6139 (iv).

Manitoba Boundaries Vote, on Amt. (Mr. Haggart) *re* Vote of Sol. Gen., 8168 (v).

Mond Nickel Patent Relief B. 92 (Mr. McGiverin) in Com., 3090 (ii).

Race Track Gambling B. 6 (Mr. Miller) in Com., 7263 (iv).

St. Lawrence Power Transmission Co.'s Limited incorp. (B. 115) 1°*, 2221 (ii); in Com., 5317' 5334 (iii), 6138, 6169, 6226, 6341, 6663, 6721; 3° m., 6886, 7251; on Senate Amts., 8653 (v).

PARENT, Mr. G., *Montmorency.*

Combines Investigation B. 101 (Mr. King) on M. for 3°, 8000 (v).

PATERSON, Hon. Wm., (Minister of Custom) *Brant.*

Budget, The, 2061 (ii).

Canada and Germany, Total Value of Exports, Imports, &c. (Ans.) 261, 633 (i).

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com. on Res., 6953 (iv).

Coal Importations from U. S. from 1905 to 1909 (Ans.) 842 (i).

Customs, Deptl. Rep. (presented) 7 (i).

Customs and Excise Revenues for 1909-10 &c. (Ans.) 8109 (v).

Dunnville, Postal and Customs Revenue, Total Amount (Ans.) 1009 (i).

Franking Privilege and Political Literature (remarks) 7828 (v).

French Treaty B. 12 (Mr. Fielding) in Com. on Res., 190; on M. for 2°, 776 (i).

German Trade Relations, Value of Exports, &c. (Ans.) 261, 633 (i).

Grain Exports from Montreal for past Ten Years, &c. (Ans.) 782 (i).

Herring Fish transported to U.S., &c. (Ans.) 1777 (i.

Incubators, Total Number imported from U. S., 1909 (Ans.) 169 (i).

LeBel, Wenceslas, Emplymt. by Govt. (Ans.) 641 (i).

Lizotte, Luc, Emplymt. by Govt. (Ans.) 641 (i).

Machinery, Steel, Quantity imported for 1907-8 (Ans.) 1015 (i).

Mahone, Customs Collector, Dismissal, &c. (Ans.) 6507 (iv).

Pulp and Pulpwood Exports from Sault Ste. Marie, Quantity, Value, &c., (Ans.) 836 (i).

School Slates and Lead Pencils imported into Canada, Quantity, Valuation, &c. (Ans.) 6506 (iv).

SUPPLY—

Civil Govt.—Customs (salaries) 243; Railways and Canals (contingencies) 248 (i).

Customs—Outside Ports (contingencies) 8803 (v); (salaries) 1359 (i).

Public Works—Buildings—Que. (Quebec customs) 826 (i).

Trade Relations with U. S., on M. (Mr. Fielding) for Com. on Ways and Means, 8753 (v).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com., 8100 (v).

Wool and Yarns, Quantity exported from 1900 to 1909 (Ans.) 1378 (i).

PERLEY, Mr. G. H., *Argenteuil*

Currency Act Amt. B. 195 (Mr. Fielding) in Com., 6643 (iv).

Dry Dock Subsidies B. 229 (Mr. Fielding) in Com. on Res., 8695 (v).

PERLEY, Mr. G. H.—*Con.*

Grenville Station to Grenville Village Mail Service, *Number of Tenders called for (Ques.) 131 (i).

Insurance Act Amt. B. 166 (Mr. Fielding) in Com. 7959 (v).

International Waterways Canal and Construction Co.'s incorp. B. 119 (Mr. Conmee) in Com., 3151 (ii).

Lachute Public Building, Completion, &c. (Ques.) 3183 (ii); (remarks) 3137 (ii), 5689 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4863 (iii).

New York Canals, Use by Canadian Vessels, Authority for (Ques.) 4128 (iii).

——— (remarks) on M. for Sup., 5202 (iii).

——— Letter from Supt. F. C. Stevens, &c. (read) 5625 (iii).

Ottawa, Govt. Buildings (Y.M.C.A.) Taxes and Rent, &c. (Ques.) 1009 (i).

Ottawa and Montreal Power and Transmission Co.'s incorp. (B. 178) 1°*, 5759 (iii); in Com., 8599 (v).

Restigouche Log Driving and Boom Co.'s B. 150 (Mr. Carvell) on M. for 2°, 4842 (iii).

SUPPLY—

Public Works—Harbours and Rivers—Que. (Ste. Anne des Monts) 4233; Ste. Croix) 4237; (St. Charles de Caplan) 4234 (iii).

Tuberculosis, Prevention of, &c. (prop. res.) 1380 (i).

PICKUP, Mr. S. W. W., *Annapolis.*

I.C.R., Sale of, on prop. Res. (Mr. Black) 2313 (ii).

PORTER, Mr. E. G., *West Hastings.*

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 5773 (iii).

Escheats to the Crown B. 206 (Mr. Aylesworth) in Com., 8387 (v).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5841 (iii).

Milk Testing, Glass Inspection B. 184 (Mr. Fisher) in Com., 6006 (iv).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4639 (iii).

Rainy River Radial Ry. Co's. incorp. B. 108 (Mr. Conmee) in Com., 5771 (iii).

SUPPLY.

Arts, Agriculture, &c. (census) 7375; (cold storage) 7363, 7384 (iv).

PRICE, Mr. W., *Quebec West.*

Apples grown in Prov. of Quebec (remarks) in Com. on Bill, 5651 (iii).

Pringle, Cecilia Marie, Relief (B. 157) 1°*, 4922 (iii).

PRICE, Mr. W.—*Con.*

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SEXSMITH, Mr. J. A., *East Peterborough.*

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Insects, Pests, Diseases Prevention B. 20 (Mr. Fisher) in Com., 5667 (iii).

Lakefield Wharf Extension (remarks) in Com. of Sup., 3463 (ii).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6305 (iv).

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com., 2645 (ii).

SUPPLY—

Adulteration of Food (analysis) 1354 (i).

Arts, Agriculture, &c. (animals' health) 7755 (v); (cold storage) 7383; (experimental branch farms) 7392; (experimental farms) 7333 (iv), 7766; (live stock industry) 7749 (v); (seeds) 7389 (iv).

Canals—Galops (concrete piers) 3124 (ii).

Canals—Quebec (protection walls) 3123 (ii).

Canals—Sault Ste Marie (iron mooring posts) 3124 (ii).

Canals—Trent (improvements) 3126 (ii).

Geological Survey (assay office, Vancouver) 7770 (v).

Public Works—Buildings—Ottawa (Museum) 568 (i).

Public Works—Buildings—Que. (Marieville) 693; (Plessisville) 704 (i).

Public Works—Harbours and Rivers—Ont. (Byng Inlet) 3460 (ii); (Victoria) 5747 (iii).

Railways—Miscellaneous (ry. commission) 3130 (ii).

Weights and Measures (inspection) 1355 (i).

Wool and Yarns, Quantity exported from 1900 to 1909 (Ques.) 1376 (i).

SHARPE, Mr. S., *North Ontario.*

Bank Act (stock) Amt. (B. 18) 1° m., 205 (i).

—— M. to withdraw Bill, 1209 (i).

Bank Act Amt. (B. 57) 1° m., 923 (i).

Cement Merger, Complaints *re* illegal combination, &c. (Ques.) 2296 (ii).

Central Experimental Farm, Number of Horses, &c. (Ques.) 5002 (iii).

Couchiching and Simcoe Lakes, Lowering of Water, &c. (remarks) in Com. of Sup., 3458 (ii).

Crude Petroleum Bounty B. 208 (Mr. Graham) in Com. on Res., 7000 (iv); in Com., 8129 (v).

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3929 (ii); 5772 (iii).

Dredging Inspection on Public Works (remarks) in Com. of Sup., 4252 (iii).

French Treaty B. 12 (Mr. Fielding) in Com. on Res., 199 (i).

Govt. Railways Pension Act Amt. B. 19 (Mr. Graham) in Com., 1154 (i).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5837 (iii).

I. C. R. Dismissals for each month from Oct. 1908 to March, 1909 (Ques.) 1776 (i).

SHARPE, Mr. S.—*Con.*

London and Lake Erie Ry. and Transportation Co.'s incorp. B. 91 (Mr. Harris) in Com., 3929 (ii).

Manitoulin and North Shore Ry. Co.'s B. 113 (Mr. Tolmie) in Com., 3431 (ii).

N. T. Ry., Board of Arbitrators, Names Contractors Claims *re* Over-classification (Ques.) 836 (i).

Natural Resources Conservation B. 185 (Mr. Fisher) 6370 (iv).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4475 (iii).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5245, 5307 (iii).

Pork Industry, Commission *re* Investigation, Report *re* (Ques.) 5782 (iii).

Postal Service at Cedar Croft, &c., Number of Persons accommodated, &c. (Ques.) 447 (i).

Railway Commission Building, Heating Expenditure (Ques.) 4309, 4846 (iii).

Rules of House, in Com. on Rep., 8377 (v).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5317 (iii); 6270, 6664; 6723 (amt.) 6724; on M. for 3° (amt.) 7251, neg. (Y. 32, N. 49) 7254 (iv); on Senate Amts., 8656 (v).

St. Lawrence Power Co., Compliance with the Act. of Incorporation, &c. (Ques.) 7869, 8107, 8659 (v).

School Lands, Area sold at Regina, Fees, Revenue, &c. (Ques.) 432 (i).

S. A. Volunteers Bounties Act, Amt. *re* Surgeons, &c. (Ques.) 3732 (ii).
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Arts, Agriculture, &c. (animals' health) 7755 (v).

Civil Govt.—Public Works—(salaries) 334 (i).

Militia (annual drill) 8564; (armoury grants) 8570; (civil employees) 8573; (engineers' services) 8569; (pay, &c.) 8559 (v).

Public Works—Buildings—N. S. (Halifax) 575 (i).

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Public Works — Buildings — Ottawa (astronomical observatory) 542 (i); (deptl. new) 7167 (iv); (Langevin Block) 8176 (v); (Museum) 567; (Royal Mint) 557 (i).

Public Works—Buildings—Que. (immigration sheds) 960; (Westmount) 964 (i).

Public Works—Buildings—Sask. (Estevan) 8185 (v).

Public Works — Dredging — Generally (plant) 4777; (new plant) 4763 (iii).

Public Works—Harbours and Rivers—Ont. (Blanche River) 3458; (Byng Inlet) 3461; (Christian Island) 3467; (Juniper Island) 3469 (iii).

SHARPE, Mr. S.—*Con.*

SUPPLY—*Con.*

Public Works—Harbours and Rivers—Que. (St. Alphonse de Bagotville) 4227; (Ste Anne des Monts) 4232; (St. Croix) 4241; (Riviere Ouelle) 4211 (iii).

Tourists Post Offices, Number temporarily established (Ques.) 170 (i).

Uxbridge Public Building (remarks) in Com. of Sup., 8185 (v).

Veterans of 1866-7, Land Grants to (Ques.) 2188 (ii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 1°, 4999 (iii); in Com., 8077 (v).

Whitby Post Office, Total Cost, Original Estimate, &c. (Ques.) 3486 (ii).

SHARPE, Mr. W. H., *Lisgar.*

Agriculture Dept., Administration of, on M. for Sup., 7213, 7244, 7270 (iv).

Agricultural Products exported from 1906-9, Amount, &c. (Ques.) 4618 (iii).

Armstrong, Dr., Emplymt. by Govt. (Ques.) 443 (i).

Budget, The, 1952 (i).

Combines Investigation Act Amt. B. 101 (Mr. King) in Com., 7903 (v).

Crosbie, Mr. W. F., Refund to *re* Purchase of School Lands (Ques.) 4616 (iii).

Estimates, Delay in bringing down (remarks) in Com. of Sup., 8529 (v).

Fisheries Act Amt. B. 192 (Mr. Templeman) in Com., 8034 (v).

Half-Sections in Man., N. half, &c., Sale of (Ques.) 5889 (iii).

Hay Permits, from Dom. Lands, Man., Amount collected for Wood Cutting, &c. (Ques.) 3678 (ii).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5544 (iii).

McConnell, Dr., Emplymt. by Govt. (Ques.) 443 (i).

McLeod, Alex., Payments to *re* Yukon Trip (Ques.) 5890 (iii).

Manitoba School Lands, Sale of (Ques.) 4309

Natural Resources Conservation B. 185 (Mr. Fisher) in Com., 6367 (iv).

N.E. Quarter Section, Section 11, Sale and Refunds, &c. (M. for ret.*) 5502 (iii).

Pembina River Fishing Regulations (remarks) in Com. of Sup., 8529 (v).

Poultry Dept., Experimental Farm, Number of Employees, Salaries, &c. (Ques.) 4519 (iii).

Quarantine Frontier Inspectors, Duties, Reps., &c. (Ques.) 1203 (i).

—— Cor. *re* Apptmts. (Ques.) 5561 (iii).

—— Apptmts. of (M. for cor., &c.*) 4315 (iii).

SHARPE, Mr. W. H.—*Con.*

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8054, 8422 (v).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7086 (iv).

Supply B. 173 (Mr. Fielding) in Com., 5532 (iii).

SUPPLY—

Arts, Agriculture, &c. (animals' health) 7757; (experimental farms) 7766; (live stock industry) 7749 (v).

Indians—Man. (clothing, &c.) 7851; (live stock) 7848 (v).

Public Works—Harbours and Rivers—Man. (generally) 4258 (iii).

Quarantine (steamers) 7767 (v).

Thornton, Dr., Emplymt. by Govt. (Ques.) 626 (i).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com., 8085, 8398 (v).

Wheat, Oats, &c., Average Production of Spring and Fall, 1909 (Ques.) 5777 (iii).

Windygates Post Office, Pet. *re* Change (Ques.) 2930, 3168 (ii).

—— (M. for cor.*) 4315 (iii).

—— Inquiry for Ret., 6394 (iv), 8118 (v).

SIFTON, Hon. C., *Brandon.*

Brandon, Saskatchewan and Hudson Bay Ry. (B. 213) 1°*, 7650 (v).

Natural Resources Conservation B. 185 (Mr. Fisher) on M. for 2°, 6333; in Com., 6340, 6363 (iv).

Race Track Gambling B. 6 (Mr. Miller) on M. for Com., 6485 (iv).

SINCLAIR, Mr. J. H., *Guysborough*

Budget, The, 1690 (i).

Canada Shiping Act (inspection) Amt. (B. 15) 1° m., 204; 2° m., 512 (i).

Combines Investigation B. 101 (Mr. King) in Com., 7897 (v).

Fisheries Act (regulations) Amt. B. 192 (Mr. Templeman) in Com. on Res., 5908 (iii); in Com., 8034 (v).

Govt. Steamers, Names, Cost, Date of Construction, &c. (Ques.) 1536 (i).

—— (M. for ret.*) 1976 (ii).

Lobster Canning Factories, Failure to send Returns, &c. (Ques.) 259 (i).

Lobster Fisheries Com., Report (presented) 7867 (v).

—— (M.) to conc. in Report of Com., 3986 (iii), 8101, 8214 (v).

Manitoba Fisheries Investigation, on M. for Sup., 2691 (ii).

Marine and Fisheries Com., 2nd Rep. (M.) to conc., 3133 (ii).

—— M. to conc. in 5th Rep., 3986 (iii).

Marine and Fisheries Sel. Com. (M.) to conc. in 6th Rep., 6606 (iv).

SINCLAIR, Mr. J. H.—*Con.*

Post Office Act (ry. mail clerks) Amt. B. 197 (Mr. Lemieux) in Com., 7324 (iv).

Post Offices opened in 1909, Dom. and Weekly Mails, N.S. (Ques.) 625 (i).

Race Track Gambling B. 6 (Mr. Miller) in Com., 6518; on Amt. (Mr. McColl) in Com., 6581 (iv).

Rural Mail Delivery, Method, &c. (remarks) in Com. of Sup., 6701 (iv).

St. Lawrence Ship Channel, Expenditures *re* Deepening, &c. (Ques.) 3168 (ii).

Shipping Statistics, Number of Tons, &c. (Ques.) 444 (i).

SUPPLY.

Civil Govt.—Post Office (salaries) 6701 (iv).

Ocean and River Service (schools of navigation) 8519 (v).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1046 (i).

Water Carriage of Goods B. 25 (Mr. Brodeur) in Com., 8004 (v).

SMITH, Mr. A. W., *North Middlesex.*

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6317 (iv).

SMITH, Mr. R., *Nanaimo.*

Annuities, Can. Govt., Revenue, &c. (Ques.) 385 (i).

B. C. Lighthouses, Number, Reduction of Salaries, &c. (Ques.) 384 (i).

—— (M. for ret.*) 643 (i).

Canadian Northern Ry. Co., Control of other Rys., Subsidies, &c. (Ques.) 1207 (i).

—— Subsidies *re* main and branch lines, &c. (M. for ret.*) 2298 (ii).

Cirkle, Mr. F., Unprofessional Conduct, Charge, &c. (M. for cor.*) 5502 (iii).

Combines Investigation B. 101 (Mr. King) in Com., 7908 (v).

Esquimalt and Nanaimo Ry. Co.'s (B. 62) 1°*, 1192 (i).

Great Lakes Dredging Co.'s Contract *re* Kaministiqua River (Ques.) 3484 (ii).

Hours of Labour on Public Works B. 21 (Mr. Verville) on M. for 2°, 1251 (i).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2902 (ii).

Mines and Minerals Committee (M.) *re* Sittings, 6276 (iv).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3982 (ii), 3987 (iii).

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8048, 8423, 8593 (v).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1040 (i).

SMITH, Mr. R.—*Con.*

Vancouver and Coast-Kootenay Ry. Co.'s (B. 93) 1°*, 1731 (i).
Vancouver Island and Eastern Ry. Co.'s (B. 130) 1°*, 2792 (ii).
Vancouver, Westminster and Yukon Ry. Co.'s (B. 83) 1°*, 1587 (i).

SMITH, Mr. ROBT., *Stormont.*

Budget, The, 2269 (ii).
St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5323, 5348 (iii); on M. for 3°, 7253 (iv).

SMYTH, Mr. W. R., *East Algoma.*

Clarry, L. F., Charges *re* Trent Canal Floods, &c. (remarks) 5226 (iii).
Dom. Police, Number sent to Thunder Bay, &c. *re* Election of 1909 (Ques.) 1007 (i).
Manitoulin and North Shore Ry. Co.'s B. 113 (Mr. Tolmie) in Com., 3430 (ii).
Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4975 (iii).
St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5424 (iii).

SUPPLY—
Public Works—Harbours and Rivers—Ont. (Picnic Islands) 3457; (Providence Bay) 3457 (ii); Que (Roberval) 940 (i).
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Public Works—Roads and Bridges, N.B. (St. John) 6151 (iv).
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SPEAKER, Mr. (Hon. Charles Marcil) *Bonaventure.*

Agriculture, Dept. of, Administration (remarks) on M. for Sup., 7194 (iv).
Bellechasse Electoral District, Pet., Judgment *re* (notification) 3476 (ii).
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Bout de L'Ile Bridge, Repairs Members remarks checked, 6396 (iv).
Budget, The, Interruptions, &c. (ruling) 2084 (ii).
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Central Canada Manufacturers' Mutual Fire Ins. Co.'s B. 123, on Senate Amts., 8657 (v).
Chief Justices, Apptmt. of, on Ques. of Order (Mr. Crothers) 7293 (iv).
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—— P. E. I., Certificate of Judges (presented) 256 (i).

SPEAKER, Mr.—*Con.*

Dauphin Post Office, Opening of, Members' remarks checked, 3136 (ii).
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Dom. Lands Act (homesteads) Amt. Bill, on M. to introduce (remarks) 1688 (i).
Drill Halls, and Armouries, &c. (remarks) 1535 (i).
Dufferin, Electoral Division, Certificate of Election (notification) 1731 (i).
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Escheats to the Crown, B. 206 (Mr. Aylesworth) on M. for Com. on Res., 6508 (iv).
Essex Electoral District Certificate (presented) 620 (i).
Franking Privilege and Political Literature, &c. (remarks) 7822 (v).
Garrison Artillery Guns, Ques. (Mr. Barnard) ruling *re* Question asked by another Member, 1791, 1799 (i).
Gaspereau Dredging, demand for Papers (remarks) 2490 (ii).
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Glover, Robert, Pet. ruled out of Order, 1586 (i).
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Great Northwestern Tel. Co., Members remarks checked, 8241 (v).
House of Commons Staff, Re-organization of, withdrawn, 7977 (v).
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I. C. R. Branch Lines B. 17, Members remarks checked, 1126 (i).
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—— Res. from Senate re Amendments, 8828, 8855 (v).
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International Waterways Canal, &c. B. 119 (Mr. Conmee) on M. for 2°, Members' Remarks checked, 2679 (ii).
Labour, Hours on Public Works, on M. to con. in 2nd Rep. of Com., Members remarks checked, 2893 (ii).
Library of Parlt., Rep. (presented) 5 (i).

SPEAKER, Mr.—*Con.*

Lobster Fisheries Investigation Rep., on M. (Mr. Sinclair) to conc., 8104 (v).

Lumsden Charges, &c., on Ques. of Order (Mr. Macdonald) 5199 (iii).

——— on Ques. of Priv., Irregularity of Debate (ruling) 5570 (iii).

——— on M. to conc. in 4th Rep. of Committee, 6016 (iv).

Manitoba Boundaries, Vote of Sol. Gen., on Amt. (Mr. A. Haggart) 8168 (v).

Manitoba Fisheries Investigation, Reading Documents (remarks) 2685 (ii).

Mess. from His Ex., Assent to Bills (read) 5557, 5628 (iii).

——— Estimates for 1909-10 (read) 154, 377 (i).

——— Estimates, Suppl, 1910 (read) 377 (i); 2949 (ii); 5277 (iii).

——— Suppl. Estimates (read) 7519 (v).

——— Internal Economy Com. (read) 97 (i).

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N. T. Ry., Counsel before Public Accounts Committee (remarks) 4517 (iii).

Naval Service Appointments, Members remarks checked, 8839 (v).

Naval Defence B. 95, on Ques. of Order (Mr. Nesbitt) re King's speech (ruling) 5100 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on Ques. of Order (Mr. Sproule) 3983 (ii).

Naval Defence, on Ques. of Priv. (Mr.Rutan) (remarks) 5003 (iii).

Naval Defence B. 95, Ruling *re* interrupting h. m. (Mr. Clare) 4929, 4937 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 3°, on Ques. of Order (Mr. J. D. Taylor) 7563 (v).

Nickel Mines in Canada, Members remarks checked, 2191 (ii).

Nickel Mines in Can., Control by Govt., on Ques. of Priv. (Mr. Conmee) 2493 (ii).

Ottawa City and Quebec City Representation in H. of C., Ques. (Mr. Meighen) *re* Disposal of Protests, 802 (i).

——— on Ques. of Priv. (Mr. Meighen) Authorities quoted in ref. to Ruling, 833 (i).

——— Vacancy (notification) 1729 (i).

——— Certificate of Election (notice) 3476 (ii).

Parliament, Opening of, Com. from Gov. Gen.'s Sec. (read) 1 (i).

Pink Rock Wharf, on Ques. of Priv. (Mr. Crocket) 3477 (ii).

——— on Ques. of Priv. (Mr. Pugsley)—(ruling) 3744 (ii).

Press Gallery Reports, Subsidy to, Members remarks checked, 4712 (iii).

Private Bills: *See* 'Senate.'

SPEAKER, Mr.—*Con.*

Prorogation, Com. from Gov. Gen.'s Sec. (read) 8833 (v).

——— Mess. from His Ex., 8857 (v).

Questions withdrawn, Procedure *re* (ruling) 1799 (i).

Race Track Gambling B. 6 (Mr. Miller), on Ques. of Order (Mr. Wilson) *re* Translation of Evidence (ruling) 6404 (iv).

——— Members Remarks checked, 6720 (iv).

Ry. Act (appeals) Amt. B. 3 (Mr. Lancaster) on M. for 2°, remarks checked, 462 (i).

Railway Committee, Rules *re* (remarks) 8833 (v).

Railway Passenger Service, Ques. of Order, 379 (i).

Restigouche Log Driving and Boom Co.'s B. 150 (Mr. Reid) in Com., 6172 (iv).

Retail Merchants' Association incorp. B. 210 (Mr. Gervais) on M. for 2°, 7287 (iv).

Richibucto Wharf, Interruptions of Members (remarks) 7600 (v).

——— on Ques. of Order (Mr. Carvell) 7676 (v).

——— (ruling) *re* Question of Mr. Meighen, 7695 (v).

——— on Ques. of Order (Mr. J. P. Turcotte) 7691 (v).

Ross Rifles, Ques. of Order (Mr. Monk) 1534 (i).

——— on Ques. of Order (Mr. Monk) *re* Answer of Minister of Militia (ruling) 1586 (i).

St. Lawrence Power Co.'s Incorporation, Rep. *re* Application (remarks) 1529 (i).

——— Members remarks checked, 8108 (v).

——— on Senate Amts. (ruling) 8655 (v).

——— on M. for 3°, 7256 (iv).

St. Peter's Indian Reserve, on Ques. of Order (Mr. Bradbury) 7072 (iv), 7522 (v).

——— on Ques. of Order (Mr. Fielding) 7148 (iv).

Scott, Mr., Expulsion from Saxony, Members remarks checked, 1445 (i).

Senate Amts. to Private Bills, Rule, &c. (read) 5776 (iii).

Speech from the Throne (read) 3 (i).

Sunday Postal Service, Closing of P. O. at Winnipeg, Members Remarks checked, 2931 (ii).

SUPPLY—

Public Works—Harbours and Rivers—Que. (St. Charles de Caplan) 4234 (iii).

Tariff Negotiations with U. S. (Mr. Lewis) Members Remarks checked, 5892 (iii).

Technical Education (remarks) on M. for Sup., 2663 (ii).

Toronto 'World,' Ownership, Member asked to withdraw stmnt., 5998 (iv).

SPEAKER, Mr.—*Con.*

Vacancies in Electoral District (notification) 2 (i).

West Middlesex Electoral District, Certificate of Election of Mr. D. C. Ross (notification) 413 (i).

Wireless Telegraphy on Great Lakes, Members remarks checked, 3135 (ii).

SPEAKER, Mr. DEPUTY (Mr. G. H. McIntyre) *South Perth.*

B. C. Public Works, Govt. Expenditures, on Ques. of Order (Mr. Pugsley) 4290 (iii)

Budget, The, Members Remarks checked, 2229 (ii).

—— Ques. of Order (Mr. Campbell) 2267 (ii).

Combines Investigation B. 101 (Mr. King) Members Remarks checked, 7895 (v).

—— on Ques. of Order *re* Customs Laws, on M. for 3°, 8002 (v).

Conservation Bill, Members Remarks checked, 6141 (iv).

Immigration Act Amt. B. 102, on Ques. of Order (Mr. Crosby) 5539 (iii).

—— on Ques. of Order (Mr. Talbot) 5535 (iii).

Manufacturers Fire Insurance Co.'s B. 51 (Mr. Miller) in Com., 2279 (ii).

Mayes Contract (remarks) in Com. of Sup., Members Remarks checked, 589 (i).

N.T. Ry., on prop. Res. (Mr. Lennox) *re* Royal Commission (ruling) *re* Points of Order, 8310 (v).

Naval Defence B. 95 (Sir Wilfrid Laurier) Ref. to Governor General or Sovereign not permissible (ruling) 4204 (iii).

Newspapers in Ont., Advertisements *re* (remarks) in Com. of Sup., 6143 (iv).

Northern Quebec Colonization Ry. Co.'s incorp. B. 152 (Mr. Turcotte) in Com., 5722 (iii).

Order, Ques. of (Mr. Pugsley) *re* Speaking in Com. (ruling) 4798 (iii).

Ottawa Northern and Western Ry. Co.'s B. 34 (Mr. McGiverin), Amt. (read) 1364 (i).

Pink Rock Wharf, on Ques. of Order (Mr. Pugsley) 4736 (iii).

Post Office Act Amt. B. 197 (Mr. Lemieux) on Amt. (Mr. Henderson) 7316 (iv).

Race Track Gambling B. 6 (Mr. Miller) in Com., Procedure *re* Discussion (ruling) 6558 (iv); on Amt. (Mr. McColl) 6579 (iv).

Restigouche Log Driving, &c., B. 150 (Mr. Reid) in Com., on Amt. (Mr. Carvell) 6171 (iv).

Richibucto Wharf, Charges against Ministers (ruling) 7630 (v).

—— on Ques. of Order (Mr. Owen) *re* Discussion (ruling) 3845 (ii).

SPEAKER, Mr. DEPUTY—*Con.*

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., Members asked to withdraw offensive language, 5399 (iii).

—— Members Remarks checked, 6231 (iv).

—— on Amt. (Mr. R. L. Borden) 6723 (iv).

—— on Ques. of Order (Mr. Neely) 5412 (iii).

—— on Ques. of Order (Mr. Pugsley) 6352 (iv).

—— on Ques. of Order (Mr. Tobin) 5434 (iii).

SUPPLY—

Arts, &c. (cold storage) on Ques. of Order, 7365 (iv).

Public Works—Harbours and Rivers—N.B. (Richibucto) Members remarks checked, 3439 (ii).

Public Works—Harbours and Rivers—N.S. (Meteghan) on Amt. (Mr. Pugsley) 997 (i).

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Public Works—Buildings—Ottawa (astronomical observatory) Denials must be accepted (ruling) 546 (i).

Public Works—Buildings—Que. (Grosse Isle) 665; (Marieville) on Ques. of Order (Mr. Lennox)—(ruling) 686 (i).

Toronto Eastern Ry. Co.'s incorp. B. 116 (Mr. Fowke) in Com., on Ques. of Order (Mr. Macdonell) 6778 (iv).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com. (remarks) 8077 (v).

SPROULE, Mr. T. S., *East Grey.*

Address, The 73 (i).

Agriculture Dept., Administration of, on M. for Sup., 7193 (iv).

Baby Farm Sale B. 181 (Sir F. Borden) in Com., 6003 (iv).

Blythe, Walter, Commutation of Death Sen-Sentence (remarks) 2712 (ii).

—— on M. (Mr. Wallace) for Papers, 2012 (ii).

Budget, The, 1601 (i).

—— (remarks) 2065 (ii).

Burrard Inlet Tunnel and Bridge Co.'s incorp. B. 118 (Mr. Cowan) in Com., 2671 (ii).

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com., on Res., 6950 (iv).

Clarry, L. F., Charges re Trent Canal, Damages, &c. (remarks) 5225 (iii).

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—— Ques. of Order re Customs Law, on M. for 3°, 8002 (v).

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SPROULE, Mr. T. S.—*Con.*

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Currency Act Amt. B. 195 (Mr. Fielding) in Com., 6629 (iv).

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Halifax Roundhouse Property, Valuation of (remarks) in Com. of Sup., 2949 (ii).

Hamilton, Waterloo and Guelph Ry. Co.'s B. 79 (Mr. Harris) in Com., 6760 (iv).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5803, 5841 (iii).

Indian Act Amt. B. 141 (Mr. Oliver) on M. for 2°, 5923 (iii); in Com., 5934 (iv).

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SPROULE, Mr. T. S.—*Con.*

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Iron and Steel Bounties B. 231 (Mr. Fielding) in Com., 8764 (v).

James Bay and Eastern Ry. Co.'s incorp. B. 128 (Mr. Graham) in Com., 5764 (iii).

Labour, Hours on Public Works B. 21 (Mr. Verville) on M. for 2°, 1226 (i).

Labour, Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2911 (ii).

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Lobster Fisheries Investigation Rep., on M. (Mr. Sinclair) to conc., 8106, 8229 (v).

London and Lake Erie Ry. and Transportation Co.'s incorp. B. 91 (Mr. Harris) in Com., 3930 (ii).

Lumsden Charges, on M. to conc. in 4th Report of Com., 6016 (iv).

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Manitoba Fisheries Investigation, on M. for Sup., 2688 (ii).

Manitoba Grain Act Amt. B. 49 (Mr. Fisher) in Com. on Res., 657 (i).

Manitoulin and North Shore Ry Co.'s B. 113 (Mr. Tolmie) in Com., 3431 (ii).

Mar. Provs., Representation in H. of C., on prop. Res. (Mr. Kyte) 2785 (ii).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6280; on M. for 3°, 6618 (iv).

Merchants and General Insurance Co.'s incorp. B. 82 (Mr. Monk) in Com., 2714 (ii).

Militia Clothing, Insurance *re* (remarks) in Com. of Sup., 973 (i).

Militia Pension Act Amt. B. 194 (Sir Frederick Borden) in Com. on Res., 6015; in Com., 6192 (iv).

Militia Stores Building, Loss by Fire to Clothing, &c. (Ques.) 845 (i).

Milk Testing, Glass Inspection B. 184 (Mr. Fisher) in Com., 6006 (iv).

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Montmagny Fire Insurance Co.'s B. 51 (Mr. Lavergne) on M. for 3°, 2281 (ii).

Montreal Harbour Commission Subsidy B. 191 (Mr. Fielding) in Com. on Res., 5902; in Com. on B., 5904 (iii).

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National Battlefields Act Amt. B. 188 (Mr. Aylesworth) on M. for 1°, 5889 (iii), in Com., 6599 (iv).

N. T. Ry. Classification of Material, Lumsden Charges, 2nd Rep. of Com., on M. (Mr. Clarke) to conc., 3985 (iii).
See 'Lumsden.'

Natural Resources Conservation B. 185 (Mr. Fisher) on M. for 2°, 6336; in Com., 6364 (iv).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3281 (ii); in Com., 7396, 7485 (v).

Naval Defence B. 95, Ques. of Order, 3983 (ii).

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Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5285 (iii).

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Ottawa Improvement Commission B. 230 (Mr. Fielding) in Com., 8770 (v).

Ottawa and Montreal Power Transmission Co.'s Bill (Mr. Perley) on M. to conc. in 3rd Rep. of Com., 6504 (iv).

Ottawa Northern and Western Ry. Co.'s B. 34 (Mr. McGiverin) in Com. on Amt., 1365 (i).

Ottawa and Quebec East Representation, on Amt. (Mr. Meighen) to Com. of Sup., 1323 (i).

——— Par. in Toronto 'World,' 521 (i).

——— Disposal of Protests (remarks) 803 (i).

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——— Ques. of Priv. (Mr. Pugsley) 3747 (ii).

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Quebec Bridge, Consideration to Quebec Bridge Co. *re* Franchise, &c. (Ques.) 260 (i).

Quebec Judges, Superior Court Act Amt. B. 207 (Mr. Aylesworth) in Com. on Res., 6984 (iv).

SPROULE, Mr. T. S.—*Con.*

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Race Track Gambling B. 6 (Mr. Miller) in Com., on Procedure *re* discussion, 6558 (iv).
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Ry. Act (appeals) Amt. B. 3 (Mr. Lancaster) on M. for 2°, 456; on M. to ref. to Ry. Com., 463 (i).

Ry. Act (cable rates) Amt. B. 104 (Mr. Lemieux) in Com., 6010 (iv).

Ry. Act (contracts) Amt. B. 5 (Mr. Northrup) on M. for 2°, 493 (i).

Ry. Act (level crossings) Amt. B. 4 (Mr. Lancaster) on M. for 2°, 472 (i).

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Railway Passenger Service, Delays, &c., on Ques. of Priv. (Mr. W. F. Maclean) 379 (i).

Rainy River Radial Ry. Co.'s incorp. B. 108 (Mr. Conmee) in Com., 5766 (iii).

Restigouche Log Driving and Boom Co.'s B. 150 (Mr. Reid) in Com., 6176 (iv).

Richibucto Wharf, on Ques. of Order (Mr. Carvell) 3847 (ii).

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St. Andrew's Dam Bridge and Approaches (remarks) in Com. of Sup., 4264 (iii).

St. John Harbour, Wharfs B. 204 (Mr. Pugsley) in Com., 8123 (v).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5340 (iii), 6235, 6347, 6663, 6724; on M. for 3°, 6886 (iv); on Senate Amts., 8654 (v).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7093 (iv).

——— on Ques. of Priv (Mr. Bradbury) 7523 (v).

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com., 2647 (ii).

——— B. 49 (Mr. Fisher) on M. to dschg. order for 2°, 656 (i).

Senate, Abolition of, on prop. Address (Mr. Lancaster 2000 (ii).

Senate Representation by Provinces, on prop. Res. (Mr. Taylor) 2007 (ii).

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Skill and King, Release of, &c. (remarks) 7070 (iv).

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Sunday Postal Service, Closing at Winnipeg, &c. (remarks) 2932 (ii).

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Arts, Agriculture, &c. (exhibitions) 5728; (experimental farms) 5725 (iii).

Canals—Welland (Port Colborne) 8821 (v).

Civil Govt.—Interior (salaries) 8194; Naval Service (salaries) 8514 (v); Post Office (salaries) 6696 (iv).

Customs—Outside Ports (contingencies) 8807 (v).

Fisheries (fish breeding) 8540 (v); (fish transportation) 5748; (hatcheries) 5750 (iii); (protection service) 8509 (v).

House of Commons (Library) 8802 (v).

Immigration (agencies) 5729 (iii); (agents, &c.) 8195; (contingent expenses) 8207 (v).

Lighthouse and Coast Service (buoy steamers) 8528; (ice breaker, Thunder Bay) 8526 (v).

Mail Subsidies and SS. Subventions (Can. and Australia) 8808 (v); (Canada and Cuba) 5703 (iii), 8810 (v); (Can. and G. B.) 8808 (v); (Canada and Mexico) 5691 (iii); (Halifax and Liverpool) 8809; (Prince Rupert and Queen Charlotte Sound) 8809 (v); (Rivière du Loup) 5712 (iii).

Marine (dredging plant) 8523 (v).

Naval Service (maintenance) 8496 (v).

Ocean and River Service (cattle inspection) 8519; (hydrographic surveys) 8511; (patrol vessels) 8521; (salaries) 8510; (schools of navigation) 8518; (wireless stations) 8513 (v).

Post Office—Outside Service (R. G. Mercer) 5755; (rural delivery) 5753 (iii).

Public Works—Buildings—N.B. (St. John) 593 (i).

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Public Works—Buildings—Ont. (Chesley) 7173; (Elora) 7176 (iv); (Guelph) 7498; (Harriston) 7500; (Kincardine) 7504; (Listowel) 7507; (Mitchell) 7507; (Mount Forest) 7510; (Niagara Falls) 7511, 8170; (Port Arthur) 8177; (Sarnia) 8177 (v).

Public Works—Buildings—Ottawa (astronomical observatory) 418, 537 (i); (deptl., new) 7167 (iv); (military stores) 597; (museum) 559 (i); (Parliament driveway) 8173; (Printing Bureau) 8170 (v); (Royal Mint) 557; (standardizing room) 573 (i); (ventilation) 8170 (v).

Public Works—Buildings—Que. (Fraserville) 662; (Grosse Isle) 663; (immigration sheds) 962; (Joliette) 663; (Marieville) 693; (Montreal P. O.) 700; Montreal postal station) 703; (Quebec barracks) 976; (Quebec ordnance stores) 968; (St. Lambert) 956 (i).

Public Works—Dredging—Generally (new plant) 4740; (vessel repairs) 4732 (iii).

Public Works—Dredging—Que. and Ont. (generally) 6130 (iv).

Public Works—Harbours and Rivers—B.C. (Columbia river) 4290 (iii).

Public Works—Harbours and Rivers—Man. (generally) 4258; (Winnipeg beach) 4270 (iii).

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Public Works—Harbours and Rivers—N.B. (Pink Rock) 3422; (Shediac) 3450 (ii).

Public Works—Harbours and Rivers—Ont. (Blanche River) 3457; (Brockville) 3455; (Byng Inlet) 3459; (Fiddler's Elbow) 3851; (Goderich) 3468; (Lion's Head) 3470; (Michipicoten) 3471 (ii); (Port Arthur and Fort William) 5729 (iii), 6101 (iv); (Thornbury) 3475 (ii); (Tiffin) 5746 (iii), 6122 (iv); (Toronto) 3852 (ii); (Victoria) 5747, 6123 (iv); (Whitby) 8818 (v).

Public Works—Harbours and Rivers—P.E.I., (Brudenell) 2694; (Haggerty's) 2694; (Miminegash) 2695; (Naufrage) 2695; (Red Point) 2696; (Rustico) 2696; (Souris) 2697 (ii).

Public Works—Harbours and Rivers—Que. (Gaspé) 3894; (Grand Mechin) 3902; (Grand Rivière) 3903; (Grand Vallee) 3905; (Grosse Isle) 3905; (Harrington wharf) 3906; (Kamouraska) 3907; (Le Petit Debarquement) 3907 (ii); (Levis) 6102 (iv); (Matane) 3907; (Natashquan) 3910; (New Carlisle) 3912; (Norway Bay) 3912; (Paspebiac) 3913; (Petit Saguenay) 3913; (Piche Point) 3914 (ii); (St. Charles) 6102 (iv); (Three Rivers) 4247; (Yamaska and Richelieu) 5724 (iii).

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Public Works—Roads and Bridges—N.B. (St. John) 6151; Ont. (Chapeau) 6150; Ont. and Que. (Hawkesbury) 6151; Que. (Restigouche) 6152 (iv).

Public Works—Slides and Booms (Saguenay) 6149 (iv).

Public Works—Telegraph Lines—Alberta (Edmonton-Athabaska) 6154; Que. (St. Lawrence shore) 6153 (iv).

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Trade and Commerce (Chinese immigration Act) 8810; (old age annuities) 8811 (v).

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——— Information *re* (remarks) 5278, 5762 (iii), 5932 (iv).

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——— (remarks) on M. for Supply, 2661 (ii).

Telegraphs Act Amt. B. 105 (Mr. Lemieux) in Com., 6011 (iv).

Toronto Eastern Ry. Co.'s incorp. B. 116 (Mr. Fowke) in Com., 6792 (iv).

SPROULE, Mr. T. S.—*Con.*

Tuberculosis, Prevention of, on prop. Res. (Mr. Perley) 1429 (i).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 2°, 6376 (iv).

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Water Powers in Ry. Belt, B.C., B. 187 (Mr. Oliver) in Com., 6374 (iv); 8458 (v).

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STANFIELD, Mr. J., *Colchester.*

Bass River and Little Dyke Lights, Supplies, Cost, &c. (Ques.) 2426 (ii).

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STAPLES, Mr. W. D., *Macdonald.*

Agriculture, Dept. of, Administration of, on M. for Sup., 7204 (iv).

Assiniboine River Improvements (remarks) in Com. of Sup., 4259 (iii).

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Garden Fruits and Vegetables Tariff, Pet. against Removal of Duties (remarks) on M. for Sup., 6648 (iv).

Holland Post Office (remarks) in Com. of Sup., 7865 (v).

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Homesteading on Section 34, Tp. 12, Settlement Duties, &c. (Ques.) 4080 (iii).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., on Ques. of Order, 5539 (iii).

Interest Act Amt. (B. 122) 1° m., 2329 (ii).

Kilmant and Shackleton, Application for Post Office (remarks) in Com. of Sup., 6650 (iv).

Leach, R. E. A., Emplymt. by Govt. (Ques.) 4081 (iii).

Letellier Mail Service, Date of Contract, &c. (Ques.) 7290 (iv).

Lilly, Wm., Homestead Pre-emption of S.W. ¼, 32-7-5, &c. (Ques.) 6936 (iv).

Lumsden Charges, Change in Report, on M. for Sup., 5573 (iii).

McCormick Binders, Valuation *re* Importation into Canada (Ques.) 3491 (ii).

Manitoba Grain Act Amt. B. 49 (Mr. Fisher) in Com. on Res., 658 (i).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6304 (iv).

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Naval Defence B. 95 (Sir Wilfrid Laurier) on Amt. (Mr. Northrup) to M. for 2°, 5133 (iii).

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Port Colborne Elevator (remarks) in Com. of Sup., 3121 (ii).

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St. Laurent, Man., Wharf Piers, Expenditure *re* (Ques.) 1195 (i).

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com., 2648 (ii).

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Surveys in Twp. Nine, Man., Alterations, &c. (Ques.) 272 (i).

Swan Lake Indian Reserve, Medical Attendant (remarks) in Com. of Sup., 7849 (v).

Welland Canal run through Lot 50, Number of Acres, &c. (Ques.) 8660 (v).

STEWART, Mr. T. J., *West Hamilton.*

Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. for 2°, 909 (i).

Gas Inspection Act (tests) Amt. B. 132 (Mr. Templeman) in Com., 5680 (iii).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5372 (iii).

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Civil Govt—Post Office (salaries) 6693 (iv).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 2°, 6381 (iv).

STRATTON, Mr. J. R., *West Peterborough.*

Budget, The, 1636 (i).

Central Ontario Ry. Co.'s (B. 90) 1°*, 1731 (i)

STRATTON, Mr. J. R.—*Con.*

Cirkle, Fritz., Emplymt. by Dept of Mines (Ques.) 5497 (iii).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5806 (iii).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6319 (iv).

Race Track Gambling B. 6 (Mr. Miller) in Com., 6500, 6519 (iv).

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8052 (v).

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Public Works—Harbour and Rivers—N.S. (Port Maitland) 1175 (i).

TALBOT, Mr. O. E. *Bellechasse.*

Bay of Quinte Ry. Co.'s (B. 139) 1°*, 3389 (ii).

Fisheries Act (regulations) Amt. B. 192 (Mr. Templeman) in Com. on Res., 5907 (iii); in Com., 8042 (v).

Govt. Railways Pension Act Amt. B. 19 (Mr. Graham) in Com., 1151 (i).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., Ques. of Order, 5535 (iii).

I. C. R. Branch Lines Lease B. 17 (Mr. (Graham) on M. for 2°, 1109 (i).

I. C. R. Derailments during 1909 (Ques.) 2141 (ii).

—— (M. for ret.*) 2298 (ii).

Laurentian Insurance Co.'s incorp. (B. 176) 1°*, 5687 (iii).

Montmagny Fire Insurance Co.'s B. 51 (Mr. Lavergne) on M. for 3°, 2282 (ii).

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Race Track Gambling B. 6 (Mr. Miller) in Com., 6500 (iv).

Richibucto Wharf, on Amt. (Mr. Crocket) to Com. of Sup., 7689 (v).

Ross Rifles, Weight of, &c. (Ques.) 8678 (v).

Senate Amts. to Private Bills, Rules *re* (remarks) 5777 (iii).

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Excise (translation) 1343 (i).

Public Works—Buildings—Que. (Roberval) 937 (i).

Vancouver, Victoria and Eastern Ry and Nav. Co.'s B. 99 (Mr. Burrell) on M. for 2°, 2101 (ii).

TAYLOR, Mr. GEO., *Leeds.*

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Budget, The, (remarks) 2218 (ii).

Canning Wharf, Total Cost, Apptmt. of Wharfinger, &c. (Ques.) 1969 (ii).

TAYLOR, Mr. GEO.—*Con.*

Combines Investigation B. 101 (Mr. King) on M. for Com. on Res., 6846; in Com., 6904 (iv).

Co-operative Societies B. 26 (Mr. Monk) on Order for 2°, 2156 (ii).

Currency Act Amt. B. 195 (Mr. Fielding) in Com., 6631 (iv).

Customs and Excise Revenues for 1909-10, &c. (Ques.) 8169 (v).

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Deschenes Lake Dredging Plant, Purchase of (Ques.) 631 (i).

Dom. Dredging Co., Amounts paid by Govt. to (Ques.) 849 (i).

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Ferguson Balloting Device, Examination *re*, &c. (Ques.) 7289 (iv).

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Giant's Tomb Island, Estimate of Timber for Sale, Tenders re (Ques.) 4617 (iii).

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Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5537 (iii).

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'J. G. Witherbee,' Tug, Purchase by Govt. from J. B. Kaine (Ques.) 1975 (ii).

Johnson, Mr. Arthur, Engineer on 'Reliever,' Certificate, &c. (Ques.) 3734 (ii).

Labour Dept., Rent of Building, &c. (Ques.) 627 (i).

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Maritime Dredging Co., Amounts paid to by Govt. (Ques.) 849 (i).

TAYLOR, Mr. GEO.—*Con.*

Militia Pension Act Amt. B. 194 (Sir Frederick Borden) in Com., on Res., 6098 (iv).

Milk Tests, Glass Inspection B. 184 (Mr. Fisher) in Com., 6006 (iv).

Mud Lake Bridge, Surveys, Estimates, &c. (Ques.) 3294 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) in Com., 7441 (v).

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Paul, Mr. William, Purchase by Govt. of Gasolene Boat (Ques.) 1975 (ii).

Postal Contracts and Fair Wage Clause (remarks) in Com. of Sup., 242 (i).

Public Works Employees and Election Campaign (remarks) 2489 (ii).

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Race Track Gambling B. 6 (Mr. Miller) in Com., 6501 (iv).

Retail Merchants Association incorp. B. 210 (Mr. Gervais) on M. for 2°, 7287 (iv).

Richibucto Wharf, Purchase, &c. (remarks) in Com. of Sup., 3844 (ii).

St. Andrews Rapids Improvements, Construction *re*, Division of Cost, &c. (Ques.) 8239 (v).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5320 5396 (iii), 6670 (iv); Reps. of Engineers (remarks) 5560 (iii).

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Supplies purchased for Ry. Commission, Complaints *re* (Ques.) 4518 (iii).

Supply B. 173 (Mr. Fielding) in Com., 5530 (iii).

SUPPLY—

Adulteration of Food (inspectors) 1346 (i).

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Civil Govt.—Aud. Gen. (salaries) 7769 (v).

Customs Outside service (salaries) 1358 (i).

Excise (methylated spirits) 1344; (provisional allowances) 1344; (translation) 1343; (travelling expenses) 1341 (i).

Fisheries—Miscellaneous (fish transportation) 5748 (iii).

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Immigration (agencies) 5729 (iii).

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TAYLOR, Mr. GEO.—*Con.*

SUPPLY—*Con.*

Indians—Ont. (medical attendance) 7836 (v).

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Public Works—Buildings—Ottawa(astronomical observatory) 421, 541 (i); (grounds) 8192; (Parliament driveway) 8174 (v).

Public Works—Buildings—Que. (Quebec customs) 825 (i).

Public Works—Dredging (new plant) 4760 (iii).

Public Works—Mar. Provs. (dredging) 5614 (iii).

Public Works—Harbours and Rivers—N.S. (Port Malcolm) 1164 (i).

Public Works—Harbours and Rivers—Ont. (Fiddler's Elbow) 3835 (ii); (Port Arthur and Fort William) 5731 (iii).

Public Works—Harbours and Rivers—Que. (Aylmer) 3863; (L'Ange Gardien) 3862 (ii);

Quarantine (Public Health Act) 7392; (steamers) 7392 (iv).

Trade and Commerce (commercial agencies) 8810; (old age annuities) 8811 (v).

Weights and Measures (electric inspection) 1356 (i).

Temporary Loans Outstanding on March 1, 1910, &c. (Ques.) 8237 (v).

U S., Emigration from Canada, Rep. of American Counsel at Kingston (Ques.) 431

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TAYLOR, Mr. J. D., *New Westminster.*

Barge, W. R., Application *re* License, Extension of Time, &c. (Ques.) 5002 (iii).

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B. C. Public Works, Expenditure by Govt. (remarks) in Com. of Sup., 4280 (iii).

Central Park, New Westminster, B.C., Post Office, Pet. *re* Closing (Ques.) 2188, 2293 (ii).

——— (M. for cor.*) 3169 (ii).

——— (remarks) in Com. of Sup., 6701 (iv).

TAYLOR, Mr. J. D.—*Con.*

Combines Investigation B. 101 (Mr. King) in Com., 7883 (v).

Esquimalt Naval Station, Continuous Maintenance, &c. (Ques.) 633 (i).

Experimental Farm at Agassiz, B.C., Dom. Contribution *re* Construction, &c. (Ques.) 2294 (ii).

Fisheries Act Amt. B. 192 (Mr. Templeman) in Com., 8035, 8059 (v).

Fishing Licenses in B.C., Compensation Claims, Disputes, &c. (Ques.) 3933 (ii).

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International Fisheries Commission, Regulations *re*, Legislation by Parlt., &c. (Ques.) 3490 (ii).

Japanese Immigration from U.S. entering B.C. (remarks) in Com. of Sup., 239 (i).

Hours of Labour on Public Works B. 21 (Mr. Verville) on M. to ref. to Special Com., 1264 (i).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2894 (ii).

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N.T.Ry. Commissioners, Profits *re* Supplies. &c. (Ques.) 3165 (ii).

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New Westminster, Dom. Land, Lease, Sale, &c. (Ques.) 788 (i), 3160 (ii).

——— Penitentiary, Contract *re* Fish Supply (Ques.) 7516 (v).

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Port Moody Wharf Repairs (remarks) in Com. of Sup., 4728 (iii.)

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Post Office Promotional Examinations, 1908, Accepted Answer to question 4 (Ques.) 2290 (ii).

Sealing on Pacific, Negotiations *re* Closing Compensation, &c. (Ques.) 2294 (ii).

Senate Representation by Provinces (prop. res.) 2003 (ii).

TAYLOR, Mr. J. D.—*Con.*

SUPPLY

Civil Govt.—Indian Affairs (salaries) 369, Labour (salaries) 239 (i).

House of Commons (sessional indemnities) 7773 (v).

Public Works — Buildings—B. C. (Chilliwack) 8190 (v).

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Public Works—Harbours and Rivers—Que. (Bic) 3871; (Carleton) 3885 (ii); (Laprairie) 4221 (Richelieu river) 4212; (Ste. Croix) 4244; (Vaudreuil Cove) 4211 (iii).

Surrey, B.C., Land Sales, Dates and Terms (Ques.) 2291 (ii).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1093 (i).

Veterinary Service, B.C., Vacancies, Examinations, &c. (Ques.) 132 (i).

Water Power in Ry. Belt, B.C., B. 187 (Mr Oliver) in Com., 8445 (v).

—— Govt. Title to beds of Streams, &c. (Ques.) 2951 (ii).

Westminster District, Land Leased to B. C. Mills, Timber and Trading Co., (Ques.) 2291 (ii).

Western Power Co.'s (B. 86) in Com., 3432 (ii).

TEMPLEMAN, Hon. WM. (Minister of Inland Revenue), *Comox-Atlin.*

Bait Freezers at Inverness, Total Cost (Ans.) 4310 (iii).

Bay St. Lawrence Lightkeeper, Complaints re (Ans.) 4311 (iii).

Burk's Falls Wharfage Dues, Amount collected for 1907-9 (Ans.) 7872 (v).

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Cirkle, Mr. Fritz., Emplymt. by Govt. (Ans.) 5498 (iii).

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Coal Supply to Lighthouse Keepers (remarks) 8585 (v).

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Combines Investigation B. 101 (Mr. King) in Com., 7886 (v).

Conservation Commission, Regulation *re* Fisheries (Ans.) 3486 (ii).

TEMPLEMAN, Hon. WM.—*Con.*

Electrical Measure Units (B. 7) 1°*, 96 (i); on Order for 2°, 5673*(iii).

Electric and Gas Exportation Licenses, Number issued, &c. (Ans.) 167 (i).

Estimates, Delay in bringing down (remarks) in Com. of Sup., 8530 (v).

Fiddle Reef Lighthouse Keeper, Salary Increase (remarks) in Com. of Sup., 8520 (v).

Fisheries Act (regulations) Amt. B. 192 (prop. res.) 4708 (iii); in Com. on Res., 5906, 1°*, 5921 (iii); in Com., 6032, 8058 (v).

Fishing Licenses in B.C., Compensation Claims *re* Disputes, &c. (Ans.) 3933 (ii).

Fisheries Regulations *re* Manitoba, on Inquiry for (Mr. Bradbury) 5894 (iii).

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Fish Drier at Souris, Operation, Total Cost, &c. (Ans.) 6798 (iv).

Gas Inspection Act Amt. (B. 132) 1° m., 3056 (ii); in Com., 5680 (iii).

Gervais, Alphonse, Emplymt. by Govt. (Ans.) 6178 (iv).

Goderich Excise Collections, Name of Officer, &c. (Ans.) 3933 (ii).

Gravel, Mr. A. J., Inspector of Weights and Measures, acting as Insurance agent, &c. (Ans.) 6505 (iv).

'Hudson,' Str., Purchase of by Govt. (Ans.) 4518 (iii).

Inland Revenue Act Amt. (B. 9) prop. Res., 98; in Com. on Res., 151; in Com., 522; 3° m., 811 (i).

Inland Revenue, Deptl. Rep. (presented) 7 (i).

Jams and Jellies, Analyses by Dept., Prosecutions, &c. (Ans.) 3935 (ii).

Johnson, Arthur, Certificate as Engineer (Ans.) 4844 (iii).

Lake St. Peter Works, Foreman Roy, Charges re (Ans.) 4517 (iii).

Lake Winnipegosis Fish Hatchery (remarks) in Com. of Sup., 8540 (v).

Liquor Compounding, &c. (remarks) in Com. of Sup., 1336 (i).

Lobster Canning Plant, Connection of Fishery Officers *re* (Ans.) 3936 (ii).

Lobster Fisheries Investigation Report, on M. (Mr. Sinclair) to conc., 8104, 8234 (v).

McCormick Binders, Valuation *re* Importation into Canada (Ans.) 3491 (ii).

McKenzie, James H., Emplymt. in Inland Revenue Dept. at Toronto (Ans.) 5678) (ii).

Maganatawan Wharfinger, Apptmnt., Salary, &c. (Ans.) 7289 (iv).

TEMPLEMAN, Hon. WM.—*Con.*

Manitoba Fisheries Regulations, Amts. *re* (remarks) 4308 (iii).
See 'Fisheries.'

Military Articles for Uniforms, Free Importation of (Ans.) 2927 (ii).

Milk Standards, Rep. *re* (remarks) in Com. of Sup., 1341 (i).

Montreal Harbour Berths, Date of Location, &c. (Ans.) 5498 (iii).

Naval Service, Names of Cruisers, Purchase, Description, &c. (Ans.) 3931 (ii).

Nickel Mines, Evidence of Mr. A. Wilson (remarks) 2190 (ii).

Pembina River Fishing Regulations (remarks) in Com. of Sup., 8530 (v).

'Princess' Str., Name of Officer in Charge (Ans.) 8239 (v).

Pure Food Act Amt. B. 131 (Mr. J. A. Currie) on M. for 1°, 2796 (ii).

Quebec Harbour, Ocean Merchant Vessels, Tonnage, &c. (Ans.) 6178 (iv).

Rescue Stations in Coal Mining Districts, Establishment of (Ans.) 3936 (ii).

Sailing Directions to Capts. of Steamers (remarks) in Com. of Sup., 8533 (v).

Salmon River Dam and Fishing Rights (remarks) in Com. of Sup., 8536 (v).

Shipping Tonnage Registered in Canada, Number of Seamen, &c. (Ans.) 5891 (iii).

SUPPLY—

Adulteration of Food (inspectors, &c.) 1345; (prosecutions) 1349 (i).

Civil Govt.—Inland Revenue (contingencies) 231; (salaries) 229; Mines (salaries) 336 (i).

Excise (distilleries) 1331; (extra hours) 1336; (inspectors salaries) 1331; (methylated spirits) 1344; (provisional allowances) 1344; (tobacco stamps) 1342; (translation) 1343; (travelling expenses) 1341 (i).

Fisheries (B. C. claims) 8552; (Canadian exhibit) 8544; (cold storage) 8545; (customs bureau) 8551; (dog fish) 8546; (fish breeding) 8540 (v); (fish transportation) 5747 (iii); (fishways) 8534 (v); (hatcheries) 5751 (iii); (legal expenses) 8543; (oyster culture) 8545 (v); (protection service) 5752 (iii); (provincial jurisdiction) 8546; (salaries) 8536 (v).

Geological Survey (assay office, Vancouver) 7769; (books, &c.) 8556; (maps, &c.) 8556; (specimens) 8556; (surveys) 8555 (v).

Inland Revenue (minor revenues) 1358 (i).

Lighthouse and Coast Service (aids to navigation) 8525; (buoy steamer) 8528; (ice breaker, Thunder Bay) 8526; (pensions) 8528; (salaries) 8523; (signal service) 8527 (v).

Mail Subsidies and SS. Subventions (Canada and Cuba) 5709; (Victoria and San Francisco) 5711 (iii).

Marine (dredging plant) 8523; (piers, Lake St. Peter) 8523; (St. Lawrence ship channel) 8521; (Sorel yard property) 8523 (v).

TEMPLEMAN, Hon. WM.—*Con.*

SUPPLY—*Con.*

Mines, &c. (explosives) 8556; (ore deposits) 8553; (peat bogs) 8553 (v).

Ocean and River Service (cattle inspection) 8519; (icebreakers) 8514; (patrol vessels) 8521; (schools of navigation) 8518 (v).

Public Works—Harbours and Rivers—B. C. (Chilliwack) 4303; (Columbia river) 4281; (Queen Charlotte) 4717 (iii).

Weights and Measures (electric inspection) 1356; (gas inspection) 1355; (inspectors) 1355; (travelling expenses) 1356 (i).

Yukon Ter. Govt. (administrator) 5615 (iii).

Vitrified Sewer Pipe, Imports, Duties collected, &c. (Ans.) 3931 (ii).

Woollen Industry, Reps. of Messrs. Costello and Clarke (Ans.) 3737 (ii).

Yukon Territory, Goods imported free, Value, &c. (Ans.) 3492 (ii).

Zinc Ores, &c., Smelting (B. 182) Prop. Res., 4848; in Com. on Res., 5794; 1°*, 5801 (iii); in Com., 5935; 3° m., 6617 (iv).

THOBURN, Mr. W., *North Lanark.*

Agriculture Dept., Administration of, on M. for Sup., 7234 (iv).

Alien Labour Law, Infraction *re* Mechanics in Shipbuilding (remarks) 4813 (iii).

Budget, The, (remarks) 1621 (i).

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1293 (i).

Fenian Raid Veterans, Recognition of Services (remarks) 7068 (iv).

Insurance Act B. 166 (Mr. Fielding) in Com., 7947 (v).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 5097 (iii).

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6223 (iv).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5310 (iii).

Party Patronage System, on prop. Res. (Mr. Foster) 2462 (ii).

Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 6562 (iv).

SUPPLY—

Immigration (contingent expenses) 8212 (v).

...rical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1088 (i).

THORNTON, Mr. C. J., *Durham.*

Agriculture Dept., Administration of, on M. for Sup., 7278 (iv).

Budget, The, 1817, 1949 (i).

Cobourg Harbour Improvements, Expenditure *re* (Ques.) 1372 (i).

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1272 (i).

THORNTON, Mr. C. J.—*Con.*

Scugog Lake, Lands flooded, Ownership of (Ques.) 2187 (ii).

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com., 2658 (ii).

SUPPLY—

Arts, Agriculture, &c. (cold storage) 7363 (iv).

TOBIN, Mr. E. W., *Richmond and Wolfe.*

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5422 (ii).

TODD, Mr. W. F., *Charlotte.*

'Hestia,' Str., Wreck, Reps. Cor., &c. *re* Maintenance of Light, on M. (Mr. Daniel) for Papers, 321 (i).

SUPPLY—

Public Works—Harbours and Rivers—N. B. (St. John) 6120 (iv).

TOLMIE, Mr. J., *North Bruce.*

Algoma Central and Hudson Bay Ry. Co.'s (B. 110) 1°*, 2221 (ii).

H. of C., Stenographers for Committees, Emplymt. of, Payments to (Ques.) 8677 (v).

Manitoulin and North Shore Ry. Co.'s (B. 113) 1°*, 2221; in Com., 3430 (ii).

Pacific and Atlantic Ry Co.'s (B. 97) 1°*, 1878 (i).

SUPPLY—

Public Works—Buildings—Ont. (Kincardine) 7504 (v).

TURCOTTE, Mr. G. A., *Nicolet.*

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4622 (iii).

SUPPLY—

Public Works—Harbours and Rivers—Que (Godfroy) 3893 (ii).

TURCOTTE, Mr. J. P., *Quebec County.*

Budget, The, 1935 (i).

Canadian Northern Ry., Claims *re* Right of Way (remarks) on M. for Sup., 8702 (v).

Chambers of Commerce incorp. (B. 220) 1°*, 8213 (v).

Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 2°, 740 (i).

Incorporated Companies, Conference *re* Provincial and Federal Jurisdiction, &c (Ques.) 6937 (iv).

Interest Act Amt. B. 8 (Mr. Miller) on M. for 2°, 504 (i).

Labour Hours on Public Works B. 21 (Mr Verville) on M. for 2°, 1221 (i).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2913 (ii).

TURCOTTE, Mr. J. P.—*Con.*

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4893 (iii).

Northern Quebec Colonization Ry. Co.'s incorp. (B. 152) in Com., 5722 (iii).

Quebec Harbour, Ocean Merchant Vessels, Tonnage, &c. (Ques.) 6178 (iv).

Quebec and St. Lawrence River, Protection *re* Invasion, &c. (Ques.) 7513 (v).

Richibucto Wharf, Ques. of Order, 7691 (v).

Rules of the House, on prop. Res. (Mr. Lewis) 1512 (i).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5478 (iii).

SUPPLY.

Public Works—Buildings—Que. (St. Roch) 833 (i); Harbours and Rivers—Mar. Provs. (dredging) 5613 (iii).

TURGEON, Mr. O., *Gloucester.*

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4161 (iii).

SUPPLY—

Public Works—Harbours and Rivers—N.B. (Bathurst) 8817 (v).

TURRIFF, Mr. J. G., *Assiniboia.*

Budget, The, 2127 (ii).

Conservation of Natural Resources B. 185 (Mr. Fisher) in Com., 6372 (iv).

Dom. Lands Act Amt. (B. 94) 1° m., 1731 (i).

—— M. to Introduce, 1688 (i).

French Treaty B. 12 (Mr. Fielding) in Com. on Res., 186 (i).

G. T. P. Branch Lines Co.'s (B. 127) 1°*, 2631 (ii).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5545 (iii).

I. C. R., Low Rates, &c. (remarks) in Com. on Ry. Subsidies B., 8482 (v).

—— Sale of, on prop. Res. (Mr. Black) 2325 (ii).

Manitoba Grain Act Amt. B. 49 (Mr. Fisher) in Com. on Res., 659 (i).

Mar. Provinces, Representation in H. of C., on prop. Res. (Mr. Kyte) 2730 (ii).

Nelson River Ry. Co.'s incorp B. 52 (Mr. Rutan) in Com., 4830 (iii).

Ottawa, Northern and Western Ry. Co.'s B. 34 (Mr. McGiverin) on Amt. in Com., 1365 (i).

Pioneers Loan Co.'s incorp. (B. 211) 1°*, 7512 (v).

Protectorate Life Insurance Co. of Canada incorp. (B. 189) 1°*, 5929 (iv).

Race Track Gambling B. 6 (Mr. Miller) in Com., 6593 (iv).

Railway Committee, Rules *re* Bills (remarks) 8833 (v).

TURRIFF, Mr. J. G.—*Con.*

Rainy River Radial Ry. Co.'s incorp. B. 103 (Mr. Conmee) in Com., 5768 (iii).

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8434, 8598 (v).

Rules of the House, on prop. Res. (Mr. Lewis) 1540 (i).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5352 (iii), 6259 (iv).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7119 (iv).

S. A. Volunteers Bounty Act Amt. (B. 87) 1° m., 1687 (i); 2° m., 2056 (ii).

SUPPLY—

Public Works—Buildings—Ont. (Elora) 7178 (iv); Ottawa (astronomical observatory) 417, 538; (Royal Mint) 563 (i).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 1°, 4999 (iii); in Com., 8073 (v).

Weyburn Security Bank incorp. (B. 156) 1°*, 4922 (iii).

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Bill (No. 2) To amend the Railway Act,—(Mr. Lancaster).
1°, 93; 2°, 413, 448 (i).

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1°, 94; 2°, 452 (i).

Bill (No. 4) To amend the Railway Act.—(Mr. Lancaster).
1°, 95; 2°, 467 (i).

Bill (No. 5) To amend the Railway Act.—(Mr. Northrup).
1°, 96; 2°, 480 (i).

Bill (No. 6) To amend the Criminal Code.—(Mr. Miller).
1°, 96; 2°, 856 (i); M. for Com., 6398; in Com., 6500, 6510, 7258; 3°, 7270 (iv).

Bill (No. 7) Respecting the Units of Electrical Measure.—(Mr. Templeman).
1°*, 96 (i); wthdn., 5673 (iii).

Bill (No. 8) To amend the Interest Act.—(Mr. Miller).
1°, 126; 2°, 499; wthdn., 1209 (i).

Bill (No. 9) To amend the Inland Revenue Act.—(Mr. Templeman).
Res. prop., 98; in Com. on Res., 151; 1°* of B., 154; 2° and in Com., 522; 3°, 811 (i).

Bill (No. 10) Respecting Load Lines on Ships.—(Mr. Lewis).
1°, 162 (i); 2°, 2035 (ii).

Bill (No. 11) Respecting Wireless Telegraphy on Ships.—(Mr. Lewis).
1°, 163 (i); 2°, 2035 (ii).

Bill (No. 12) Respecting a certain Supplementary Convention between His Majesty and the President of the French Republic.—(Mr. Fielding).
Res. prop., 172; in Com. on Res., 173; 1°* of B., 199; 2°, 705, 744; in Com., 781; 3°, 812 (i).

Bill (No. 13) Respecting Injuries to Persons due to Motor Vehicles.—(Mr. Lewis).
1°, 201 (i); 2°, 2035 (ii), 8729; in Com., 8729; 3°*, 8731 (v).

Bill (No. 14) To amend the Criminal Code respecting offensive Weapons and Capital Offences.—(Mr. Lewis).
1°*, 204 (i).

BILLS—*Con.*

Bill (No. 15) To amend the Canada Shipping Act.—(Mr. Sinclair)
1°, 204; 2°, 512 (i).

Bill (No. 16) To amend the Seed Control Act.—(Mr. Fisher).
1°, 204; wthdn., 656 (i).

Bill (No. 17) To authorize the Government of Canada to acquire, by lease, lines of Railway connected with the Government Railways.—(Mr. Graham).
1°, 205; 2°, 1102; in Com., 1130 (i); 3°, 2191 (ii); Sen. Amts., 8402, 8828, 8854, 8855 (v).

Bill (No. 18) To amend the Bank Act.—(Mr. Sharpe, Ontario).
1°, 205; wthdn., 1209 (i).

Bill (No. 19) To amend the Intercolonial and Prince Edward Island Railways Employees' Provident Fund Act.—(Mr. Graham).
1°, 206; 2°, 1136; in Com., 1138 (i); 3°, 2637 (ii).

Bill (No. 20) To prevent the introduction or spreading of Insects, Pests and Diseases destructive to Vegetation.—(Mr. Fisher).
Res. prop., 200; in Com. on Res., 209; 1°* of B., 212 (i); 2°, and in Com., 5627, 5630; 3°*, 5673 (iii).

Bill (No. 21) Respecting the Hours of Labour on Public Works.—(Mr. Verville).
1°, 256; 2°, 1209 (i).

Bill (No. 22) To amend the Dominion Elections Act.—(Mr. Macdonell).
1°, 256; 2°, 1268 (i).

Bill (No. 23) To amend the Industrial Disputes Investigation Act, 1907.—(Mr. Macdonell).
1°, 257; 2°, 1296 (i).

Bill (No. 24) To amend the Railway Act.—(Mr. Macdonell).
1°, 257; 2°*, 1297 (i).

Bill (No. 25) Respecting the Water Carriage of Goods.—(Mr. Brodeur).
1°, 258; 2°, 1299 (i); in Com., 8004; 3°*, 8027 (v).

Bill (No. 26) Respecting Co-operative Societies.—(Mr. Monk).
1°, 340 (i); 2° m., 2156; 2°*, 3206 (ii).

Bill (No. 27) Respecting the British North American Mining Company.—(Mr. Geoffrion).
1°*, 379; 2°*, 556 (i); in Com., and 3°*, 3481 (ii).

Bill (No. 28) Respecting the Campbellford, Lake Ontario and Western Railway Company.—(Mr. Fowke).
1°*, 379; 2°*, 556; in Com., and 3°*, 1332 (i).

BILLS—*Con.*

Bill (No. 29) Respecting the Columbia and Western Railway Company.—(Mr. Goodeve).
1°*, 379; 2°*, 557 (i); in Com., and 3°*, 2258 (ii).

Bill (No. 30) Respecting the Eastern Townships Railway Company.—(Mr. Lavergne).
1°*, 379; 2°*, 557 (i); in Com., and 3°*, 1920 (i).

Bill (No. 31) Respecting the Kamloops and Yellow Head Pass Railway Company.—(Mr. Burrell).
1°*, 380; 2°*, 557; in Com., and 3°*, 1332 (i).

Bill (No. 32) Respecting the Nicola, Kamloops and Similkameen Coal and Railway Company.—(Mr. Burrell).
1°*, 380; 2°*, 557; in Com., and 3°*, 1332 (i).

Bill (No. 33) Respecting the Northern Mortgage Company of Canada.—(Mr. Haggart, Winnipeg).
1°*, 380; 2°*, 557 (i); 3°, 2279, 2373 (ii).

Bill (No. 34) Respecting the Ottawa, Northern and Western Railway Company.—(Mr. McGiverin).
1°*, 380; 2°*, 557; in Com., 1364; 3°*, 1366 (i).

Bill (No. 35) Respecting the South Ontario Pacific Railway Company.—(Mr. Nesbitt).
1°*, 380; 2°*, 557; in Com., and 3°*, 1333 (i).

Bill (No. 36) Respecting the Union Life Assurance Company.—(Mr. McGiverin).
1°*, 380; 2°*, 557 (i); in Com., 2098; in Com., and 3°*, 2258 (ii).

Bill (No. 37) Respecting the Walkerton and Lucknow Railway Company.—(Mr. Donnelly.)
1°*, 380; 2°*, 557; in Com., and 3°*, 1333 (i).

Bill (No. 38) Respecting the West Ontario Pacific Railway Company.—(Mr. Nesbitt.)
1°*, 380; 2°*, 557; in Com., and 3°*, 1333 (i).

Bill (No. 39) To amend the Railway Act.—(Mr. Martin, St. Mary's).
1°*, 380 (i); 2°*, 2167 (ii).

Bill (No. 40) To amend the Inspection and Sale Act.—(Mr. Fisher).
1°, 429; withdn., 656 (i).

Bill (No. 41) To amend the Criminal Code.—(Mr. Lennox).
1°*, 430; 2°, 805; in Com., 807 (i).

Bill (No. 42) Respecting the Edmonton and Slave Lake Railway Company.—(Mr. Cash).
1°*, 515; 2°*, 743; in Com., and 3°*, 1333 (i).

Bill (No. 43) Respecting the Hudson Bay Insurance Company.—(Mr. Knowles.)
1°*, 515; 2°*, 743 (i); in Com. and 3°*, 3481 (ii).

BILLS—*Con.*

Bill (No. 44) respecting the Montreal Central Terminal Company.—(Mr. Ethier)
1°*, 515; 2°*, 743 (i); in Com., and 3°*, 4246 (iii).

Bill (No. 45) Respecting the Phœnix Assurance Company, Limited.—(Mr. Macdonald).
1°*, 515; 2°*, 744; in Com., and 3°*, 1366 (i)

Bill (No. 46) To incorporate the Pine Pass Railway Company.—(Mr. White, Victoria, Alberta).
1°*, 515; 2°*, 744; in Com., and 3°*, 1366 (i)

Bill (No. 47) To provide for Inspection of Vessels not now inspected.—(Mr. Lewis).
1°, 515 (i).

Bill (No. 48) To amend the Railway Act.—(Mr. Papineau).
1°, 621 (i); 2°, 2032 (ii).

Bill (No. 49) To amend the Manitoba Grain Act.—(Mr. Fisher).
Res. prop., 520; in Com. on Res., 657; 1°* of B., 661 (i); withdn., 5674 (iii).

Bill (No. 50) Respecting Co-operation.—(Mr. Harris).
1°, 705 (i); 2°*, 3206 (ii).

Bill (No. 51) Respecting the Montmagny Mutual Fire Insurance Company, and to change its name to Manufacturers' Fire Insurance Company.—(Mr. Roy, Montmagny).
1°*, 782; 2°*, 956 (i); in Com., 2279; 3°, 2280 (ii).

Bill (No. 52) To incorporate the Nelson River Railway Company.—(Mr. Rutan).
1°*, 782; 2°*, 956 (i); in Com., 4752, 4814, 5235 5279; 3°*, 5317 (iii).

Bill (No. 53) To amend the Railway Act.—(Mr. Meighen).
1° 782 (i); 2° m., 2156 (ii).

Bill (No. 54) To amend the Inspection and Sale Act.—(Mr. Fisher).
In Com. on Res., 807; 1°* of B., 808 (i).

Bill (No. 55) To amend the Seed Control Act.—(Mr. Fisher).
In Com. on Res., 808; 1°* of B., 811 (i); 2°, 2637; in Com., 2638; 3°*, 2661 (ii).

Bill (No. 56) To amend the Bank Act.—(Mr. Demers).
1°, 922 (i); 2°, 2035 (ii).

Bill (No. 57 To amend the Bank Act.—(Mr. Sharpe, Ontario).
1°, 923 (i).

Bill (No. 58) Respecting the Montreal, Ottawa and Georgian Bay Canal Company.—(Mr. McGiverin).
1°*, 1099; 2°*, 1333 (i); in Com., 2258; 3°*, 2258 (ii).

Bill (No. 59) Respecting the St. Maurice Valley Railway Company.—(Mr. Mayrand).
1°*, 1099; 2°*, 1333 (i); in Com., and 3°*, 2258 (ii).

BILLS—*Con.*

Bill (No. 60) To amend the House of Commons Act.—(Mr. Campbell).
1°*, 1102 (i).

Bill (No. 61) Respecting the Canadian Northern Railway Company.—(Mr. Cash).
1°*, 1192; 2°*, 1486 (i); in Com., 3150; 3°*, 3151 (ii).

Bill (No. 62) Respecting the Esquimalt and Nanaimo Railway Company.—(Mr. Smith, Nanaimo).
1°*, 1192; 2°*, 1486 (i); in Com., and 3°*, 2671 (ii).

Bill (No. 63) Respecting the Manitoba and Northwestern Railway Company of Canada.—(Mr. Cash).
1°*, 1192; 2°*, 1486 (i); in Com., and 3°*, 2671 (ii).

Bill (No. 64) Respecting the Ottawa Valley Railway Company.—(Mr. Ethier).
1°*, 1192; 2°*, 1486 (i).

Bill (No. 65) To amend the Winding-up Act.—(Mr. Meighen).
1°, 1193 (i); 2°, 2039 (ii); in Com., and 3°*, 8731 (v).

Bill (No. 66) To amend the Railway Act.—(Mr. Lewis).
1°, 1297 (i).

Bill (No. 67) Respecting the Improved Paper Machinery Company.—(Mr. Worthington).
1°*, 1360; 2°*, 1729 (i); in Com., 3137; 3°*, 3138 (ii).

Bill (No. 68) Respecting the Kettle River Valley Railway Company.—(Mr. Burrell).
1°*, 1360; 2°*, 1729 (i).

Bill (No. 69) Respecting the Prince Albert and Hudson Bay Railway Company.—(Mr. Neely).
1°*, 1360; 2°*, 1729 (i); in Com., 4753, 4839; 3°*, 4922 (iii).

Bill (No. 70) To incorporate the Toronto Central Terminal Company.—(Mr. Harris).
1°*, 1360; 2°*, 1729 (i).

Bill (No. 71) Respecting Assault and Offences against the Person.—(Mr. Lewis).
1°, 1360 (i); 2°, 2040 (ii).

Bill (No. 72) Respecting the Saving of Daylight.—(Mr. Lewis).
1°, 1361 (i).

Bill (No. 73) To amend the Interest Act.—(Mr. Miller).
1°, 1362 (i); 2°, 2040; in Com., 2054, 2153 (ii).

Bill (No. 74) To amend the Canada Shipping Act.—(Mr. Edwards).
1°, 1362 (i); 2°, 2158 (ii).

Bill (No. 75) To amend the Criminal Code.—(Mr. Harris).
1°, 1363 (i); 2°*, 2056 (ii); M. for Com., 8731; in Com., 8732; 3°*, 8733 (v).

BILLS—*Con.*

Bill (No. 76) To amend the Savings Banks Act.—(Mr. Boyer).
1°, 1440 (i).

Bill (No. 77) To amend the Canada Shipping Act.—(Mr. Boyer).
1°, 1441 (i).

Bill (No. 78) Respecting the Edmonton, Dunvegan and British Columbia Railway Company.—(Mr. Douglas).
1°*, 1528; 2°*, 1729 (i); in Com., and 3°*, 2259 (ii).

Bill (No. 79) Respecting the Hamilton, Waterloo and Guelph Railway Company.—(Mr. Harris).
1°*, 1529; 2°*, 1729 (i); in Com., 6139, 6169, 6739; 3°*, 6886 (iv).

Bill (No. 80) To incorporate l'Institut de Notre Dames des Missions.—(Mr. Martin, Regina).
1°*, 1529; 2°*, 1920 (i); in Com., 3139; 3°*, 3150 (ii).

Bill (No. 81) To regulate Horse Racing.—(Mr. Wallace).
1°, 1529 (i).

Bill (No. 82) To incorporate the Merchants and General Insurance Company.—(Mr. Monk).
1°*, 1587; 2°*, 1920 (i); in Com., 2714; 3°*, 3090 (ii).

Bill (No. 83) Respecting the Vancouver, Westminster and Yukon Railway Company.—(Mr. Smith, Nanaimo).
1°*, 1587; 2°*, 1920 (i); in Com., and 3°*, 4246 (iii).

Bill (No. 84) Respecting the Commission for the Conservation of Natural Resources.—(Mr. Armstrong).
1°, 1587 (i).

Bill (No. 85) To amend the Criminal Code.—(Mr. Gordon, Nipissing).
1°, 1588 (i); 2°, 2162; in Com., 2166; 3°* 2167 (ii).

Bill (No. 86) Respecting the Western Canada Power Company, Limited.—(Mr. Taylor, New Westminster).
1°*, 1687; 2°*, 1920 (i); in Com., 3432; 3°*, 3876 (ii).

Bill (No. 87) To amend an Act to authorize a Bounty to Volunteers who served the Crown in South Africa.—(Mr. Turriff).
1° m., 1688 (i); 2°, 2056 (ii).

Bill (No. 88) To amend the Manitoba Grain Act.—(Mr. Currie, Simcoe).
1°, 1689 (i).

Bill (No. 89) Respecting the Calgary and Edmonton Railway Company.—(Mr. Douglas).
1°*, 1731; 2°*, 1920 (i); in Com., 2671; 3°*, 3090 (ii).

Bill (No. 90) Respecting the Central Ontario Railway.—(Mr. Stratton).
1°*, 1731; 2°*, 1920 (i); in Com., and 3°*, 3438 (ii).

BILLS—*Con.*

Bill (No. 91) To incorporate the London and Lake Erie Railway and Transportation Company.—(Mr. Harris).
1°*, 1731; 2°*, 1920 (i); in Com., 3929; 3°*, 3930 (ii).

Bill (No. 92) Respecting a Patent of the Mond Nickel Company, Limited.—(Mr. McGiverin).
1°*, 1731; 2°*, 1920 (i); in Com., 3090 (ii).

Bill (No. 93) Respecting the Vancouver and Coast-Kootenay Railway Company.—(Mr. Smith, Nanaimo).
1°*, 1731 (i); 2°*, 1964; in Com., and 3°*, 2671 (ii).

Bill (No. 94) To amend the Dominion Lands Act—(Mr. Turriff).
1°, 1731 (i).

Bill (No. 95) Respecting the Naval Service of Canada.—(Mr. Brodeur).
1°, 1732 (i); 2° m., 2952, 3210, 3296, 3575, 3683, 3747, 3945 (ii), 3987, 4025, 4083, 4129, 4316, 4403, 4535, 4618, 4848, 4922, 5003; Amt. (Mr. Monk) neg. (Y. 18; N. 175) 5095; Amt. (Mr. Borden) neg. (Y. 74; N. 129) 5101; on M. for 2°, 5107; Amt. (Mr. Northrup) neg. (Y. 78; N. 119) 5191; 2° agreed to (Y. 118; N. 78) 5194; Res. prop., 5195 (iii), 6509; M. for Com., 6948; in Com. on Res., 7294 (iv); in Com. on B. 7393; 3° m., 7528, agreed to (Y. 111; N. 70) 7590; Res. *re* withdn., 8742 (v).

Bill (No. 96) Respecting the Canadian Pacific Railway Company.—(Mr. German).
1°*, 1878 (i); 2°*, 2101; in Com., 3150; 3°*, 3150 (ii).

Bill (No. 97) Respecting the Pacific and Atlantic Railway Company.—(Mr. Tolmie).
1°*, 1878 (i); 2°*, 2101; in Com., and 3°*, 3438 (ii).

Bill (No. 98) Respecting the Trust and Loan Company of Canada.—(Mr. Doherty).
1°*, 1878 (i); 2°*, 2259 (ii); in Com., and 3°*, 5496 (iii).

Bill (No. 99) Respecting the Vancouver, Victoria and Eastern Railway and Navigation Company.—(Mr. Burrell).
1°*, 1878 (i); 2°, 2101 (ii); in Com., 4841; 3°*, 4842 (iii).

Bill (No. 100) Respecting Oaths.—(Mr. Lewis).
1°, 1878 (i).

Bill (No. 101) To provide for the Investigation of Combines, Monopolies, Trusts and Mergers which may enhance prices or restrict competition to the detriment of consumers.—(Mr. King).
1°, 2056; Res. prop., 2489 (ii), 6802, 6886; in Com. on Res., 6904; 2°, 6904; in Com., 6904 (iv), 7881, 7977; 3°, 8003; Sen. Amts., 8777 (v).

Bill (No. 102) Respecting Immigration.—(Mr. Oliver).
1°, 2133 (ii); 2°, 5502; in Com., 5529, 5532, 5802, 5821, 5851 (iii); Sen. Amts., 8400 (v).

BILLS—*Con.*

Bill (No. 103) To amend the Navigable Waters Protection Act.— (Mr. Pugsley).
1°, 2135 (ii); 2°, 5674 (iii); M. for Com., 6202; in Com., 6209, 6963; 3°*, 7071 (iv).

Bill (No. 104) To control the rates and facilities of Ocean Cable Companies, and to amend the Railway Act with respect to Telegraphs and Telephones, and the Jurisdiction of the Board of Railway Commissioners.—(Mr. Lemieux).
1°, 2136 (ii); 2°, 6007; in Com., 6010; 3°*, 6011 (iv); Sen. Amts., 8388 (v).

Bill (No. 105) To amend the Telegraphs Act. —(Mr. Lemieux).
1°, 2138 (ii); 2° and in Com., 6011; 3°*, 6012 (iv); Sen. Amts., 8389 (v).

Bill (No. 106) Respecting the Canadian Northern Ontario Railway Company.—(Mr. Nesbitt).
1°*, 2184; 2°*, 2283 (ii); in Com., and 3°*, 5724 (iii).

Bill (No. 107) To incorporate the Ottawa Montreal and Eastern Railway Company.—(Mr. Gladu).
1°*, 2184; 2°*, 2283; in Com., and 3°*, 3438 (ii).

Bill (No. 108) To incorporate the Rainy River Radial Railway.—(Mr. Conmee).
1°*, 2184; 2°*, 2283 (ii); in Com., 5723, 5765; 3°*, 5772 (iii).

Bill (No. 109) To amend the Dominion Elections Act.—(Mr. Conmee).
1°, 2184 (ii).

Bill (No. 110) Respecting the Algoma Central and Hudson Bay Railway Company. —(Mr. Tolmie).
1°*, 2221; 2°*, 2373; in Com., and 3°*, 3438 (ii).

Bill (No. 111) Respecting the Dominion Millers' Association.—(Mr. Harris).
1°*, 2221; 2°*, 2373; in Com., 3481, 3872, 3915 (ii), 4025, 5772; 3°*, 5776 (iii).

Bill (No. 112) To incorporate the Independent Order of Rechabites.—(Mr. Verville).
1°*, 2221; 2°*, 2373; in Com., and 3°*, 3876 (ii).

Bill (No. 113) Respecting the Manitoulin and North Shore Railway Company.—(Mr. Tolmie).
1°*, 2221; 2°*, 2373; in Com., 3430; 3°*, 3432 (ii).

Bill (No. 114) Respecting the Richelieu and Ontario Navigation Company.—(Mr. Forget).
1°*, 2221; 2°*, 2373; 3°*, 3930 (ii).

Bill (No. 115) To incorporate the St. Lawrence Power Transmission Company, Limited.—(Mr. Pardee).
1°*, 2221; 2°*, 2373 (ii); in Com., 5317, 5722 (iii), 6138, 6169, 6226, 6341, 6663, 6721; 3° m., 6886, 7251 (iv); Sen. Amts., 8653 (v).

BILLS—*Con.*

Bill (No. 116) To incorporate the Toronto and Eastern Railway Company.—(Mr. Fowke).

1°*, 2221; 2°*, 2373 (ii); in Com., 6768; 3°*, 6886 (iv).

Bill (No. 117) For the Relief of George Robert Buttonshaw.—(Mr. Campbell).

1°*, 2710; 2°*, 2840; in Com., and 3°*, 3481 (ii).

Bill (No. 118) To incorporate the Burrard Inlet Tunnel and Bridge Company.—(Mr. Cowan).

1°*, 2329; 2°*, 2671 (ii); in Com., and 3°*, 4308 (iii).

Bill (No. 119) To incorporate the International Waterways Canal and Construction Company.—(Mr. Conmee).

1°*, 2329; 2°, 2672, 3151 (ii); wthdn., 7512 (v).

Bill (No. 120) Respecting the Royal Guardians.—(Mr. Rivet).

1°*, 2329; 2°*, 2714 (ii); in Com., 7256; 3°*, 7258 (iv).

Bill (No. 121) To incorporate the Saskatchewan Central Railway Company.—(Mr. Martin, Regina).

1°*, 2329; 2°*, 2714 (ii); in Com., 4753; 3°*, 4754 (iii).

Bill (No. 122) To amend the Interest Act.—(Mr. Staples).

1°, 2329; 2°*, 2714 (ii).

Bill (No. 123) Respecting the Central Canada Manufacturers Mutual Fire Insurance Company.—(Mr. Gordon, Kent).

1°*, 2426; 2°*, 2714 (ii); in Com., and 3°*, 5496 (iii); Sen. Amts., 8657 (v).

Bill (No. 124) Respecting the Eastern Canada Manufacturers Mutual Fire Insurance Company.—(Mr. Gordon, Kent).

1°*, 2426; 2°*, 2714 (ii); in Com., and 3°*, 5496 (iii).

Bill (No. 125) To amend the Land Titles Act.—(Mr. Oliver).

1°, 2485 (ii); 2°, 5921; in Com., and 3°*, 5922 (iii); Sen. Amts., 8401 (v).

Bill (No. 126) To correct a clerical Error in the French Convention Act, 1908.—(Mr. Fielding).

1°, 2486 (ii); 2°, 6620; in Com., and 3°*, 6620 (iv).

Bill (No. 127) Respecting the Grand Trunk Pacific Branch Lines Company.—(Mr. Turriff).

1°*, 2631; 2°*, 3090 (ii); in Com., and 3°*, 4755 (iii).

Bill (No. 128) To incorporate the James Bay and Eastern Railway Company.—(Mr. Girard).

1°*, 2792; 2°*, 3091 (ii); in Com., 5723, 5763; 3°*, 5850 (iii).

Bill (No. 129) To incorporate the Ontario and Ottawa Railway Company.—(Mr. Low).

1°*, 2792; 2°*, 3091 (ii); in Com., and 3°*, 5724 (iii).

BILLS—*Con.*

Bill (No. 130) Respecting the Vancouver Island and Eastern Railway Company.—(Mr. Smith, Nanaimo).

1°*, 2792; 2°*, 3091 (ii); in Com., and 3°*, 5724 (iii).

Bill (No. 131) Respecting Pure Foods.—(Mr. Currie, Simcoe).

1°, 2792 (ii).

Bill (No. 132) To amend the Gas Inspection Act.—(Mr. Templeman).

1°, 3056 (ii); 2°, 5680; 3°*, 5687 (iii).

Bill (No. 133, from the Senate), To incorporate the Merchants Bank of Canada Pension Fund.—(Mr. Doherty).

1°*, 3133; 2°*, 3254; in Com., and 3°*, 3481 (ii).

Bill (No. 134, from the Senate), For the Relief of Hope Eileen Moreland Drinkle.—(Mr. McCarthy).

1°*, 3133; 2°*, 3254; in Com., and 3°*, 3481 (ii).

Bill (No. 135) To amend the Immigration Act.—(Mr. Lewis).

1°, 3133 (ii).

Bill (No. 136, from the Senate), Respecting the St. Clair and Erie Ship Canal Company.—(Mr. McColl).

1°*, 3296; 2°*, 3438 (ii); in Com., and 3°*, 5496 (iii).

Bill (No. 137, from the Senate), Respecting the Erie, London and Tilsonburg Railway Company.—(Mr. Clarke, Essex).

1°*, 3296; 2°*, 3438 (ii); in Com., and 3°*, 5723 (iii).

Bill (No. 138) To amend the Customs and Fisheries Protection Act.—(Mr. Aylesworth).

1°, 3290 (ii); 2°, 6189; in Com., and 3°*, 6190 (iv).

Bill (No. 139, from the Senate), Respecting the Bay of Quinté Railway Company.—(Mr. Talbot).

1°*, 3389; 2°*, 3482 (ii); in Com., and 3°*, 5724 (iii).

Bill (No. 140, from the Senate), For the relief of Frederick Joseph Gustin McArthur.—(Mr. Haggart, Winnipeg).

1°*, 3390; 2°*, 3875 (ii); in Com., and 3°*, 4308 (iii).

Bill (No. 141) To amend the Indian Act.—(Mr. Oliver).

1°*, 3390 (ii); 2°, 5922; in Com., 5925 (iii), 5934; 3°*, 5934 (iv).

Bill (No. 142, from the Senate), To incorporate the Congregational Union of Canada.—(Mr. Haggart, Winnipeg).

1°*, 3481; 2°*, 3625 (ii); in Com., 4754; 3°*, 4844 (iii).

Bill (No. 143) To amend the Dominion Lands Act.—(Mr. Magrath).

1°, 3670 (ii).

BILLS—*Con.*

Bill (No. 144, from the Senate), For the relief of Jessie Maud Mary Maxwell.—(Mr. Boyce).

1°*, 3829; 2°*, 3931 (ii); in Com., and 3°*, 4308 (iii).

Bill (No. 145) To amend the Railway Act.—(Mr. Graham).

1°, 3914 (ii); 2°, 8405; in Com., 8406; 3°*, 8422 (v).

Bill (No. 146, from the Senate), Respecting the Kingston, Smith's Falls and Ottawa Railway Company.—(Mr. Harty).

1°*, 4128; 2°*, 4246; ref. back to Ry. Com., 5235 (iii); in Com., and 3°*, 6798 (iv).

Bill (No. 147, from the Senate) For the relief of Archibald Laurie.—(Mr. Congdon).

2°*, 4754; in Com., and 3°*, 5724 (iii).

Bill (No. 148, from the Senate) For the relief of Bernard Shea.—(Mr. Rankin).

2°*, 4754; in Com., and 3°*, 5724 (iii).

Bill (No. 149, from the Senate) For the Relief of Clara Louise Holden.—(Mr. Rankin).

2°*, 4754; in Com., and 3°*, 5724 (iii).

Bill (No. 150) Respecting the Restigouche Boom Company, and to change its name to The Restigouche Log Driving and Boom Company.—(Mr. Reid, Restigouche).

1°*, 4402; 2°, 4842 (iii); in Com., 6139, 6169; 3°*, 6177 (iv).

Bill (No. 151) To provide for the adjudication of small claims arising in respect of the operation of the Government Railways.—(Mr. Graham).

1°, 4402 (iii); 2° and in Com., 6600; 3°*, 6601 (iv).

Bill (No. 152, from the Senate) To incorporate the Northern Quebec Colonization Railway Company.—(Mr. Turcotte, Quebec).

2°*, 4754; in Com., 5722; 3°*, 5850 (iii).

Bill (No. 153, from the Senate), For the Relief of James Albert Green.—(Mr. Prowse).

1°*, 5103; 2°*, 5496 (iii); in Com.., and 3°*, 6140 (iv).

Bill (No. 154, from the Senate) Respecting the Northern Empire Railway Company.—(Mr. W. H. White).

1°*, 5277; 2°*, 5724 (iii); in Com. and 3°*, 6177 (iv).

Bill (No. 155, from the Senate), To amend the Government Annuities Act, 1908.—(Mr. Fielding).

1°*, 4922 (iii); 2°, 6329; in Com., 6330; 3°*, 6332 (iv).

Bill (No. 156, from the Senate) To incorporate the Weyburn Security Bank.—(Mr. Turriff).

1°* 4922; 2°*, 5496; in Com., and 3°*, 5724 (iii).

BILLS—*Con.*

Bill (No. 157, from the Senate) For the Relief of Cecilia Marie Pringle.—(Mr. Price).

1°*, 4922; 2°*, 5496 (iii); in Com., and 3°*, 6140 (iv).

Bill (No. 158, from the Senate) For the relief of Ada Ann Reed.—(Mr. Nesbitt).

1°*, 5103; 2°, 5496 (iii); in Com., and 3°*, 6140 (iv).

Bill (No. 159, from the Senate) To amend the Exchequer Court Act.—(Mr. Aylesworth).

1°, 4996 (iii); 2°, and in Com., 6182; 3°*, 6187 (iv).

Bill (No. 160, from the Senate) Respecting the Ottawa, Brockville and St. Lawrence Railway Company.—(Mr. W. M. Martin).

1°*, 5277; 2°*, 5724 (iii).

Bill (No. 161, from the Senate) Respecting the Sovereign Trust Company, and to change its name to 'The Federal Trust Company.'—(Mr. Nesbitt).

2°*, 5496; in Com., and 3°*, 5724 (iii).

Bill (No. 162, from the Senate) For the relief of Alexander Augustus Barthelmes.—(Mr. W. M. Martin).

1°* 5277; 2°*, 5724 (iii); in Com., and 3°*, 6140 (iv).

Bill (No. 163) To amend the Volunteer Bounty Act, 1908.—(Mr. Oliver).

1°*, 4996 (iii); 2°, 6376 (iv); in Com., 8072, 8389; 3°*, 8400 (v).

Bill (No. 164, from the Senate) Respecting the Grand Trunk Railway Company of Canada.—(Mr. Clarke, Essex).

1°*, 5103, 2°*, 5496 (iii); in Com., and 3°*, 6140 (iv).

Bill (No. 165, from the Senate) For the relief of Elmore Walker Scott.—(Mr. Tolmie).

1°*, 5557; 2°*, 5777 (iii); in Com., and 3°*, 7258 (iv).

Bill (No. 166, from the Senate) Respecting Insurance.—(Mr. Fielding).

1°*, 5617 (iii); 2°, 7940; in Com., 7942, 8459; 3°*, 8476 (v).

Bill (No. 167, from the Senate) To incorporate the Montreal, Kapitachuan and Rupert's Bay Railway Company.—(Mr. Gervais).

1°*, 5617; 2°*, 5724 (iii); in Com., and 3°*, 6140 (iv).

Bill (No. 168, from the Senate) Respecting the Calgary and Fernie Railway Company.—(Mr. Goodeve).

1°*, 5617, 2°*, 5850 (iii); in Com., and 3°*, 6177 (iv).

Bill (No. 169, from the Senate) Respecting the Montreal and Southern Counties Railway Company.—(Mr. Geoffrion).

1°*, 5617; 2°*, 5724 (iii); in Com., and 3°*, 6140 (iv).

BILLS—*Con.*

Bill (No. 170, from the Senate) To incorporate the Catholic Episcopal Corporation of Temiskaming.—Mr. Gordon, Nipissing).

1°*, 5617; 2°*, 5724 (iii); in Com., and 3°*, 6140 (iv).

Bill (No. 171, from the Senate) Respecting the Dominion Bank.—(Mr. Macdonell).

1°*,5617; 2°*, 5850 (iii); in Com., and 3°*, 6798 (iv).

Bill (No. 172, from the Senate) Respecting the Dominion Atlantic Railway Co.—(Mr. Black).

1°*, 5617; 2°*, 5850 (iii); in Com., and 3°*, 6177 (iv).

Bill (No. 173) For granting to His Majesty certain sums of money for the Public Service of the Financial Years ending respectively, the 31st March, 1910, and the 31st March, 1911.—(Mr. Fielding).

M. for Com. on Ways and Means, 5529; in Com. on Ways and Means, 5606, 5626; 1° of B., 5626; 2°*, in Com., and 3°*, 5627 (iii).

Bill (No. 174) To amend the Railway Act.—(Mr. Currie, Simcoe).

1°, 5621 (iii).

Bill (No. 175) To amend the Civil Service Amendment Act, 1908.—(Mr. Beauparlant).

1°, 5620 (iii).

Bill (No. 176, from the Senate) To incorporate the Laurentian Insurance Company.—(Mr. Rivet).

1°*, 5687 (iii); 2°* 6798; in Com., and 3°*, 7258 (iv).

Bill (No. 177, from the Senate) To incorporate the Morrisburg Ferry and Dock Company.—(Mr. Broder).

1°*, 5759; 2°*, 5850 (iii); in Com., and 3°*, 6798 (iv).

Bill (No. 178, from the Senate) To incorporate the Ottawa and Montreal Transmission Company, Limited.—(Mr. Perley).

1°*, 5759 (iii); 2°*, 6798 (iv); in Com., 8599; 3°*, 8618 (v).

Bill (No. 179, from the Senate) For the Relief of Helena Mellor Fleming.—(Mr. Knowles).

1°*, 5759; 2°*, 5850 (iii); in Com., and 3°*, 7258 (iv).

Bill (No. 180) To amend the Royal Military College Act.—(Sir Frederick Borden).

Res. prop., 2633; in Com. on Res., 5783; 1°*, of B., 5791 (iii); 2°, 6098; in Com., and 3°*, 6099 (iv).

Bill (No. 181) To authorize the sale or other disposal of certain Public Lands, and the acquisition of certain other Lands, in or in the vicinity of the Cities of Toronto and Winnipeg, respectively.—(Sir Frederick Borden).

Res. prop., 2634; in Com. on Res., 5791; 1°* of B., 5793 (iii); 2° and in Com., 5941, 6003; 3°*, 6005 (iv)

BILLS—*Con.*

Bill (No. 182) Respecting the payment of Bounties on Lead contained in Lead-bearing Ores Mined in Canada, and to promote the production in Canada of Zinc.—(Mr. Templeman).

Res. prop., 4848; in Com. on Res., 5794; 1°* of B., 5801 (iii); 2e and in Com., 5935; 3°*, 6617 (iv).

Bill (No. 83, from the Senate) To incorporate the Ottawa, Rideau Valley and Brockville Railway Company.—Mr. Devlin).

1°*, 5886 (iii); 2°*, 6140; in Com., and 3°*, 6798 (iv).

Bill (No. 184) To provide for the Testing of Glassware used in connection with Milk Tests.—(Mr. Fisher).

Res. prop., 5623; in Com. on Res., 5884; 1°* of B., 5884 (iii); 2°, 6005; in Com., 6006; 3°*, 6007 (iv).

Bill (No. 185) Respecting the Commission for the Conservation of Natural Resources.—(Mr. Fisher).

Res. prop., 5687; in Com. on Res., 5884; 1°* of B., 5885 (iii); 2°, 6332; in Com., 6338, 6359; 3°, 6619 (iv).

Bill (No. 186) To amend the Irrigation Act —(Mr. Oliver).

1°, 5886 (iii); 2° and in Com., 6200; 3°*, 6202 (iv).

Bill (No. 187) To confirm and declare the rights of the Crown with respect to Water and Water Power, and relating to the diversion, acquisition and use of Water in the Railway Belt in British Columbia.—(Mr. Oliver).

1°, 5887 (iii); 2° and in Com., 6375; in Com., 8435, 8706 (iv).

Bill (No. 188) To amend the Act respecting the National Battlefield at Québec.—(Mr. Aylesworth).

1°, 5888 (iii); 2° and in Com., 6598; 3°*, 6600 (iv).

Bill (No. 189, from the Senate) To incorporate the Protectorate Life Insurance Company of Canada.—Mr. Turriff).

1°*, 5929; 2°*, 6140; in Com., and 3°*, 6798 (iv).

Bill (No. 190, from the Senate) To incorporate the Gatineau and Ungava Railway Company.—(Mr. Devlin).

1°*,5921; 2°* 6798 (iv); in Com., and 3°*, 7846 (v).

Bill (No. 191) To provide for further advances to the Harbour Commissioners of Montreal.—(Mr. Fielding).

Res. prop., 5623; in Com. on Res., 5898; 1°* of B., 5904; 2°, 5904 (iii); in Com., 6601; 3°*, 6601 (iv).

Bill (No. 192) To amend the Fisheries Act. —(Mr. Brodeur).

Res. prop., 4708; in Com. on Res., 5906; 1°* of B., 5921 (iii); 2° and in Com., 8032, 8058; 3°*, 8072 (iv).

BILLS—*Con.*

Bill (No. 193) To amend the Meat and Canned Foods Act.—(Mr. Fisher).
1°, 5929; 2°, 6279; in Com., 6279; 3°, 6618 (iv).

Bill (No. 194) To amend the Militia Pension Act.—(Sir Frederick Borden).
Res. prop., 2633 (ii); in Com. on Res., 6012, 6097; 1°* of B.. 6098; 2°, 6190; in Com., 6190; 3°*, 6194 (iv).

Bill (No. 195) Respecting the Currency Act. —(Mr. Fielding).
Res. prop., 2632 (ii); in Com. on Res., 6188; 1°* of B., 6189; 2° and in Com,. 6620, 6641; 3°*, 6646 (iv).

Bill (No. 196) For granting to His Majesty certain sums of money for the Public Service of the financial year ending the 31st March, 1910.—(Mr. Fielding).
M. for Com. on Ways and Means, 6397; in Com., 6397; 1°*, 2°*, in Com., and 3°*, 6398 (iv).

Bill (No. 197) To amend the Post Office Act. —(Mr. Lemieux).
Res. prop., 6100; in Com. on Res., 6601; 1° of B., 6389; 2° and in Com., 7313; 3°*, 7330 (iv).

Bill (No. 198) To amend the Industrial Disputes Investigation Act.—(Mr. King).
Res. prop., 4848 (iii); in Com. on Res., 6603; 1* of B., 6605 (iv); 2° and in Com., 8027; 3°*, 8032 (v).

Bill (No. 199) Respecting licenses to Fishing Vessels.—(Mr. Jameson).
1°, 6607 (iv).

Bill (No. 200) To amend the Customs Act.—(Mr. Jameson).
1°, 6607 (iv).

Bill (No. 201, from the Senate) For the Relief of John Green.—(Mr. Edwards).
1°*, 6802; 2°*, 7258 (iv); in Com., and 3°*, 7846 (v).

Bill (No. 202, from the Senate) For the Relief of James Thornton Brownlee.—(Mr. Blain).
1°*, 6802; 2°*, 7258 (iv); in Com., and 3°*, 7846 (v).

Bill (No. 203, from the Senate) Respecting the Essex Terminal Railway Company. —(Mr. Clarke, Essex).
1°*, 6802; 2°*, 7258 (iv); in Com., and 3°*, 8653 (v).

Bill (No. 204) To authorize the Erection of certain Wharfs and Buildings in the Harbour of St. John.—(Mr. Pugsley).
1°, 6934 (iv); 2° and in Com., 8120; 3°*, 8129 (v).

Bill (No. 205) To amend the Civil Service Act.—(Mr. Fisher).
Res. prop., 6608; in Com. on Res., 6948; 1°*, 2°* of B., 6962; in Com., 7295 (iv); 3°*, 7528; Sen. Amts., 8772 (v).

BILLS—*Con.*

Bill (No. 206) Respecting Escheats.—(Mr. Aylesworth).
Res. prop., 6508; in Com. on Res., 6974; 1°* of B., 6976 (iv); 2° and in Com., 8384; 3°*, 8388 (v).

Bill (No. 207) To amend the Judges Act.—(Mr. Aylesworth).
Res. prop., 6607; in Com. on Res., 6976; 1°* of B., 6985 (iv); 2° and in Com., 8383; 3°*, 8384 (v).

Bill (No. 208) To provide for the Payment of Bounties on Crude Petroleum.—(Mr. Graham).
Res. prop., 6608; in Com. on Res., 6985; 1°* of B., 7009 (iv); 2° and in Com., 8129; 3°*, 8131 (v).

Bill (No. 209) To amend the Canada Temperance Act.—(Mr. Murphy).
1°, 7181 (iv); 2° and in Com., 8381; 3°*, 8382 (v).

Bill (No. 210, from the Senate) To incorporate the Retail Merchants' Association of Canada.—(Mr. Gervais).
1°, 7286; 2°, 7287 (iv); in Com., 7868, 8043, 8422, 8587; 3°*, 8599 (v).

Bill (No. 211, from the Senate) To incorporate the Pioneers Loan Company.—(Mr. Turriff).
1°*, 7512; 2°*, 7868; in Com. and 3°*, 8653 (v).

Bill (No. 212) To amend the Government Annuities Act, 1908.—(Mr. Fielding).
1°, 7512 (v).

Bill (No. 213, from the Senate) Respecting the Brandon, Saskatchewan and Hudson's Bay Railway Company.—(Mr. Sifton).
1°*, 7650; 2°, 7868; in Com. and 3°*, 8653 (v).

Bill (No. 214, from the Senate) Respecting the Alberta and British Columbia Railway Company.—(Mr. Herron).
1°*, 7650; 2°*, 7868; in Com., and 3°*, 8653 (v).

Bill (No. 215, from the Senate) To incorporate the Buctouche Railway and Transportation Company.—(Mr. Carvell).
1°*, 7650; 2°*, 7846; in Com., and 3°*, 8653 (v).

Bill (No. 216, from the Senate) Respecting the British Northwestern Fire Insurance Company.—(Mr. Haggart, Winnipeg).
1°*, 7867; 2°*, 8043; in Com., and 3°*, 8653 (v).

Bill (No. 217) To amend the Prisons and Reformatories Act.—(Mr. Aylesworth).
1°, 7867; 2° and in Com., 8382; 3°*, 8383 (v).

Bill (No. 218, from the Senate) Respecting the Guelph Junction Railway Company. —(Mr. Clarke, Essex).
1°*, 7975; 2°, 8055, 8380, 8618; 3°, 8652 (v).

BILLS—*Con.*

Bill (No. 219, from the Senate) To incorporate the Alberta, Peace River and Eastern Railway Company.—(Mr. Martin, Regina).

1°*, 7975; 2°*, 8381; in Com., and 3°*, 8653 (v).

Bill (No. 220, from the Senate) To incorporate the Federation of Chambers of Commerce of the Province of Quebec.—(Mr. Rivet).

1°*, 8213; 2°*, 8381; in Com., and 3°*, 8653 (v).

Bill (No. 221, from the Senate) For the Relief of James Alexander Hurst Forster.—(Mr. Martin, Regina).

1°*, 8361; 2°*, 8381; in Com., and 3°*, 8653 (v).

Bill (No. 222, from the Senate) For the Relief of Emily Maud Nicoll.—(Mr. Osler).

1°*, 8361; 2°*, 8381; in Com., and 3°*, 8653 (v).

Bill (No. 223, from the Senate), For the Relief of Edna Shibley De Mar.—(Mr. Barker).

1°*, 8361; 2°*, 8381; in Com., and 3°*, 8653 (v).

Bill (No. 224, from the Senate) for the Relief of Clifford Buell Lillie.—(Mr. Clarke, Essex).

1°*, 8361; 2°*, 8381; in Com., and 3°*, 8653 (v).

Bill (No. 225, from the Senate) for the Relief of Rowland James Botterill.—(Mr. German).

1°*, 8361; 2°*, 8381; in Com., and 3°*, 8653 (v).

Bill (No. 226) To authorize the granting of Subsidies in Aid of the construction of Lines of Railway therein mentioned.—(Mr. Graham).

Res. prop., 7873, 8239; in Com. on Res., 8477; 1°*, 2°* of B., 8480; in Com., 8480; 3°*, 8679 (v).

Bill (No. 227) To incorporate the Canadian Northern Alberta Railway Company, and to aid in the construction of its Railway.—(Mr. Graham).

Res. prop., 8110; in Com. on Res., 8483; 1° of B., 8487; 2°*, and in Com., 8487; 3°*, 8679 (iv).

Bill (No. 228) To assist in maintaining an independent and efficient service of telegraphic news from Great Britain for publication in the Canadian Press (Mr. Fielding).

Res. prop., 8239; in Com. on Res., 8679; 1°* 2°*, in Com., and 3°*, 8687 (v).

Bill (No. 229) To encourage the construction of Dry Docks.—(Mr. Fielding).

Res. prop., 6276 (iv); withdwn., 8003; res. prop., 8113; in Com. on Res., 8687; 1°* of B., 8697; 2°, and in Com., 8673; 3°* 8764 (v).

BILLS—*Con.*

Bill (No. 230) Respecting the City of Ottawa.—(Mr. Fielding).

In Com. on Res., 8697; 1°* of B., 8704; 2° and in Com., 8770; 3°*, 8771 (v).

Bill (No. 231) Respecting Bounties on Iron and Steel made in Canada.—(Mr. Fielding).

Res. prop., 8362; in Com. on Res., 8705; 1°* of B., 8705; 2° and in Com., 8764; 3°*, 8770 (v).

Bill (No. 232) To amend the Government Railway Act.—(Mr. Graham).

1°, 8733; 2° and in Com., 8772; 3°*, 8776 (v).

Bill (No. 233) To amend the Customs Tariff, 1907 (Mr. Fielding).

M. for Com. on Ways and Means, 8705, 8742; in Com. on Ways and Means, 8757; 1°* of B., 8763; 2°, 8841; in Com., and 3°*, 8854 (v).

Bill (No. 234, from the Senate) To correct an error in the Telegraphs Act.—(Mr. Lemieux).

1°, 8776; 2°*, 8777; in Com., 8777; 3°* 8777 (v).

Bill (No. 235) For granting to His Majesty certain sums of money for the Public Service of the Financial Year ending the 31st March, 1911.—(Mr. Fielding).

In Com. of Ways and Means, 8856; 1°*, 2°*, 8856; in Com., 8856; 3°*, 8856 (v).

Blackfoot Reserve, Medical Attendance: Remarks (Mr. Magrath) in Com. of Sup., 7853 (iv).

——— Proposed Lease: M. for Cor.* (Mr. Magrath) 3170 (ii).

Black Point Breakwater: in Com. of Sup., 977 (i).

Blairmore Station Mail Service: Ques. (Mr. Armstrong) 7871 (v).

Blanche River Improvements: in Com. of Sup., 3457 (ii).

Blue Rocks Islands Breakwater: in Com. of Sup., 977 (i).

Bluff Head Breakwater: in Com. of Sup., 977 (i).

Blythe, Walter, Commutation of Death Sentence: Correction re Crown's Action (Mr. Aylesworth) 2712 (ii).

——— M. (Mr. Wallace) for Papers, 2009 (ii).

Board of Ry. Commissioners, Jurisdiction: *See* 'B. No. 104, 145.'

Boar's Back Post Office, Name of New Office &c.: Ques. (Mr. Jameson) 5778 (iii).

——— Pet. re.: Ques. (Mr. Jameson) 4313 (iii)

Boat Harbour, Toney River, N. S., Expenditure to date, &c.: Ques. (Mr. Stanfield) 3676 (ii).

See 'Toney.'

Boivin, Elzear, Payment *re* Telegraph Construction: Ques. (Mr. Girard) 7870 (v).
Bookmaking and Pool Rooms: *See* 'B. No. 6.'
Botterill, Rowland James, Relief of: *See* 'B. No. 225.'
Bounties on Crude Petroleum: *See* 'B. No. 208.'
Bounties on Iron and Steel: *See* 'B. No. 231.
Bounties on Lead and Zinc: *See* 'B. No. 182.'
Bounty to S. A. Volunteers: *See* 'B. No. 87 and 163.'
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